Cabinet

Members of the Cabinet

Mr J Fuller
Chairman
Leader, External Affairs

Mr M Wilby
Vice-Chairman
Deputy Leader, Communities and Localism

Portfolio Holders

Mrs Y Bendle
Housing and Public Health

Mr D Bills
Innovation and Efficiency

Mr K Kiddie
Environment and Regulation

Mr G Wheatley
Finance and Resources

Agenda

Date
Monday 23 March 2015

Time
9.00 am

Place
Cavell and Colman Rooms
South Norfolk House
Swan Lane
Long Stratton Norwich
NR15 2XE

Contact
Claire White  tel (01508) 533669
South Norfolk District Council
Swan Lane
Long Stratton Norwich
NR15 2XE

Email: democracy@s-norfolk.gov.uk
Website: www.south-norfolk.gov.uk

If you have any special requirements in order to attend this meeting, please let us know in advance
Large print version can be made available
A G E N D A

1. To report apologies for absence;

2. Any items of business which the Chairman decides should be considered as matters of urgency pursuant to Section 100 B (4) (b) of the Local Government Act, 1972; [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency]

3. To receive Declarations of Interest from Members;
   (Please see guidance form and flow chart attached - page 3)

4. Minutes of the meeting held on Monday 16 February 2015; (attached – page 5)

5. Localism Act Duty to Co-operate: Structure for Future Co-operation Across Norfolk; (attached – page 17)

Discharging the Duty to Co-operate is a legal requirement for all local planning authorities preparing their Local Plan documents. The nine Norfolk Local Planning Authorities and the Norfolk Member Duty to Co-operate Forum have been discussing different ways in which the LPAs can discharge the DTC in the context of the next generation of Local Plan documents. Preparation of a statutory non-strategic framework is being recommended as the most appropriate approach for all nine LPAs to take jointly. As well as contributing to the discharge of the DTC, the approach offers the likelihood of securing significant cost savings through joint working and the preparation of shared evidence base information.

6. Member Induction Plan; (report attached – page 39)

The purpose of this report is to inform and gain the support of Cabinet to the programme for the induction of members ahead of the 2015 election.

7. Cabinet Core Agenda (attached – page 44)
DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:
1. affect yours, or your spouse / partner’s financial position?
2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is “yes” to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE
What matters are being discussed at the meeting?

Do any relate to an interest I have?

A. Have I declared it as a pecuniary interest?
OR
B. Does it directly affect me, my partner or spouse’s financial position, in particular:
   - employment, employers or businesses;
   - companies in which they are a director or where they have a shareholding of more than £25,000 face value or more than 1% of nominal share holding
   - land or leases they own or hold
   - contracts, licenses, approvals or consents

The interest is pecuniary – disclose the interest, withdraw from the meeting by leaving the room. Do not try to improperly influence the decision.

If you have not already done so, notify the Monitoring Officer to update your declaration of interests.

The interest is related to a pecuniary interest. Disclose the interest at the meeting. You may make representations as a member of the public, but then withdraw from the

Does the matter indirectly affects or relates to a pecuniary interest I have declared, or a matter noted at B above?

The Interest is not pecuniary nor affects your pecuniary interests. Disclose the interest at the meeting. You may participate in the meeting and vote.

Have I declared the interest as an other interest on my declaration of interest form? OR

Does it relate to a matter highlighted at B that impacts upon my family or a close associate? OR

Does it affect an organisation I am involved with or a member of? OR

You are unlikely to have an interest. You do not need to do anything further.

Is it a matter I have been, or have lobbied on?
CABINET

Minutes of a meeting of the Cabinet of South Norfolk District Council held at South Norfolk House, Long Stratton on Monday 16 February 2015 at 9.00 am.

Members Present:

Cabinet: Councillors J Fuller (Chairman)
Y Bendle, D Bills, K Kiddie, and M Wilby (for part of the meeting)

Apologies: Councillor G Wheatley

Non-Appointed: Councillors Ellis, Goldson, Hornby, Legg, Lewis, Neal, Riches, R Savage, K Weeks

Officers in Attendance: The Chief Executive (S Dinneen), the Director of Environment and Housing (A Jarvis), the Director of Growth of Localism (T Horspole), the Acting Director of Business Development (D Lorimer), the Accountancy Manager (M Fernandez-Graham), the Business Improvement Manager (W Salmons), the Communities and Democratic Services Manager (L Mickleborough) the Planning Policy Manager (A Nicholls), the Scrutiny and Information Rights Officer (E Goddard), and the Senior Planning Officer (S Marjoram).

Also in Attendance: Cllr J Joyce from Mulbarton Parish Council

2351 DECLARATIONS OF INTEREST

Cllr D Bills declared an “other” interest in agenda item 14, the Member Grants Scheme (minute 2358), as the Chairman of the Northern River Valleys Neighbourhood area.

2352 MINUTES

The minutes of the meeting held on Monday 26 January 2015 were agreed as a correct record and signed by the Chairman.
2353 RESPONSE TO MULBARTON PARISH COUNCIL CONSULTATION ON THE DRAFT MULBARTON NEIGHBOURHOOD PLAN

The subject of the decision

Members considered the report of the Planning Policy Manager, which proposed a response to the Mulbarton Parish Council Consultation on the draft Mulbarton Neighbourhood Plan.

The Planning Policy Manager welcomed the progress made by the Parish Council on developing the Neighbourhood Plan, explaining that in general, officers were very supportive of its contents. Officers did however suggest that the current wording of policies needed adjustment to ensure that they best delivered the Parish Council’s aspirations and would pass the Basic Conditions tests at Examination stage. He further stressed the importance of ensuring all wording was precise as there would be very little scope to make changes later on; the Examiner had very little power to make any changes other than those that related to a failure in policy.

The Chairman applauded Mulbarton Parish Council for its achievements, it being only the second parish in the District to develop a Neighbourhood Plan. He hoped that South Norfolk Council’s comments would be viewed as positive and constructive, and that Mulbarton Parish Council would continue to engage with South Norfolk to agree amendments that were satisfactory to both parties.

Cllr N Legg, local member for Mulbarton, and a member of the Mulbarton Neighbourhood Plan Committee, explained that he felt the comments to be fair, recognising that amendments were required to the Plan, to ensure that it passed the Basic Conditions.

Cllr J Joyce, Mulbarton Parish Councillor and Chairman of the Neighbourhood Plan Committee, then addressed the meeting, acknowledging the issues raised by South Norfolk and expressing his gratitude for the assistance provided by officers in working through the required amendments. He was keen that the Plan continued to encapsulate the key messages received from local residents; that whilst recognising the need for development, Mulbarton continued to retain its “village feel”, and traffic was deterred from the centre of the village.

The Decision

It was

RESOLVED: To agree the response as set out in Appendix 1 of the report and to delegate authority to Director of Growth and Localism to:

a) submit the Appendix as South Norfolk Council’s formal response to the consultation on Mulbarton Parish Council’s draft Neighbourhood Plan;

b) work with the Parish Council to agree amendments that are mutually satisfactory (if any of South Norfolk Council’s amendments are not thought satisfactory by
The Parish Council) and;

c) should the Neighbourhood Plan be submitted for Examination, to pursue the Council’s representations at the Examination (if appropriate modifications have not been made and/or to make appropriate representations on any other new/amended text).

The Reasons for the Decision

To ensure that the plan best delivers the parish’s aspirations and meets the five Basic Conditions at the Examination stage of the process.

Other Options Considered

- Not to respond to the consultation

2354 Performance, Opportunities/Risks and Revenue Budget Position Report April to December 2014/15

The Subject of the Decision

Members considered the report of the Scrutiny and Information Rights Officer, the Accountancy Manager and the Business Improvement Manager, which detailed the Council’s risk position at the end of the third quarter of the financial year, the revenue budget position for quarter three and the performance of the Council from April to December 2014.

