

Duty to Cooperate
Norfolk Non-Strategic Shared Statutory Framework and
Duty to Cooperate Member Group
Report by Planning Policy Officer

Summary: Norfolk Local Planning Authorities are working toward a Non-Strategic Shared Statutory Framework (NSSF) to ensure that planning is undertaken strategically and the requirements of the Duty to Cooperate are met. This report updates members on progress of the NSSF as well as the proposed amendments to the Duty to Cooperate Member Forum Terms of Reference.

Recommendation: That the Authority

- (i) commits £7,500 in 2015/16 and £5,000 in 2016/17 to the production of the NSSF;
- (ii) supports the proposed scope, timeline and process;
- (iii) supports the amendments to the Terms of Reference; and
- (vi) appoints a substitute to the Chairman of Planning Committee represent the Broads Authority at the Forum if required.

1 Introduction

- 1.1 At the 5 February 2015 Planning Committee, Members resolved to support and contribute to the Non-Strategic Shared Statutory Framework to ensure that planning is undertaken strategically and the requirements of the Duty to Cooperate are met. This was option 3 of the paper¹ produced for the 5 February 2015 Planning Committee meeting.
- 1.2 At the 16 March 2015 Duty to Cooperate Member Forum (the Forum), further information regarding the content, resources and timeline for the production of the NSSF was presented. The Terms of Reference were also updated to reflect the role the Member Group would have in production of the NSSF as well as meeting the requirements of the Duty to Cooperate more generally.
- 1.3 Regarding Duty to Cooperate with Suffolk authorities, they are aware of the approach taken by Norfolk and are invited to come to relevant meetings, as well as being kept informed of progress. The Broads Authority will continue to cooperate with Waveney and Suffolk County Council.

¹ http://www.broads-authority.gov.uk/data/assets/pdf_file/0004/530248/Duty-to-Cooperate-Formal-Cooperation-through-shared-non-statutory-strategic-framework-pc60215.pdf

2 Preparing the NSSSF

2.1 The Papers presented to the Forum are attached at Appendix A. The following sets out a summary of the key points, plus a brief comment (in italics) where appropriate:

- **SCOPE:** The NSSSF covers strategic issues as identified in the NPPF that have cross boundary issues. These are homes, jobs and infrastructure. There will be a spatial vision which will cover the key drivers and constraints to growth and change in the area as well as a delivery section. See table 1 of Appendix A.

The Authority proposed that other strategic and cross boundary issues such as climate change, biodiversity conservation, water quality and tourism should be included

- **PROCESS:** There are four task and finish groups covering the subject areas of housing, economy, infrastructure and delivery. Officers from Planning Policy teams around the county will sit on the groups to deliver those elements of the NSSSF. The Governance structure is set out at page 8 of Appendix A.

This general process is sensible, but the Planning Policy Officer will discuss with the Norfolk Strategic Planning Officer Group about the issue of resourcing representation on each group.

- **PROJECT MANAGEMENT:** Experience from working on Local Plans in the Greater Norwich area suggests that joint working of local authority staff can be highly efficient and effective but that in order to be successful it requires a level of dedicated project management and administrative support. The current expectation is a project manager post would only be part time (possibly 0.5fte) although having the scope to alter working hours throughout the period of employment would be an advantage. Administrative support is anticipated being full time. See page 6 of Appendix A.
- **BUDGET:** All Local Planning Authorities in Norfolk contribute £15k in 2015/16 and £10k in 2016/17. This would cover the cost of the project manager and administration assistant as well as commission studies into particular topic areas. See page 9 of Appendix A.

The chair of the Member Forum (from South Norfolk) raised the issue of a proportionate contribution by the Broads Authority as well as urging Norfolk County Council to contribute to the NSSSF.

- **TIMELINE:** Due to the May elections and the Purdah period it is considered that September 2015 will be the earliest post holders and lead officers will be in place and work is able to commence. Assuming an 18 month production period, it is anticipated that the earliest possible date

that the Member Forum may be in a position to recommend adoption of the NSSF to the adopting authorities is likely to be early 2017. It is important to note, that the production of Local Plans can still go forward in parallel with the NSSF production. See page 10 of Appendix A.

2.2 Following discussion on the paper, the Forum resolved to recommend to the LPAs in Norfolk that:

- The Broads Authority's contribution is 50% of the districts'. The Broads Authority has therefore committed £7,500 for 2015/16 and £5,000 for 2017/18 to the production of the NSSF.
- Endorsement of the Strategic Framework should:
 - In the first instance focus on those areas identified in Table 1 of Appendix A with Issues such as climate change, biodiversity and tourism should be addressed/ included in the NSSF potentially through the spatial vision element. There should be a 'finance' section to understand further costs of the next steps of work as a result of the NSSF.
 - Be produced using a structure outlined in Table 2 and the timetable outline in paras 3.8-11 (see Appendix A).

