

Environment, Development and Transport Committee

Item No.

Report title:	Recommendations of the Norfolk Duty to Cooperate Member Forum
Date of meeting:	15 September 2017
Responsible Chief Officer:	Tom McCabe, Executive Director, Community and Environmental Services
Strategic impact Working in partnership across Norfolk helps to discharge the “duty to co-operate”.	

Executive summary

The Norfolk Duty to Cooperate Member Forum helps to discharge the duty to cooperate. This includes overseeing the production of the Norfolk Strategic Framework. The Forum agreed to consult on the draft Norfolk Strategic Framework with consultees including the partner authorities.

The draft NSF sets out guidelines for strategic planning matters across the County, and beyond, and demonstrates how the authorities will work together through a series of potential agreements on planning related topics.

Appendix 1 includes a number of detailed comments that support and seek to improve aspects of the NSF.

Recommendations

Members welcome and support the production of the Framework document and support the Vision, Objectives and the Agreements it contains, subject to further consideration of the comments in Appendix 1.

1. Proposal

- 1.1. When preparing Local Plans, authorities are subject to a number of legal and regulatory requirements including a legal duty to co-operate with neighbouring authorities in relation to strategically important land use issues which cross administrative boundaries. The result of such co-operation is expected to be better planning outcomes. The County Council is covered by the duty to cooperate as both a service provider and as a Minerals and Waste planning authority. This report principally concerns the former as the key Minerals and Waste duty to cooperate issues are with other strategic authorities.
- 1.2. In 2015 a formal duty to co-operate Members Forum was established with Terms of Reference to ensure that the duty to co-operate is effectively discharged. All authorities in Norfolk including the County Council participate in the forum which is supported via an officer team drawn from the authorities and other bodies such as the Environment Agency. The forum sought and gained agreement from each of the partner authorities to prepare a Norfolk Strategic Framework (NSF). The County Council is represented on the Forum by Councillor Sands.
- 1.3. The last Forum took place on 17 July 2017. The Forum agreed to publish a first

draft of the NSF for an eight week period of public consultation following which it will be amended and offered to each authority for formal agreement. The agenda and reports can be found at <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/partnerships/norfolk-strategic-planning-member-forum>. This page also hosts the NSF consultation site. A copy of the draft framework can be found [here](#).

- 1.4. The draft NSF sets out guidelines for strategic planning matters across the County, and beyond, and demonstrates how the authorities will work together through a series of potential agreements on planning related topics.
- 1.5. The draft NSF sets out a proposed *Spatial Vision* and *Shared Objectives* for the Norfolk authorities, having regard to the main spatial planning issues of population growth, housing, economy, infrastructure and environment. Related to these, a number of proposed *Agreements* explain how the local planning authorities will seek to deal with the matters through their spatial planning role. Therefore, although the Framework is not a planning document in its own right, it can be seen as a guide for future planning work.
- 1.6. The framework includes: a high level vision to help guide Local Plans; four high level objectives covering the economy, housing, the environment, and infrastructure; and 20 separate draft agreements that each Council is being asked to sign up to.
- 1.7. In addition the document describes the spatial characteristics of the County drawing on and summarising a range of previously published, and specifically prepared, evidence.
- 1.8. The agreements are intended to ensure that the Planning Authorities work closely together where it is desirable to do so. In summary the agreements are:

Agreements 1-3 – That the Norfolk planning authorities will plan to a common plan period extending to at least 2036 and in producing Local Plans they will seek to contribute towards the shared vision and objectives as outlined in the Framework.

Agreement 4. - That the Norfolk Authorities agree to prepare and maintain a consistent evidence base in relation to housing needs in three separate Housing Market Areas.

Agreements 5, 6 and 7 – That outside of Greater Norwich each planning authority will continue to prepare separate Local Plans.

Agreement 8 – That the focus for economic investment in the County will be on what are called the ‘Tier One’ Employment sites. These sites are recognised as having the most significant potential to attract inward investment and support high value sectors.

Agreement 9- That Local Plans will be prepared having regard to cross boundary economic and infrastructure issues.

Agreements 10 -13 – cover overall housing need issues

Agreement 14 covers the need for each authority to quantify and plan for the delivery of specialist types of accommodation including for gypsies, travelling show people, students and the elderly

Agreements 15 and 16 cover the assessment of housing and economic land capacity using a common methodology; and to be taken to improve delivery rates

of new housing development.

Agreement 17- That the Authorities will work together to developed a combined approach to the roll out of the supporting infrastructure for 5G mobile technology.

Agreement 18 – That the Authorities endorse the Planning for Health Protocol (see separate item on Agenda).

Agreement 19 The Local Planning authorities will continue to work closely with the County Council and school providers to ensure a sufficient supply of school places and land for school expansion or new schools

Agreement 20 –That the planning authorities will work together to produce a County wide Green Infrastructure (GI) strategy.

- 1.9. As part of the current consultation each of the authorities is being asked to formally endorse the Framework. An internal corporate consultation has been undertaken and detailed responses are attached in Appendix 1.

Next Steps

- 1.10. Following the consultation the responses will be considered by the Member Forum. A revised NSF will then be produced for endorsement by each of the authorities. A report on this will be considered by EDT at a future meeting. The duty to cooperate must be an ongoing process so there will be a need to update and roll forward the NSF.

2. Financial Implications

- 2.1. There are no direct financial implications. Staff support is managed through existing resources.

3. Issues, risks and innovation

- 3.1. There are no other significant issues that arise from this decision. This kind of strategic framework remains innovative.

4. Background

- 4.1. The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.
- 4.2. The duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.
- 4.3. Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.
- 4.4. Local planning authorities will need to satisfy themselves about whether they have complied with the duty. As part of their consideration, local planning authorities will need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters.

Officer Contact

If you have any questions about matters contained in this paper or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

Officer name : Phil Morris

Tel No. : 01603 222730

Email address : phil.morris@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.