The Business Improvement Manager began by explaining that performance levels had been good throughout Quarter 3, with no indicators falling below acceptable levels. Seven measures had been awarded amber status, but there were no real causes for concern.

Members expressed their satisfaction with performance and were particularly pleased to note the exceptional performance in relation to LI 758, External Funding identified and brought in to the Local Economy, and LI 013 Building Control Fee Earning Income.

With regard to LI 263, the number of missed bins for all waste per 100,000 collections, Cllr K Kiddie explained that this indicator had recovered well from an amber status in quarter two. He added that only 200 bins out of three quarters of a million had been missed, which he felt to be a commendable achievement.

Turning to risks, the Chairman referred to the recent incident at South Oxfordshire Council where its offices were destroyed by fire. The Scrutiny and Information Rights Officer explained that traditionally the risk of this happening was considered to be low. This would, however, be reviewed once the outcomes of a recent audit of the Disaster Recovery Plan were known, but she was hopeful that there would be no change to the level of risk.
The Accountancy Manager briefly summarised the position for the revenue budget for the Council. Referring to income, he made reference to the increased income at the Wymondham Leisure Centre, but also the losses made at the Diss Swim and Fitness Centre, due to planned and unplanned pool closures. Members also noted that there were a reduced number of voids in investment properties and that those voids at Loddon had recently been filled.

With regard to the request to write off a bad debt, outlined a paragraph 9 of the report, members noted that there were no more avenues open to the Council to ensure its recovery.

The Decision

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<td>1. Note the performance for quarter 3, 2014/15 and the combined efforts across the Directorates to deliver the Vision of the Council;</td>
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<td>2. Note the current position, particularly the organisational capacity, with regard to opportunities and risks and accepts the actions to support risk mitigation and opportunity development.</td>
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<td>3. Note the revenue position and the reason for the variances on the General Fund and the forecast outturn.</td>
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<td>4. Approve the write-off of unrecoverable bad debt as outlined in section 9 of the report.</td>
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The Reasons for the Decision

To ensure processes are in place to improve performance that the management of risks are sound, and to ensure that reserves and revenue budgets are in place to meet the Council’s corporate objectives

Other Options Considered

None

2355 CAPITAL AND TREASURY MANAGEMENT REPORT QUARTER 3 2014/15

The subject of the decision

Members considered the report of the Accountancy Manager, which reviewed the position of capital expenditure for April to December 2014, and the treasury management activity during the same period.

The Accountancy Manager drew attention to the key areas in his report, explaining capital expenditure to be slightly behind profile at £2.5 million. During discussion,
attention was drawn to the re-profiling of a number of schemes and members noted that the purchase of land adjacent to the Ketteringham Depot was no longer going ahead.

With regard to treasury management, the Accountancy Manager explained that interest earned on cash investments was forecast to be more than budgeted, but still down on last year. This was due to lower interest rates available on new investments. The Chairman stressed the importance of diversifying investments due to such low returns on cash. He felt it to be a remarkable achievement that despite these low returns, the Council continued to invest in an extensive capital programme, whilst planning to freeze council tax for the seventh time in eight years.

The Decision

RESOLVED:

1. To note progress on the Capital Programme during the first nine months of 2014/15.

2. To approve the request to:
   a) Re-programme the capital schemes for Ketteringham Depot, Website Development and Play Areas into 2015/16.
   b) Allocate £70,000 from the Transformation Grant to fund work on the Citrix Walled Garden
   c) Bring forward £135,000 to fund enhancement work at Diss and Long Stratton Leisure Centres

3. TO RECOMMEND THAT COUNCIL
   a) Approves the 2014/15 prudential indicators for the quarter.
   b) Notes the treasury activity in the quarter and that it complies with the agreed strategy.

The Reasons for the Decision

To ensure that the capital programme is aligned to the Council’s priorities and is fully funded

Other Options Considered

None
2356 BUDGET CONSULTATION 2015/16

The subject of the decision

Members considered the report of the Senior Accountant, which outlined the key messages from this year’s budget consultation exercise, to inform members’ consideration of the budget proposals for the financial year 2015/16.

The Accountancy Manager introduced the report, broadly summarising the results of the exercise.

Members noted that the exercise indicated that the most important services to residents were waste and recycling and that car parking was considered to be the least popular area where fees should be increased.

Cabinet was pleased that the main key messages generally reflected the investment proposed in the Council’s Directorate Plans, and the budget proposals for 2015/16.

The Decision

| RESOLVED: | To note the feedback received during the consultation exercise. |

The Reasons for the Decision

To take into account the issues raised when determining the budget and level of Council Tax for 2015/16

Other Options Considered

None

2357 BUSINESS PLANS 2015/16

The subject of the decision

Members considered the report of the Business Improvement Manager, which presented Cabinet with the Directorate Business Plans for 2015-16.

The Business Improvement Manager briefly outlined the process undertaken in producing the directorate plans.

Referring to the Housing and Public Health service, Cllr K Weeks referred to proposals to launch a loan assistance scheme, and queried whether the Council required a licence to carry out such activities. The Acting Director of Business Improvement confirmed that such a licence was not necessary. Cllr Y Bendle drew attention to the achievements of the Housing and Public Health service, suggesting that the Plan reflected the services’ ambition for continuous improvement.
The Decision

It was

RESOLVED:

1. To approve the Business Plans for 2015/16;
2. To continue with the current set of strategic measures

The Reasons for the Decision

To ensure that a sound business planning process is in place, as a mechanism for the vision and priorities set by members.

Other Options Considered

None

2358 MEMBER GRANTS SCHEME 2015/16

The subject of the decision

Members considered the report of the Communities and Democratic Services Manager, which sought approval for the operation of the member grant scheme for 2015/16, which included changes to the Ground Rules, and how the additional funding from the Neighbourhood Fund Reserve, should be allocated.

The Communities and Democratic Services Manager outlined the background to the report, explaining the options for the allocation of funding, and the views expressed at the Growth and Localism Committee meeting held 22 January 2015.

Cllr M Wilby expressed his support for Option 2, which would see a universal increase to the Community Action Fund. Members noted that this could still help to supplement funding given by individual members through the Member Ward Budget.

The Decision

It was

RESOLVED:

1. To agree that Option 2 is the favoured option for the allocation of the Community Grant Scheme, from those identified within paragraph 2.3 of the report;

2. To approve the recommended changes to the Ground Rules for the Community Grant Scheme as highlighted within paragraph 2.7 of the report to the Growth and Localism Committee and paragraph 2.7 of the Cabinet report

The Reasons for the Decision

To ensure the maximum impact and support to communities, helping them realise their potential
Other Options Considered

- To use the additional funding to increase the member ward budget
- To use the additional funding to increase both the member ward budget and the Community Action Fund

2359 REVENUE BUDGET AND COUNCIL TAX 2015/16

The subject of the decision

Members considered the report of the Acting Director of Business Development, which examined the Council’s revenue budget for 2015/16, and proposed a freeze on council tax levels.

The Chairman explained that he was proud to be leading the Council, referring to the excellent quality of services, high satisfaction levels, ambitious capital programme, high level of reserves and the proposed freeze on council tax levels which was the seventh freeze in 8 years. All this, he felt, was a remarkable achievement.

The Acting Director of Business Development outlined the key areas of her report to members. She advised members that since writing the report, the Local Government Finance settlement figures had been finalised and that there was no need to make any adjustments to the proposed budget. She drew attention in particular to the proposed freeze in council tax, the uncertainty over the New Homes Bonus, the level of reserves, and the proposed new Infrastructure Reserve, which would support local infrastructure schemes and projects such as the use of Compulsory Purchase powers to deliver the Long Stratton bypass. As Section 151 Officer, she confirmed that in her opinion, the budget had been constructed on a prudent basis.