3 The Member Forum Terms of Reference

3.1 The Terms of Reference of the Group (Appendix B) were amended to reflect the move towards the production of the NSSF and the group's role in its production (see the governance structure at page 8 of Appendix A) as well as the group's role in strategic planning to meet the requirements of the Duty to Cooperate in general.

3.2 The proposed amended terms can be found at Appendix B. Of importance to note is that the meetings of the Forum will be private but open to elected Councillors and members of the Broads Authority. The issue of exempted items and declarations of interest requires more research and officers were tasked with liaising with Monitoring Officers on this issue.

3.3 The Member Group Forum therefore recommended that Local Planning Authorities support the Terms of Reference.

3.4 As part of the Terms of Reference, each Local Planning Authority is required to appoint a Member to attend the Member Forum but also a substitute if the first Member is not available to attend. Planning Committee is therefore asked to nominate a substitute. The current Broads Authority representative is the chairman of Planning Committee.

4 Summary of Recommendations

4.1 NSSF:

- The Broads Authority's contribution is 50% of the districts'. The Broads Authority has therefore committed £7,500 for 2015/16 and £5,000 for 2017/18 to the production of the NSSF.
- Endorse that the Strategic Framework should:
 - In the first instance focus on those areas identified in Table 1 of Appendix A with Issues such as climate change, biodiversity and tourism should be addressed/ included in the NSSF potentially through the spatial vision element. There should be a 'finance' section to understand further costs of the next steps of work as a result of the NSSF.
 - Be produced using a structure outlined in Table 2 and the timetable outline in paras 3.8-11 (see Appendix A).

4.2 Term of Reference of the Duty to Cooperate Member Forum

- Planning Committee support the changes to the Terms of Reference subject to clarification of declarations of interest and exempted items issues.
- Planning Committee appoint a substitute to attend the Forum if the Chairman of Planning Committee is unable to. It is recommended that this is the Vice Chairman.

5 Financial Implications

- 5.1 The Broads Authority has committed £7,500 for 2015/16 and £5,000 for 2017/18 which will be funded from the existing Planning Policy Budgets.

6 Conclusion

- 6.1 Duty to Cooperate is an important issue in the production of Local Plans and one which numerous Local Planning Authorities have fallen foul of. The NSSF enables Norfolk Authorities to plan strategically and meet the Duty to Cooperate requirements.

Background papers: None

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Date of report: 30 March 2015

Appendices: APPENDIX A - Non Statutory Strategic Framework – Content and Process
APPENDIX B - Draft Revised Terms of Reference

Appendix A: Non Statutory Strategic Framework – Content and Process

1. Purpose of report

1.1 The purpose of this report is to take forward the recommendations agreed when the Forum met on 14th January to consider options for how to discharge the duty to co-operate on an on-going basis. The Forum agreed to:

1. Endorse the principle of option 3 - formal cooperation through preparation of a shared non-statutory strategic framework.
2. 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 Cooperate Forum;
 - 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 Forum meeting.

1.2 Individual endorsement by each authority of option 3 is still ongoing. By the time of the meeting on 16th March it is expected that most, but not all, Norfolk authorities will have formally endorsed this approach. At the time of writing no authority has refused to endorse what was agreed at the last meeting. A verbal update will be given to the meeting on progress. This report seeks to address recommendation 3 and in particular 2B and C.

1.3 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”*. It also should be recognised that joint working on strategic planning issues can also lead to improved outcomes for Councils in terms of resource efficiency and delivery of sustainable growth.

1.4 In the light of the NPPF and the previous agreement this report seeks to identify a preferred approach on how best to prepare a non-statutory Strategic Framework. In order to consider the process for preparation of the framework it has been necessary to consider the possible content of the framework. To some extent this is an iterative exercise. If the Forum decides to address a more comprehensive range of issues thoroughly in the framework this will have implications for the working arrangements, budget and timetable. In practice there are a multiplicity of options that could be taken but discussion amongst the officers has resulted in a single recommended preferred approach being proposed for discussion.

1.5 Revised Terms of Reference for the Forum have been prepared (separate report) in the expectation that agreement will be reached in relation to the preparation of a framework document. These may require further amendment after this meeting, following which they will be recommended to member authorities for approval.

