

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

20 APRIL 2006

**REPORT OF CORPORATE
MANAGEMENT TEAM**

COUNCIL DECISION

Regeneration and Transport – Lead Cabinet Member – Councillor Cook

MEMBER STEERING GROUP – LOCAL DEVELOPMENT FRAMEWORK

1. Summary

To establish the membership of a Steering Group which will provide an opportunity for wider and early Member involvement across all the political parties and ongoing debate/dialogue as the constituent Local Development Framework (LDF) documents are progressed.

2. Recommendations

Members are recommended to:

- i) Agree the size and composition of the LDF Member Steering Group
- ii) Seek nominations for membership of the LDF Steering Group

3. Reasons for the Recommendations/Decision(s)

There is a statutory duty for all local planning authorities to adopt and keep under review the development plan for their respective areas. Under the Planning and Compulsory Purchase Act 2004, the Statement of Community Involvement (SCI) is a local development document and is a statement of the authority's policy as to the involvement in the exercise of the authority's functions in the preparation and revision of development plan documents. The SCI refers to a Member Steering Group as a consultee in the decision-making process.

4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.

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SUMMARY

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RECOMMENDATIONS

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DETAIL

1. At a meeting on 11 November 2004, Members of Cabinet endorsed the establishment of a specific LDF Member Steering Group to facilitate the LDF preparation, with confirmation by Council on 24 November 2004. Further consideration by Cabinet and Council was agreed, where nominations were to be sought for Member representation.
2. The purpose of the Group is to work with officers in the preparation of LDF documents, and to advise the Council's Planning Committee, Cabinet and Full Council on the content of the LDF and its constituent documents.
3. A draft Terms of Reference was **appended** to the report (attached).
4. At that time, it was suggested that the Steering group would comprise 12 Members, made up of a proportionate representation of all political parties, and that it should include:
 - a. The Leader of Council
 - b. Cabinet member for Development and Regeneration
 - c. The Chair or Vice Chair of Planning
 - d. Area Cabinet Representatives
 - e. Non-members of Planning Committee.
5. As the political composition of the Council has changed, and Area Cabinet Representatives no longer exist, Cabinet will need to reconsider the composition (and possibly the size) of the Member Steering Group. It is important that the Group

- ❑ Is sufficiently large enough to be representative, but small enough to be manageable (both in terms of organising meetings, and in becoming a productive, participatory forum).
 - ❑ Is both politically and geographically representative of the Borough
 - ❑ Allows Members of Planning Committee with a specific interest in policy issues to participate.
6. Based on the current political composition of the Council, assuming a membership of ten, the proportionate representation of the Group should comprise 5 Labour, 2 Conservative, 1 Lib Dem and 2 IBIS/TIA.
 7. Taking the political representation into account, as set out in paragraph 6, membership might include:
 - 1) Cabinet Member for Regeneration and Transport (Chair)
 - 2) Chair and Vice Chair of Planning
 - 3) Cabinet Members for Housing, Leisure & Environment
 - 4) 4 other members
 8. Nominations for membership of the Group need to be made. With the consultation phase on the LDF Core Strategy Issues and Options paper fast approaching (May/June 2006), the Group will need to be in a position to start considering feedback from members of the public and stakeholders in July. An inaugural meeting will be required prior to this to deal with administrative matters such as the election of a chairperson for the Group, and confirmation of the terms of reference for the Group.

FINANCIAL AND LEGAL IMPLICATIONS

Financial

9. There are no known financial implications other than the costs involved in holding the Steering Group meetings.

Legal

10. There are no legal implications. Views of the Steering Group will be forwarded through the normal Committee cycle.

RISK ASSESSMENT

11. A Strategic Risk Assessment has been undertaken, and there are no known risks that would arise from establishing a Member Steering Group. However, delay in setting up the Group could lead to difficulties in fulfilling the commitments of the Statement of Community Involvement (SCI) (adopted in March 2006) in considering the results of community involvement. The Member Steering Group is cited in the SCI as a consultee in the decision-making process.

This (subject matter of report) is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

COMMUNITY STRATEGY IMPLICATIONS

12. The local development documents which form part of the LDF, will take into account other strategies and programmes which affect the area, especially the Community Strategy. The government identifies LDFs as one of the key mechanisms for delivering Community Strategy objectives.

CONSULTATION INCLUDING WARD/COUNCILLORS

13. Formal consultation on the preparation of development plan documents will take place in accordance with the principles set out in the Statement of Community Involvement.

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Background Papers: Statement of Community Involvement

Ward(s) and Ward Councillors: N/A

Property: N/A

LDF MEMBER STEERING GROUP

DRAFT TERMS OF REFERENCE

1. Membership of the Local Development Framework Members Steering Group will be comprised 12 Members comprising a proportionate representation of all parties (*ie 7 Labour, 3 Conservative, 1 Liberal Democrat and 1 TIA*) that includes:-
 - (i) The Leader of the Council
 - (ii) Cabinet Member for Development and Regeneration
 - (iii) The Chair or Vice Chair of Planning
 - (iv) Area Cabinet Representatives
 - (v) Non-Members of the Planning Committee
2. Other Members / Representatives may be nominated / co-opted at the discretion of the Group
3. The purpose of the Group is to advise the Council's Planning Committee, Cabinet and Full Council on the preparation of the Local Development Framework and its constituent documents.
4. The Group is not a decision making body, its recommendations will be reported back through the Committee Structure by the Chair of the Steering Group.
5. The Group will meet on a quarterly basis, or as required.
6. A number of the issues that will be discussed by the Group will be of a confidential nature. Group members must respect this confidentiality and not discuss these matters outside of the Group until they have been formally placed in the public realm.
7. The Scope of the work considered by the Group will include : -
 - (i) The content of the Local Development Scheme and its subsequent successors, which includes the identification and timetabling of those Local Development Documents to be included
 - (ii) The monitoring of the Local Development Scheme to ensure that the programme is on course
 - (iii) Consideration of any National and Sub-Regional land-use strategies and studies that may affect the Borough with implications for the LDF.
 - (iv) The assimilation and consideration of all background evidence and technical studies together with the various planning policy options required as background work to the preparation of the LDF.
 - (v) Consideration of arrangements for consultation / engagement with local communities on LDF issues which are to be set out in the Council's Statement of Community Involvement.
 - (vi) Consideration of views from key consultees received during technical work on preparation of the LDF.
 - (vii) The content of all subsequent LDDs prepared ranging from the broad locational development requirements, the specific designation of land for development and protection to the wording of policies / proposals
 - (viii) Consideration of the LDF Annual Monitoring Report to assess whether: -
 - (a) The Council is meeting, or is on track to meet, the targets set out in the LDDs and, if not, the reasons why;
 - (b) The LDD policies meet other targets set at national, regional or local level;
 - (c) Any policies need to be replaced to meet sustainable development objectives and the actions required to if policies need to be replaced.