Referring to the Medium Term Plan, outlined at Appendix C of the report, the Acting Director of Business Improvement explained that savings or income of £1.5 million would need to be made in 2018/19, 2019/20, if reserves were not be utilised. She added that it was anticipated that the Revenue Support Grant would be reduced to nil by 2019/20. The Chairman felt it prudent to plan for the worst case scenario.

The Decision

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<th>RESOLVED:</th>
<th>1. TO RECOMMEND TO COUNCIL</th>
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<td>a) approval of the revised discretionary rate relief guidance as set out in appendix F of the report;</td>
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<td>b) approval of the base budget; as shown in para 8.1 of the report;</td>
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<td>c) the use of the revenue reserves as set out in para 9.2 and 9.3 of the report;</td>
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d) that the Council’s demand on the Collection Fund for 2015/16 for General Expenditure shall be £5,820,226 and for Special Expenditure be £72,597;

e) that the level of Council Tax be £130.68 for General Expenditure and £1.63 for Special Expenditure.

2. To note:

a) the advice of the Section 151 Officer with regard to section 25 of the Local Government Act 2003;

b) the position regarding parish precepts;

c) the future budget pressures contained in the Medium Term Plan.

The Reasons for the Decision

To provide a budget which meets the Council’s priorities and to set a level of Council Tax affordable to residents.

Other Options Considered

None

2360 CAPITAL PROGRAMME APRIL 2015 TO MARCH 2020

The subject of the decision

Members considered the report of the Accountancy Manager, which proposed a capital programme for the period April 2015 to March 2020.

The Chairman referred to a number of projects within the programme, including the investment in the leisure centres, affordable housing, and aids and adaptations. He drew attention in particular to the Investment in Better Broadband project, which was a major initiative to ensure that villages in South Norfolk could access superfast Broadband.

Cabinet noted that it was an aspirational but achievable plan, which would make stepped changes in improving the lives of people in the District.

The Decision

RESOLVED:

1. TO RECOMMEND TO COUNCIL

a) that the assumptions on which the funding of the capital programme is based are prudent.
b) approval of the capital programme for 2015/16 to 2019/20.

2. To delegate

a) to the S151 Officer the amendment of the capital budget and financing for Equity Home Loans as and when these loans occur during the financial year.

b) to the S151 Officer the amendment of the capital budget and financing for Green Deal improvement grants as and when expenditure occurs during the financial year.

The Reasons for the Decision

To ensure a Capital Programme for 2014/15 to 2016/17 that is affordable and complies with Council policies.

Other Options Considered

None

2361 TREASURY MANAGEMENT STRATEGY STATEMENT AND INVESTMENT STRATEGY APRIL 2015 TO MARCH 2018

The subject of the decision

Members considered the report of the Accountancy Manager, which outlined the proposed Treasury Management Strategy, the Prudential Indicators, Minimum Revenue Provision, and the Treasury Management Policy Statement for 2015/16 to 2017/18.

The Acting Director of Business Development presented the report, and drew attention to the main change proposed to the Investment Strategy for 2015/16, to include a greater number of non UK institutions domiciled in AAA rated sovereigns in order to diversify the Authority’s investments and therefore mitigate bail-in risk. Members noted that the Council would continue to only invest in sterling, in non-UK counterparties for a maximum of two years.

Cabinet was informed that the Council had changed banking provider in January, from the Co-operative to Barclays Bank, and that the transition had gone well. Barclays had requested that the Council become a testimonial site.

The Decision

RESOLVED: TO RECOMMEND TO COUNCIL:

b) The Prudential Indicators and Limits for the next 3 years contained within Appendix A of the report, including the Authorised Limit Prudential Indicator.

c) The Minimum Revenue Provision (MRP) Statement (section 8 of the report) setting out the Council’s policy on MRP.

d) The Annual Investment Strategy 2015/16 (section 5 of the report) contained in the Treasury Management Strategy, including the delegation of certain tasks to the Acting Director of Business Development


The Reasons for the Decision
To ensure that security of the Council’s cash above both the rate of return and the liquidity of investment.

Other Options Considered
None

2362 USE OF COMPULSORY PURCHASE POWERS TO DELIVER THE LONG STRATTON AREA ACTION PLAN

The subject of the decision

Members considered the report of the Director of Growth and Localism, which sought authorisation from Cabinet to commence work related to pursuing a compulsory purchase order for land in Long Stratton, in order to implement the proposals set out in the Long Stratton Area Action Plan (LSAAP).

The Chairman reminded members of the background to the report, expressing his disappointment that no further progress had been made in relation to the promotion agreement between the largest land owner and a site developer/promotor. He felt it prudent to authorise officers to begin the preparatory work for a compulsory purchase order, so that the Council was in a position to make an early decision on whether to proceed, once the LSAAP was adopted.

During discussion, the Director of Growth and Localism stressed that the Council would need to demonstrate that it had taken all reasonable steps to engage with the landowners to bring the land forward and he referred to the four actions identified within the report. In response to queries, he confirmed that the compulsory purchase order process could be stopped at any stage, even after the order was granted.

The Decision

RESOLVED: To authorise officers to undertake the work required in the actions set out in section 3 of the report.
The Reasons for the Decision
To ensure that the Council is in a position to proceed with the necessary action, if necessary, when the Long Stratton Area Action Plan is adopted.

Other Options Considered
Not to commence with the preparatory work.

2363 CABINET CORE AGENDA

Members noted the latest version of the Cabinet Core Agenda.

Cllr Fuller suggested that the Member Training Plan post-election, be considered at the next Cabinet meeting.

(The meeting concluded at 10.41 am)

___________________________
Chairman
Localism Act Duty to Co-operate: Structure for Future Co-operation Across Norfolk

Discharging the Duty to Co-operate is a legal requirement for all local planning authorities preparing their Local Plan documents. The nine Norfolk Local Planning Authorities and the Norfolk Member Duty to Co-operate Forum have been discussing different ways in which the LPAs can discharge the DTC in the context of the next generation of Local Plan documents. Preparation of a statutory non-strategic framework is being recommended as the most appropriate approach for all nine LPAs to take jointly. As well as contributing to the discharge of the DTC, the approach offers the likelihood of securing significant cost savings through joint working and the preparation of shared evidence base information.

1. Background

1.1. The Duty to Co-operate (DTC) was introduced in the Localism Act 2011. It places a legal duty on Local Planning Authorities (LPAs), County Councils and public bodies to "engage constructively, actively and on an ongoing basis" to maximise the effectiveness of Local Plan preparation in the context of strategic cross-boundary matters.

1.2. The DTC is not a duty to agree; however, local planning authorities should make every effort to secure the necessary cooperation on strategic cross-boundary matters before they submit their Local Plans for formal examination. It is important to note that the DTC commences from the earliest stages of plan preparation and is therefore not something that can be retrospectively corrected at a late stage in plan preparation. It is also important to record that, at officer level; for the DTC to be passed, this co-operation must have been agreed formally by elected councillors.

1.3. LPAs must demonstrate how they have complied with the DTC at the submission stage of the independent examination of their Local Plans (with evidence tested by the Inspector). If an LPA cannot demonstrate that it has complied with the DTC, then the Local Plan examination will not be able to proceed. Across England as a whole, there have been a regular stream of Local Plan failures on
the DTC (most recently, Herefordshire Council and Central Bedfordshire Council failed in February 2015).

1.4. The South Norfolk Site Specific Allocations and Policies Document, the Wymondham Area Action Plan and the Development Management Policies Document are all still being examined by the independent Inspector. Although the Inspector’s final reports have not yet been received (and so his final conclusions are not known), by inference it can be assumed that the DTC was passed for all three documents (as the examination Hearings were completed in December 2014).

1.5. As part of the current Local Plan examination process, the Council has committed to commencing an early review of the Local Plan documents, with adoption of the revised documents to have been completed by 2020 at the latest. The requirements of the DTC therefore apply to any plan-making activities that are now being undertaken on the review of the Local Plan (whether formal stages or not).

