

**Report to Cabinet Member for Environment, Planning and Cultural Services**  
**Report submitted by: Executive Director of Environment**  
**Date: December 2013**

**Part I - Item No.**

Electoral Divisions affected:  
All Preston, South Ribble,  
Chorley

## **Central Lancashire Local Development Framework Joint Advisory Committee revised Terms of Reference**

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### **Executive Summary**

The terms of reference for the Central Lancashire Local Development Framework (LDF) Joint Advisory Committee were established in 2008 with the specific intention of progressing the Central Lancashire Core Strategy to adoption. The completion of that work and a number of other factors relating to joint working across the Central Lancashire area mean that it is appropriate for the terms of reference to be reviewed as set out below.

A report on revising the terms of reference has been considered by the Joint Advisory Committee and it resolved to recommend to each constituent authority that the terms of reference be amended as set out in this report.

### **Recommendation**

That the Cabinet Member for Environment, Planning and Cultural Services

- i) agrees the revised Terms of Reference of the Joint Advisory Committee as set out in this report; and
- ii) authorises the Interim Executive Director of Environment in conjunction with the County Secretary and Solicitor, and in consultation with the Cabinet Member for Environment, Planning and Cultural Services, to negotiate and conclude a legal Agreement setting out the revised governance arrangements of the Joint Advisory Committee.

### **Background and Advice**

The original terms of reference for the Joint Advisory Committee ('JAC') agreed in 2008 are:

- a. To make recommendations to Chorley, Preston and South Ribble Councils regarding the content, including document preparation timetabling, of the Local Development Schemes covering Central Lancashire.
- b. To consider and examine issues relating to the production of a Joint Core Strategy for Central Lancashire and to make recommendations to the above Councils regarding the content and development of the Joint Core Strategy.
- c. To make recommendations to the above Councils regarding future plan making associated with the preparation, implementation and monitoring of the Joint Core Strategy and other relevant documents in the Local Development Scheme.

These terms of reference were focused on the specific planning issues around the preparation of a joint Core Strategy for Central Lancashire and other development and supplementary plan documents flowing from the Core Strategy. The Core Strategy has now been adopted together with a number of Supplementary Planning Documents and work is progressing on separate site allocation Local Plan documents where there has been a considerable degree of collaboration on the necessary evidence base. The three local planning authorities have also worked jointly on Community Infrastructure Levy charging schedules, having had a joint examination and bringing the levy into effect in September 2013. It is now appropriate to review the terms of reference of the JAC for a number of reasons.

### **Duty to Co-operate**

The Localism Act 2011 (at Section 110) amends the Planning and Compulsory Purchase Act 2004 to impose a duty on Local Planning Authorities, County Councils and other prescribed bodies to co-operate in the preparation of plans, in activities that could reasonably be considered to prepare the way for plan preparation, and in activities that support plan making in so far as these relate to strategic matters involving:

- sustainable development or the use of land that has or would have a significant impact on at least two planning areas;
- sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas.

Central Lancashire represents a fairly self contained area for a number of purposes. It is identified as a single housing market with common characteristics. The Central Lancashire Strategic Housing Market Assessment measured the self containment of the Central Lancashire Housing Market Area and found that a high proportion (77%) of housing moves were within the area. The area also has a relatively well connected labour market with strong commuting flows between Preston, South Ribble and Chorley. There will continue to be a considerable degree of overlap and common interest on land use, spatial planning and economic issues that point to a continuing need for close cooperation.

The National Planning Policy Framework ('NPPF') expands on how local planning authorities can demonstrate evidence of how they have co-operated effectively on

issues with cross-boundary impacts including by way of plans or policies prepared as part of a joint committee. The NPPF also says that co-operation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development.

## **City Deal**

The Preston, South Ribble and Lancashire City Deal involves Lancashire County Council in a far more direct role in connection with the infrastructure planning and investment to support economic and social development, including unlocking new housing sites in both Preston and South Ribble. The Preston, South Ribble and Lancashire City Deal agreement signed with Government on 12 September 2013 identifies a role for the Joint Advisory Committee as part of the governance arrangements for the programme. Furthermore, the County Council's capital investment has a direct impact on the ability to implement the Core Strategy. It is appropriate, therefore, that Lancashire County Council is included as a full member of the Joint Advisory Committee and its representation on the JAC increased to three elected members to reflect an equal representation across all four local authorities.

Under the current arrangement, at least one of the elected members it appoints shall be a member of that authority's Executive. Each authority must also appoint a named substitute for each elected member appointed. Meetings are currently open to the public unless a specific resolution has been passed.

To reflect these arrangements and to take into account the new legislative requirements it is proposed to amend and replace the terms of reference of the JAC to the following:

- a. To keep under review plans and policies prepared by Chorley, Preston and South Ribble Councils (the Local Planning Authorities) and Lancashire County Council relating to the strategic planning of Central Lancashire as a whole with particular emphasis on such matters in which the area is self contained and to make recommendations to each Local Planning Authority and the County Council on necessary amendments or alterations thereto.
- b. To keep under review the evidence base relating to strategic planning matters (including relevant housing, economic, transport and environmental research) affecting Central Lancashire and make recommendations to each Local Planning Authority and the County Council on the commissioning of appropriate research to ensure that any such evidence base is kept up to date.
- c. To monitor and report to each Local Planning Authority and the County Council on the effective delivery of strategic development as defined in S33(A)(4) of the Planning and Compulsory Purchase Act 2004 (as amended) to ensure compliance with the duty to co-operate and specifically concerning the provision of new housing, new employment opportunities, the economic health of city and town centres, sustainable transport and the provision of infrastructure.

- d. To keep under review and make recommendations to each Local Planning Authority on the Community Infrastructure Levy Charging Schedule and Infrastructure List.
- e. To make recommendations on the delivery of the Preston, South Ribble and Lancashire City Deal.

Chorley Council is not a party to the City Deal programme and its members on the Joint Advisory Committee have indicated that the Council's representatives would not take any formal part in any advice or recommendations relating to City Deal made by the Joint Advisory Committee.

**Consultations**

N/A

**Implications:**

This item has the following implications, as indicated:

**Risk management**

The 'duty to cooperate' is a means to discuss and resolve strategic planning issues and does not set out to establish a formal decision making process. As stated in the report, the Joint Advisory Committee's role is purely advisory.

The Terms of Reference and Agreement will provide a sound basis for delivering consistent and cost effective services to local authorities and managing strategic issues in a consistent and comprehensive manner.

**Financial**

There are no financial implications in agreeing to the revised Terms of Reference.

**Legal**

The Joint Advisory Committee has an advisory role only. The Agreement will not fetter the County Council's decision making processes.

**List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A