2. **Current Position and Issues**

2.1. Mindful of the requirements of the DTC, it was agreed that the seven Norfolk district councils, plus the Broads Authority and Norfolk County Council, should meet formally on a regular basis to discuss DTC issues. The inaugural meeting of the Norfolk Duty to Co-operate Member Forum took place in January 2014 and meetings have taken place at least quarterly. South Norfolk Council is represented by the Leader, Cllr John Fuller, as Cabinet member with responsibility for strategic planning matters.

2.2. Norfolk Strategic Planning officers have jointly prepared a paper which sets out a range of DTC models that could be taken forward. A copy of the report is included at Appendix A, and sets out five options varying in formality from a very informal model of co-operation to the production of a single Norfolk-wide Local Plan document.

3. **Proposal and Reasons**

3.1. The third of the five options is a continuation of the existing Member Forum but strengthened in terms of the outcome being the preparation and agreement of a non-statutory strategic plan. This would spatially express key strategic issues and be agreed as the basis for plan preparation across the county. This option is also likely to require some additional resource to advance the preparation of the non-statutory plan.

3.2. There are two main advantages to the Option 3 approach. Firstly, it effectively means that the nine LPAs would be able to work closely on key strategic issues, particularly housing and economic/employment growth. Secondly, through close and joint working, there is the potential for significant cost savings. For instance, instead of the seven district councils each needing to prepare a Habitats Regulation Assessment to underpin their Local Plan documents, it might be possible to undertake just a single combined HRA for the whole county.

3.3. All nine Norfolk local authorities agreed in principle to Option 3 (the production of a non-statutory strategic plan) at the Forum meeting on 14 January 2015. Both officers and members concluded that this is the most appropriate method for demonstrating continued co-operation across the Norfolk authorities, taking into account the advantages and disadvantages of working together more (options 4
or 5) or less (options 1 or 2) formally. The formal recommendations of the Forum were to:

- Endorse the principle of option 3, formal co-operation through a shared non-statutory strategic framework
- Recommend that each constituent authority agrees formally to take forward option 3 at its earliest convenience subject to later agreement of:
  - A) Amended terms of reference for the member Duty to Co-operate Group;
  - B) Appropriate officer and member working arrangements; and
  - C) Budget and timetable to support preparation of the shared non-statutory framework; and
- Instruct officers to prepare detailed reports on matters A-C for consideration at the next Member Duty to Co-operate Forum meeting (in March 2015).

3.4. It is therefore recommended that the Cabinet endorses Option 3 as the most appropriate way forward for South Norfolk Council (and the rest of the Norfolk LPAs) to discharge the Duty to Co-operate.

3.5. In order to develop Option 3, Norfolk strategic planning officers believe that a dedicated resource to project-manage the development of the Framework would be necessary. An indicative figure of £10,000 per authority has been suggested to both fund the project-management and also help prepare key evidence base documentation, but details remain to be finalised.

3.6. One of the key outcomes of the recommended approach is that the production of a non-statutory strategic framework approach will aid discussion on strategic planning issues and enable greater co-ordination with the New Anglia LEP’s Strategic Economic Plan.

3.7. The preferred approach would also not preclude wider joint working between authorities where it is expedient and cost-effective to do so, and South Norfolk already has a close and productive working relationship with Broadland DC and Norwich CC in particular. It should also be noted that South Norfolk Council will also need to continue to work co-operatively with adjoining authorities in Suffolk (Mid Suffolk DC, Waveney DC and Suffolk County Council) to discharge the DTC.

4. Other Options

4.1. The DTC paper in Appendix A sets out the five main options and their advantages and disadvantages. These are described briefly below:

<table>
<thead>
<tr>
<th>Option</th>
<th>Pros</th>
<th>Cons</th>
</tr>
</thead>
</table>
| 1: Informal co-operation | - Low upfront costs  
|                      | - Straightforward to administer  
|                      | - Maximum political control for each authority                      | - Unlikely to be able to successfully demonstrate the requirements of the DTC  
|                      |                                                                      | - Ineffective strategic planning outcomes  
|                      |                                                                      | - Longer-term cost savings of joint working unlikely to be realised (i.e. the most expensive overall option) |
| 2: Structure co-operation through a memorandum of understanding | • Relatively low upfront costs  
• Straightforward to administer but greater chance of passing DTC than option 1  
• Districts retain their own decision-making powers | • Less likely to be able to demonstrate the requirements of the DTC  
• Strategic planning outcomes unlikely to be optimal  
• Potential longer-term cost savings of joint working unlikely to be fully realised |
| --- | --- | --- |
| 3. Formal co-operation through a memorandum of understanding (preferred option) | • Approach operates successfully in Cambridgeshire  
• Very good chance of passing the DTC  
• Potential to realise significant cost savings through effective joint working  
• Allows for effective co-ordination with the Strategic Economic Plan and the LEP | • Some additional costs for resourcing a small project management team (but scale of overall savings is likely to dwarf these costs)  
• Would overall be more work for each authority than options 4 or 5  
• Scale and distribution of housing numbers could still be raised at each individual Local Plan examination |
| 4. A statutory joint strategic plan | • Scale of overall cost savings likely to be greater than for Option 3  
• Almost certain to pass the DTC (if prepared properly)  
• If agreed, would probably lead to effective strategic planning outcomes  
• Allows for effective co-ordination with the Strategic Economic Plan and the LEP | • Would require contents and process to be agreed by all districts – this may be difficult and could lead to delays  
• Unlikely to be a quick process to finalise  
• Project management costs likely to be higher than for Option 3 |
| 5. A statutory single local plan | • Overall cost savings likely to be very considerable  
• Co-ordination of key strategic planning issues most effective  
• Allows for effective co-ordination with the Strategic Economic Plan and the LEP | • One-size-fits-all approach probably unsuitable for whole of Norfolk  
• Likely to be a slow and time-consuming process to get agreement on all key issues  
• Potential need for political decision-making processes to be streamlined – could be controversial |

4.2. For the reasons given in this paper, options 1, 2, 4 and 5 are not recommended, and are thought unlikely to be recommended by any of the other Norfolk Planning Authorities.

5. **Relevant Corporate Priorities**

5.1. Enhancing our quality of life and the environment we live in.

5.2. Promoting a thriving local economy.

5.3. Supporting communities to realise their potential.

5.4. Driving services through being businesslike, efficient and customer aware.
6. **Implications and Risks**

6.1. **Financial** – There are likely to be financial implications in respect of the need for funds to devote to a shared resource to support the DTC. Further details are being developed with colleagues from across the county but are unlikely to be significant (circa £10k per authority per annum has been discussed) based on the Cambridgeshire & Peterborough experience. This could yield further savings on jointly commissioned evidence base and examination costs.

6.2. **Legal** – no direct implications (other than the fact that discharging the DTC is a legal requirement, a detailed in the report).

6.3. **Environmental** – no direct implications.

6.4. **Equalities** – no implications.

6.5. **Crime Reduction** – no implications.

6.6. **Risks** – none (apart from those mentioned in the report relating to failure to discharge the DTC).

7. **Conclusion**

7.1. Securing formal co-operation across the nine Norfolk authorities (with the opportunities for co-operation with other authorities in Suffolk, Cambridgeshire and Lincolnshire to be explored where appropriate) through a shared non-statutory framework is concluded to be the most appropriate methodology for the Norfolk local planning authorities to demonstrating the ongoing discharge of the Duty to Co-operate. This is because Option 3 offers an effective approach to address key cross-border strategic planning issues and also has the potential to deliver significant cost savings for all authorities through effective shared and joint working (e.g. joint commissioning of key evidence base studies).

8. **Recommendations**

8.1. That Cabinet agrees that the preparation of a Norfolk county-wide statutory non-strategic framework (Option 3 of Appendix A) should be prepared, with further details to be worked up by the Norfolk Strategic Planning Officers’ Group.

**Appendix A – Duty to Co-operate Options Report**
Norfolk Duty to Cooperate Member Forum – 14th January 2015

Duty to Cooperate Options Report

Purpose

1. The purpose of this report is to set out options to the Norfolk Duty to Cooperate Member Forum on how best to address the government’s requirements for local planning authorities (LPAs) to cooperate on cross-boundary issues through their Local Plans. It presents 5 potential options and recommends that option 3, formal cooperation through a shared non-statutory strategic framework, should be progressed.

The NPPF

2. The NPPF states (paragraph 181) that “Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.

3. It also states (in paragraphs 156 and 162) that Local Plans should include strategic policies, and LPAs should work with other authorities and providers to meet forecast demands and deliver:
   • homes and jobs;
   • retail, leisure and other commercial development;
   • infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management;
   • minerals and energy (including heat);
   • health, security, community and cultural infrastructure and other local facilities;
   • climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape;
   • nationally significant infrastructure.

4. It is a fundamental principle of the Duty to Cooperate that it should be member led.
The role of the Norfolk Duty to Cooperate Member Forum

5. The Terms of Reference of the Norfolk Duty to Cooperate Member Forum (attached as appendix 1) state that the objectives of the group are:

1. To discuss strategic planning issues that affect local planning authorities
2. To understand the viewpoints of other authorities
3. To consider comment upon and potentially commission relevant supporting evidence base to support local plans (as appropriate)
4. To consider the need for joint or coordinated working on particular topics or evidence
5. To coordinate if at all possible timelines for the production of plans.

Recent progress

6. At the Duty to Cooperate Member Forum on 23rd January 2014 different examples of approaches to addressing the requirements of the Duty to Cooperate from around the country were presented to members.

7. It was recommended that a coordinated planning approach is required, based on a joint or coordinated set of Strategic Housing Market Assessments (SHMAs) with agreed housing numbers in each Local Plan and that effective strategic planning will require strong links to strategic economic planning.

8. Members agreed that that the first step towards this was to produce a Compendium bringing into one place the current strategic elements of the adopted local plans around Norfolk. This Compendium has now been produced.

9. In addition to this, a Duty to Cooperate Schedule covering a variety of issues including the need for an overarching strategic framework, evidence supporting local plans and the coordination timescales for plan making has been produced.

10. Members have agreed that evidence, whether commissioned by individual local authorities or collectively, will look forward 20 years to 2036.
11. Despite the above progress having been made, no specific commitment yet has been made to implementing a means of addressing the Duty to Cooperate requirements. Up to now, there does not appear to have been full recognition of the importance of the process at all levels in the district councils. All LPAs in the area risk facing significant issues in progressing their Local Plans if significant steps are not taken to meet Duty to Cooperate requirements.

12. Effective coverage of strategic issues such as housing, jobs, transport and water is necessary to meet the NPPF requirement to promote sustainable development and to assist economic growth whilst providing for environmental protection. In addition, effective cooperation should lead to significant cost savings.

**The Options**

13. Options 1 to 5 below set out different potential approaches to addressing the Duty to Cooperate, along with advantages, issues and risks associated with each.

14. Options 1 to 5 are:

1. Informal cooperation (i.e. continue the current approach)
2. Structured cooperation through a Memorandum of Understanding
3. Formal cooperation through a shared non-statutory strategic framework
4. A statutory Joint Strategic Plan
5. A statutory single Local Plan.
**Option 1 - Informal cooperation** (i.e. continue current approach)

The current structure would be retained with the Strategic Planning Officers Group progressing the work through the Member Forum, with the forum making recommendations to individual authorities. The process would be documented via minutes of officer meetings and forum/council resolutions. Expected outcomes would not be formalised at the outset and the degree to which each authority cooperated would remain a matter for each council. Individual authorities produce their own Local Plan and may commission joint evidence base with other authorities as necessary and relevant.

<table>
<thead>
<tr>
<th>Structure</th>
<th>Method</th>
<th>Advantages</th>
<th>Issues / Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Norfolk strategic planning member forum</td>
<td>1. Continue use of current Terms of Reference in appendix 1</td>
<td>This is the least prescriptive approach which potentially enables individual authorities to maximise control over their plan making processes</td>
<td>Inability to agree on key issues (e.g. housing numbers) risks leading to failure to reach the Local Plan examination stage. In November 2014 alone, there were four examples of authorities having their plans delayed or significantly amended as a result of failing to address housing need issue.</td>
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<td></td>
<td>2. Informal agreement on specific issues as they arise.</td>
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<tr>
<td></td>
<td>3. Shared evidence base and/or /shared approach to evidence collection at different geographical scales dependent on issue</td>
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<tr>
<td></td>
<td></td>
<td>Decision making powers are retained at the district level</td>
<td>Approach vulnerable to challenge – each local authority will have to prove its case on housing numbers at each Local Plan examination with no formal coordination</td>
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<tr>
<td></td>
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<td>Whilst short term costs may be low, the costs of producing an evidence base are difficult to predict without a careful analysis of existing strategic evidence having been done. Therefore this approach risks unnecessary work being undertaken by consultants. The financial and reputational costs of any failure to progress Local Plans to examination on Duty to Cooperate issues would be very high.</td>
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</tbody>
</table>

\(^1\) Cheshire East, South Worcestershire, East Staffordshire and Chiltern
Option 2 – Structured cooperation through a Memorandum of Understanding

Under option 2 the current structure would be retained with the Strategic Planning Officers Group progressing the work through the Member Forum, with the forum making recommendations to individual authorities. The process would be documented via minutes of officer meetings and forum/council resolutions. In addition, each authority would make a formal commitment to a ‘Memorandum of Understanding’ (MoU). This would be a formal agreement between the authorities to cooperate on strategic issues, setting out the issues the authorities would cooperate on and principles for how the LPAs would work together e.g.

**Principle 1 – All authorities will agree to common principles on the implementation of green infrastructure.**

Individual authorities would produce their own Local Plan and commission joint evidence with other authorities as necessary and relevant.

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<tr>
<th>Structure</th>
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<th>Advantages</th>
<th>Issues / Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Norfolk Strategic Planning</td>
<td>1. Memorandum of Understanding</td>
<td>Enables each district to have significant control over their plan making</td>
<td>Possibly insufficient commitment to meet local plan duty to cooperate requirements</td>
</tr>
<tr>
<td>Member Forum making recommendations to each authority</td>
<td>2. Revised Terms of Reference</td>
<td>processes</td>
<td>Depending on the content of the MoU, there may be potential for inability to agree on key issues e.g. housing numbers, which risks leading to failure to reach Local Plan examination stage</td>
</tr>
<tr>
<td>Lead officers in each district</td>
<td>3. Shared evidence base and/or /shared approach to evidence collection at different geographical scale dependent on issue</td>
<td>Decision making powers are retained at the district level</td>
<td>Approach somewhat vulnerable to challenge – each local authority will have to prove its case on housing numbers at each Local Plan examination with limited coordination</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Would support integration and alignment of strategic spatial and investment priorities</td>
<td>The costs of collecting the evidence base are difficult to predict without a careful analysis of existing strategic evidence having been done. Therefore this approach risks unnecessary work being undertaken by consultants. Whilst short term costs may be low, the financial and reputational</td>
</tr>
</tbody>
</table>
costs of any failure to progress Local Plans to examination on Duty to Cooperate issues would be very high.

Example - Memorandum of Understanding between authorities in **Somerset** and **Dorset**:

http://www.southsomerset.gov.uk/media/568924/ssdc_h55.pdf

The South Somerset Local Plan has had its plan making process delayed for over a year, but this relates to the approach to sustainability appraisal rather than the overall housing numbers for the district. Thus it appears that in this case Duty to Cooperate issues have been effectively addressed by this approach.
Option 3 - Formal cooperation through a shared non-statutory strategic framework

The current structure would be retained with the Strategic Planning Officers Group progressing the work through the Member Forum, with the forum making recommendations to individual authorities. A dedicated staff team would greatly assist the implementation of this approach. The process would be documented via minutes of officer meetings and forum/council resolutions. In addition, each authority would make a formal commitment to the preparation and delivery of a non-statutory Joint Strategic Framework which would agree the approach to cross boundary strategic issues, e.g. housing numbers; jobs growth targets; cross boundary infrastructure etc. The LPAs would sign up to a series of objectives on strategic issues which they would then address in their Local Plans. This is similar to the approach taken in Cambridgeshire and Peterborough (see example below the table).

<table>
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<tr>
<th>Structure</th>
<th>Method</th>
<th>Advantages</th>
<th>Issues / Risks</th>
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</thead>
<tbody>
<tr>
<td>Norfolk Strategic Planning Member Forum making recommendations to each authority</td>
<td>1. Amended Terms of Reference 2. Non-statutory shared strategic framework on housing numbers 3. Additional non-statutory document covering broad spatial approach to other duty to cooperate issues e.g. water, economic development,</td>
<td>Reasonably comprehensive approach meets NPPF and Duty to Cooperate requirements to plan for issues with cross-boundary impacts and fully meet objectively assessed needs, providing housing targets for each district</td>
<td>Issue of housing numbers still likely to be raised (generally by developers) at each Local Plan examination as new evidence arises, but evidence base can be updated to reflect this</td>
</tr>
<tr>
<td>Norfolk Strategic Planning Member Forum making recommendations to each authority</td>
<td>‘Light touch’ approach to loss of statutory strategic regional planning which enables promotion of coordinated, sustainable growth</td>
<td>Potential need to undertake sustainability appraisal as part of this process, though recent experience in East Cambs. and Fenland suggests this may not be necessary.</td>
<td></td>
</tr>
<tr>
<td>Energy, natural environment (2 and 3 could be combined)</td>
<td>Makes recommendations for policy approaches in Local Plans - decision making powers retained at the district level</td>
<td>There has not been the same history of cooperation on strategic issues within Norfolk (or in Norfolk and Suffolk) as there has been in Cambs. and Peterborough e.g. Cambridgeshire Horizons</td>
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<tr>
<td>4. Shared evidence base and/or /shared approach to evidence collection at different geographical scales dependent on issue.</td>
<td>Work on the framework can assist in identifying when, where and at what scale evidence (as set out in the Schedule of Future Evidence Work Report) is required. Cooperation on evidence will ensure a coordinated approach to other strategic issues in Local Plans and would potentially lead to significant cost savings</td>
<td>Need to explore willingness to fund an officer team. Such costs may be reduced if applied over a wide area or if the LEP contributes to funding</td>
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<td>The creation of a dedicated officer team could provide a ‘neutral space’ for discussion and mediation between authorities</td>
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<td></td>
<td>Allows for effective coordination with the Strategic Economic Plan (SEP), incorporating strategic spatial planning in the economic planning for the area</td>
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</table>

Example: Cambridgeshire / Peterborough have produced the *Cambridgeshire and Peterborough Memorandum of Cooperation - Supporting the Spatial Approach 2011-2031*. This document addresses the requirements of paragraph 181 of the NPPF. It is a non-statutory document which sets out agreed levels of future housing growth. By demonstrating that emerging district-level strategies contribute to a strategic, area-wide vision, objectives and spatial strategy, it provides additional evidence of how the Duty to Cooperate is being met in the area.
More recently, the authorities have supplemented the memorandum with **Strategic Spatial Priorities: Addressing the duty to cooperate across Cambridgeshire & Peterborough 2014**. This document highlights how the local authorities have addressed the Duty to Cooperate across a number of other strategic priorities as required by paragraphs 156 and 162 of the NPPF, providing objectives and policy recommendations for Local Plans on cross-cutting issues such as economic development, design, water and energy.

These documents have recently successfully been used as evidence for the East Cambridgeshire and the Fenland Local Plans. Cambridge and South Cambridgeshire are currently using the evidence to support the joint examinations of their Local Plans.

The support work to help develop this coherent approach to planning across the area is provided by the Cambridgeshire & Peterborough Joint Strategic Planning Unit (JSPU). Its two members of staff, paid for by contributions of £10k per year from the seven districts involved, are employed through the county council and hosted at a district council (South Cambs.). The governance structure used includes:

- A dedicated cross-party members group
- The Public Service Board (Chief Executives)
- Senior Officer Groups – consisting of staff from both local authorities and the LEP
- Working groups and project teams.
Option 4 - Joint Strategic Plan

This would be a comprehensive statutory strategic plan which would form part of the Local Plan for each district. The plan and approach would be similar in nature to the Joint Core Strategy. More formal joint member decision making structures may be necessary if such an approach were taken, although the process used for the Joint Core Strategy required decisions to be made at constituent councils.

<table>
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<tr>
<th>Structure</th>
<th>Method</th>
<th>Advantages</th>
<th>Issues / Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Most likely binding joint member decision making group (possibly through a combined authority), although could be done through Norfolk Strategic Planning Member Forum making recommendations to each authority</td>
<td>Statutory joint strategic plan covering housing numbers, economic development and transport examined once and adopted by all authorities as part of their Local Plan</td>
<td>Provides the greatest certainty and coordination for key strategic issues</td>
<td>Potentially an unsuitable structure given the large geographical area, the differing characteristics of the districts and their current progress with plan making. This emerging approach is currently mainly being taken in conurbations</td>
</tr>
<tr>
<td>Probably requires small dedicated officer team to deliver either with seconded or new staff</td>
<td>Each LPA would also produce separate Local Plan documents covering development</td>
<td>Allows for effective coordination with the LEP SEP, incorporating strategic spatial planning in the economic planning for the area</td>
<td>Issue of housing numbers still likely to be raised at each Local Plan examination</td>
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<td></td>
<td>Issue of whether this of approach meets NPPF requirement that each LPA should set out its planning strategy with other policies in their Local Plan (paragraph 156), unless the production of additional development plan documents is clearly justified (paragraph 153)</td>
</tr>
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</table>
management policies and site allocations

Need to explore willingness to fund an officer team. Costs may be reduced if applied over a wide area or if the LEP contributes to funding. Each LPA would have to fund joint strategic planning document production and separate documents for sites and development management.

Examples:

The Greater Manchester Spatial Framework, envisaged as a statutory joint strategic plan to manage the supply of land to support jobs and new homes, is at an early stage of production. There has recently been an initial consultation on evidence for future growth to identify the priorities the plan should address. It is available at:

http://www.agma.gov.uk/what_we_do/planning_housing_commission/greater-manchester-spatial-framework/index.html

A number of authorities in the West Midlands have committed to a similar approach, and are looking to gain additional support. For more information, see http://www.planningportal.gov.uk/general/news/stories/2014/november14/131114/131114_1 .

More recently, a spokesman announced that London mayor Boris Johnson is keen to create a strategic regional plan covering the capital and the greater South East and is organising a summit next spring to discuss the issue with Home Counties council chiefs.
Option 5 – Joint Local Plan

A Joint Local Plan would not only cover strategic issues, but also site allocations and development management policies for all of the districts in a single, area wide, Local Plan. More formal joint member decision making structures would be likely to be necessary if such an approach were taken.

<table>
<thead>
<tr>
<th>Structure</th>
<th>Method</th>
<th>Advantages</th>
<th>Issues / Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Most likely binding joint member decision making group (possibly through a combined authority), although could be done through Norfolk Strategic Planning Member Forum making recommendations to each authority</td>
<td>Joint Local Plan covering strategic issues, site allocations and development management examined once and adopted by all authorities</td>
<td>Provides coordination of key strategic issues with implementation through site allocations and detailed development management policies</td>
<td>Unsuitable structure given the large geographical area and differing characteristics of the districts</td>
</tr>
<tr>
<td>Probably requires dedicated officer team to deliver either with seconded or new staff</td>
<td>Allows for effective coordination with the LEP SEP, incorporating strategic spatial planning in the economic planning for the area</td>
<td>Costs of a dedicated team to cover area wide single Local Plan would be likely to be high, though this would be offset to a certain extent as there would not be the need for each LPA to produce its own Local Plan.</td>
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<tr>
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<td>Economies of scale as all evidence base shared</td>
<td>Could be perceived as an approach which does not comply with government’s focus on localism</td>
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</table>

Examples:

We have not been able to identify any examples of a number of districts producing a single Local Plan. However, there are county wide unitary authorities such as Cornwall and Wiltshire, which are both producing Local Plans consisting of separate strategic and site allocations plans. See:

http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/wiltshirecorestrategy/wiltshirecorestrategyexamination.htm

Discussion

15. Options 1 to 4 would enable the timeframes of individual Local Plans to be coordinated and for a shared evidence base and/or shared approach to evidence collection at different geographical scales dependent on relevant issues to be covered.

16. Options 1 to 3 would be non-statutory approaches, retaining all decision making powers at the district level, with testing of the Duty to Cooperate requirements taking place after the submission of each district’s single document Local Plan. Options 4 and 5 would involve the production of area wide statutory plans. Option 4 would be an area wide strategic plan which would form part of the Local Plan for each district. Option 5 would be a single Local Plan for the whole area. Options 4 and 5 would probably necessitate the establishment of a joint member decision making group or a combined authority, although the approach taken for the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) requiring all decisions to be made by each district council could potentially be used.

17. Short term costs generally increase from options 1 up to 5, but as risks of failing on the Duty to Cooperate generally decrease accordingly, options 1 and 2 could ultimately prove by far the most expensive. Options 1 and 2 would not involve a detailed analysis of the existing evidence base or the production of a document setting out housing numbers. Therefore they risk potentially unnecessary consultancy work being done which would be better done by an experienced strategic planning unit undertaking analysis of the existing evidence base and identifying areas in which new evidence is required. Whilst there would be staff costs associated with option 3, long term cost savings could result from analysis of the existing evidence base before identifying any additional evidence work required. Any cost savings from evidence gathering for option 4 are likely to be offset by the additional spending required in taking a formal strategic plan through examination to adopt it as part of each district’s Local Plan. Option 5 could bring some economies of scale, though the costs of a dedicated team to produce an area wide single Local Plan would be likely to be high.

18. Options 2 to 5 could involve a commitment by each local authority, subject to local space and environmental constraints, to agree to maximise the potential to meet their own housing needs within their own boundaries.

19. All options could apply at different geographical scales and could also involve Suffolk authorities subject to all parties agreeing this. This would enable coordination of planning with the economic role of the LEP through its Strategic Economic Plan (SEP). Options 3 - 5 in particular would allow for strategic spatial planning, currently not part of the SEP, to be incorporated in the approach to development taken by the LEP, helping to address barriers to economic growth.
Conclusion

20. The evidence above and the experience of other authorities suggest that we need to take a more formal approach so option 1 is not favoured. Options 4 and 5 are considered too unwieldy and uncertain. Therefore, realistically, the choice is between options 2 and 3, or some hybrid between them. Of these two options, option 3 is favoured because:

- there are recent examples of this approach successfully addressing NPPF requirements in Fenland and East Cambridgeshire
- it demonstrates shared commitment and partnership which can be used to access funding, so is likely to secure positive outcomes and appropriate infrastructure
- it has the potential to enable strategic planning to be tied with economic planning in the SEP
- It has significant potential to save money for each district when preparing its Local Plan.

Recommendation

It is recommended that the forum to agrees to:

1. Endorse the principle of option 3, formal cooperation through a shared non-statutory strategic framework.
2. Recommend that each constituent authority agrees formally to take forward the option 3 at its earliest convenience subject to later agreement of:
   A) Amended terms of reference for the member Duty to Cooperate Group;
   B) Appropriate officer and member working arrangements; and
   C) Budget and timetable
to support preparation of the shared non-statutory framework.
3. Instruct officers to prepare detailed reports on matters 2 A-C for consideration at the next member Duty to Cooperate meeting.

Report prepared by Mike Burrell, Norwich City Council, 8th December 2014
Appendix 1

Norfolk Duty to Cooperate – Member Forum
Terms of Reference

Introduction
The Localism Act 2011 inserts section 33A into the Planning and Compulsory Purchase Act (2004) the requirement for authorities and certain public bodies to discuss key issues under a ‘Duty to Cooperate’ when preparing Development Plan Documents (principally Local Plans), and other Local Development Documents.

The Act states, inter alia, that Local Planning Authorities must:

‘...engage constructively, actively and on an ongoing basis in any process by means of which development plan documents (or supplementary planning documents) are prepared or supported, so far as relating to ‘strategic’ matters. For the purposes of the Duty to Cooperate, strategic planning matters are development or infrastructure that significantly affects more than one planning authority area, or those that comprise, or significantly affect, county planning matters.’

The Duty to Cooperate is a legal test. Local Planning Authorities will need to provide evidence to demonstrate that they have complied with the duty as part of the examination of Local Development Documents.

However, the outcomes arising from the Duty to Cooperate would also be considered as part of the wider soundness test that Local Development Documents are judged against. This is a test of whether the document is ‘effective’.

It is possible that a document can successfully pass the Duty to Cooperate legal test, but fail the ‘effectiveness’ test. This is because cooperation may still be required to deliver a key element(s) of a plan and there have been some high-profile examples of this scenario elsewhere in the country.
The Duty to Cooperate cannot be complied with retrospectively, and failure to do so would mean that a plan would not be able to progress until such time as sufficient engagement had been carried out. This presents a significant risk to local authorities and will affect the timescale for preparing and adopting local plans.

Therefore, bringing elected Members together on a regular basis as part of a single forum will create efficiencies for authorities and avoid duplication of discussion on key issues. Such an approach will mean that time and resources will be saved by negating the need for each authority to have separate discussions on the same topics with its neighbours and others.

**Purpose**
The purpose of the forum is for members to discuss the strategic issues that are planning related and affect all or the majority of local planning authorities and others affected by the Duty to Cooperate under the Localism Acts ‘Duty to Cooperate’.

The forum will discuss the implications of these issues for plan-making, or other activities that contribute towards plan-making under the duty (such as evidence base etc) and work to achieve a common understanding or approach to that issue.

**Objectives**
1. To discuss strategic planning issues that affect local planning authorities
2. to understand the viewpoints of other authorities
3. to consider comment upon and potentially commission relevant supporting evidence base to support local plans (as appropriate)
4. to consider the need for joint or coordinated working on particular topics or evidence
5. to co-ordinate if at all possible timelines for the production of plans

**Operation of the Forum**
Discussions at the forum will not be binding on any authority. The sovereignty of each LPA and their Local Plan(s) is not affected by this group.

The discussions that take place within this forum will be formally recorded and used by individual authorities at Examinations in Public (EiP) to demonstrate that meaningful engagement at political level has been held under the duty.
Membership

- Member with responsibility for planning from each District Council, the Broads Authority and the County Council, other Members as appropriate.

- The forum will need to engage with elected Members from authorities in other counties.

- Representatives from local authorities beyond Norfolk will receive a standing invite to the meetings.

- Other Duty to Cooperate bodies listed in the Act will be invited to attend as appropriate.

- Other planning issues that only affect two individual authorities should be considered separately between those authorities.

Reporting back

It is anticipated that individual authorities will be kept up to date with reports / minutes from the Forum reported back to suitable committees or cabinets. Where specific endorsement or agreement to a particular action is required individual authorities will be responsible for facilitating this.

The Terms of Reference of this forum will be reviewed annually to ensure that they meet the needs of participating authorities and reflect the requirements of the Act.
Cabinet
23 March 2015

Agenda Item No 6

Member Induction Plan
Communities and Democratic Services Manager

The purpose of this report is to inform and gain the support of Cabinet to the programme for the induction of members ahead of the 2015 election.

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<th>Cabinet member(s):</th>
<th>Ward(s) affected:</th>
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<tbody>
<tr>
<td>John Fuller</td>
<td>All</td>
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<td>Garry Wheatley</td>
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Contact Officer, telephone number, and e-mail:
Leah Mickleborough 01508 533954
lmickleborough@s-norfolk.gov.uk

1. Background
1.1. On 7 May, a new cohort of Councillors will be elected to the 46 District Wards of South Norfolk Council. Although it is expected a number of Councillors will be re-elected and as such very familiar with the role and obligations placed on them, we also have to assume there may be many new faces amongst them.

2. Current Position and Issues
2.1. It is critical that new Councillors receive an induction that engages them with the work of the Council; informs them of their role and expectations placed on them, and importantly equips them with the tools and knowledge in order to discharge their role. Our induction programme aims to ensure that:

- Councillors will be confident in how to use the tools required to deliver their role
- Council meetings will be efficient, reaching decisions in a timely manner with robust yet constructive challenge to officer recommendations
- Councillors will understand the sources of support available to them
- Councillors will have begun to develop a working relationship with Council Officers, understanding how to refer issues in a constructive manner
- Councillors will know the expectations placed on them, the role they serve and how they are expected to deliver their role, as well as the limitations placed on them in doing so

2.2. The programme is particularly important this year, as we transition to electronic working for Councillors. We need to ensure that Councillors are provided with the right level of training to enable them to feel confident in using their electronic devices and how meetings will operate in the future.
3. **Proposal and Reasons**

**Induction Pack**

3.1. A comprehensive induction pack will be provided to new members, giving them the key information they need to deliver their role, including all required forms. The pack will highlight to them where to access information electronically to ensure they remain updated.

3.2. Returning members will have the option of an induction pack, although many may elect not to take up this offer.

**Electronic Working**

3.3. In September, Cabinet agreed to implement electronic working for Councillors following the election. It was agreed that officers would support members through this process, ensuring they felt confident in using their devices for meetings. We will ensure that the approach taken is proportionate to the individual needs of the Councillor; those who are able and confident in operating electronically from the outset can do so, but those who are less confident will be supported through the process, potentially with some paper based working until they are fully able to embrace electronic working. Clearly, this approach needs to be adopted for both existing Councillors who are re-elected, and new Councillors.

3.4. We have been liaising with officers at the County Council regarding electronic working, and also engaged the same trainer as used by the County Council to provide training to members on electronic working. This has been useful to ensure we can take into account how this operated at the County Council, whilst also using a trainer who has experience with the challenges members can face.

3.5. Each Councillor will be asked to fill in a self-assessment to help identify their potential training needs, and which training session would suit them to attend. A 1:1 support programme will be ongoing to help Councillors with individual issues, and specific drop in sessions will be held on items such as applying for member ward grants and claiming expenses.

**Induction Days**

3.6. The induction will cover two days; the first focussed on an overview of the Council and how it operates, with the second focusing on the community nature of the Councillor’s role. The morning of each day will be classroom and discussion based, with presentation from officers, and the afternoon focused on finding out more about individual services in a less formal setting.

3.7. It is vitally important that all new Councillors attend both days in order to understand the role they serve and it would be helpful if all political groups ensure candidates are aware of these dates. Group leaders (if nominated by the induction days) will be formally invited to attend, and returning members will also be welcome to attend should they wish.

3.8. The outline induction day programme is included in Appendix 1.

**Training Programme**

3.9. A key tenet of our programme is to ensure training is engaging yet informative for Councillors. Councillors are not expected to be experts in all that the Council does; but they do need to have the right knowledge for the role they serve.
3.10. The detailed training plan will be included as part of the induction pack, and has been divided into the following core areas:

- Key sessions that are critical to be delivered in the first few weeks after election to ensure members have the knowledge and skills to deliver their role – including required training in order to sit on regulatory Committees, and more in depth sessions to assist Councillors in undertaking their role such as claiming expenses, applying for member ward grants and the Code of Conduct.
- Important sessions to be delivered over the first year of induction, that primarily support the enhancement of the skills and knowledge of Councillors, for example safeguarding and enhancing understanding of services including planning policy and early help
- Competency Based Sessions which focus on supporting Councillors in how they deliver their role and engage with their communities
- Policy Committee sessions - special interest sessions primarily aimed at members of Policy Committees, although open to all (for example – the Finance, Audit, Resources and Governance Committee will host sessions on treasury management and the role of internal and external audit)

3.11. Elements of the dates and timing of the programme are yet to be finalised, but will be confirmed during the pre-election period. Again, although aimed at new members, returning members are welcome and for many this will present the opportunity to refresh required training.

Buddying Programme

3.12. For the first time, South Norfolk Council will be introducing a buddying programme for Councillors. Each new Councillor will be assigned a buddy who can help them understand more about the Council; support them in resolving casework and work to address knowledge and training needs. Current serving Councillors who are re-elected can also be assigned a buddy if they wish.

Parish Councils

3.13. Parish Councillors are expected to work with their Parish Clerks on potential training needs, and there are various sector-led initiatives underway to ensure Parish Councillors are familiar with the roles (including Norfolk Association of Local Councils, training provided by Clerks and peer support groups). We will be arranging repeat “Standards and Governance for Parish Councillors” sessions at the South Norfolk Council Offices following the election, and maintain our open offer to all Parish Councils who wish to book their own session. We are also considering the potential of providing sessions to Councillors in areas such as understanding Development Management and Planning Policy.

4. Other Options

4.1. Cabinet is welcome to comment on the proposals and identify any other training needs they believe require addressing.

5. Implications

5.1. Financial – the member training programme will be delivered within the existing budget envelope.
5.2. Equalities – the programme will be adapted as required to address any specific needs raised by Councillors on a 1:1 basis.

6. **Recommendations**

6.1. Cabinet is requested to agree the member induction programme 2015.
Appendix 1

Member Induction Days

Day 1: Introduction to the Council
This will provide an insight into the role of the Council, the services it provides and how it operates. This will include:
- Welcome introduction by the Chief Executive, setting the context for South Norfolk Councillors
- Introduction to the services South Norfolk provides, hosted by the Directors
- Local Government Finance – how South Norfolk Council pays for the services it delivers, led by the Director of Business Development
- How the Council works – an overview of the committee structure of the Council and the Code of Conduct, led by the Communities and Democratic Services Manager
- Members and the Media – clarifying the practices Councillors are expected to follow and the support provided
- How we deliver to our customers – an informal market stall session in the Council Chamber providing an opportunity for Councillors to discuss services in more detail

During the day, Councillors will have opportunity to receive their passes, ID badges and have a tour of the Council offices

Day 2: Focusing on Communities
This day provides opportunity to gain understanding of the community based role that Councillors have. This will include:
- Local Leadership and working with our Communities – understanding more about the role of the local ward member, including discussion with returning / former members and learning about the purpose of the member grant scheme
- Your role in development management – a brief overview of the development and role of planning policies, and the role of the local member in the development management process
- Council Meetings, what you need to know – will include a mock meeting of the Council
- Councillor Buddies – an opportunity for Councillors to meet their buddies
- How we deliver to our customers – a further opportunity for Councillors to discuss services in more detail through a market stall session
### CABINET CORE AGENDA 2015

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<td>Local Plan Review/Duty to Cooperate</td>
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Key decisions are those which result in income, expenditure or savings with a gross full year effect of £100,000 or 10% of the Council’s net portfolio budget whichever is the greater which has not been included in the relevant portfolio budget, or are significant (e.g. in environmental, physical, social or economic) in terms of its effect on the communities living or working in an area comprising two or more electoral divisions in the area of the local authority.