2 Purpose, Scope, and Content of the Framework

2.1 A Framework document is not a statutory development plan and it will not include development plan policies or be subject to independent examination. Unlike the formal plan making process a non-statutory framework document is not subject to any specific regulatory requirements and it need not be subject to public consultation or sustainability appraisal although there is nothing to preclude these being done. The content of the Framework and the process for its preparation are matters for the Councils to collectively decide. The Framework is intended to guide and inform the preparation of individual Local Plans and ensure that strategic land use issues of cross boundary significance are properly addressed.

2.2 The NPPF states (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.

2.3 As a guide this list is indicative of the type of subject areas where there is an expectation that a co-operative approach *may* be desirable. At an early stage a decision needs to be reached about which of these raise genuinely strategic issues *and* are likely to have cross boundary implications, which would necessitate, or be best addressed, via a co-operative approach. It is not necessary for *all* cross boundary issues to be addressed in a strategic framework document; for example, depending on the issue it might be equally appropriate for authorities to produce bi lateral agreements (memorandums of understanding or similar) or to separately evidence how a co-operative approach has been taken. Whilst the Framework is initially intended to be prepared on behalf of the Norfolk planning authorities it will need to demonstrate how issues of cross boundary significance beyond Norfolk are being considered.

2.4 Table 1 below outlines those issues which: officers consider are most likely to raise strategically important cross boundary considerations and where a co-operative approach would therefore be helpful; and identifies the key evidence that will be required to understand and address the issue and suggests how this might be prepared. This should not be regarded as an exhaustive list and the final content of the document must be kept under review as evidence is prepared. The aim would be that the resulting Framework would provide a set of agreed *objectives* which would influence the subsequent spatial distribution of growth in the next round of Local Plans.

Table 1. Potential Content of Framework Document

Topic Area	Framework to address	Evidence needed to support	Preparation process
Spatial Vision	<p>What is the overall spatial vision for the area (to include Norfolk, Suffolk and the wider region as necessary) and to identify and describe the key drivers and constraints in relation to growth. To include a spatial portrait and overall direction of travel addressing:</p> <p>Quality of life; response to challenge of climate change; key headlines in terms of what is being aimed for in relation to role of settlements and key growth locations.</p> <p>Summary of impacts of broad population,</p>	<p>Mainly drawn from review of local and national policy documents and further evidence sources referred to below plus census and ONS/CLG projections of population and households. Climate change and coastal changes. May be a need to commission some further work to fill any gaps or interpret evidence.</p>	<p>Initially prepared by existing Strategic Planning Officer Group to identify any information gaps and revised as Framework preparation progresses and additional evidence becomes available.</p>

	economic, environmental, social trends and implications of known national and local policies. To have a longer term vision – will need to look beyond 2036.		
Homes	<p>What is the overall quantity of homes to be provided between 2016 and 2036?</p> <p>What is the proposed distribution of housing growth between District Council administrative Areas? If there are constraints to growth how could these be addressed?</p> <p>Information on types and tenures including possible shared approaches to meeting affordable needs?</p>	<p>SHMA – assessment of objectively assessed housing need and demand factors.</p> <p>Housing Growth Strategy. SHMAs and other evidence to be drawn together to derive an agreed Housing Growth Strategy.</p> <p>SHLAAs – Assessment of ‘unconstrained’ housing capacity.</p> <p>Constrained Capacity–Need to consider and address other capacity/constraint considerations not covered in SHLAAs.</p>	<p>Five District SHMA nearing completion. Possible reconciliation/consistency checking if others’ SHMAs are within area of Framework.</p> <p>SHLAAs to be completed to a consistent methodology and open to mutual scrutiny and challenge across the entire area covered by the Framework. Work to be undertaken by relevant LPA staff to an agreed timeframe (<i>with consultant support if necessary/appropriate?</i>).</p>
Jobs	<p>Demonstrate understanding of the strengths and weaknesses of the local economy, likely growth areas, patterns of distribution and inter-relationships. Reference to the SEP and investment/economic strategies.</p> <p>Identification of indicative job growth targets and land supply implications/spatial implications for planning policy.</p>	<p>Employment Growth Study.</p> <p>Further runs of EEFM.</p>	<p>Externally commission via consultancy to a brief produced involving County Council(s) and LEP.</p> <p>County Council to arrange EEFM runs (possibly to inform above study).</p>
Infrastructure	<p>Are there any key infrastructure constraints or opportunities (physical, social and/or environmental) which are likely to impede growth or influence its distribution <i>at a strategic scale?</i></p>	<p>Analysis of current evidence base to identify possible constraints and opportunities, and whether further work is necessary to inform high level strategy.</p>	<p>To be produced by officers working with staff from key agencies such as EA and NE.</p>

	<p>To address transport infrastructure (road, rail and other sustainable modes), green infrastructure, water issues (both supply and disposal), and flooding.</p> <p>Potential to include high level statement in relation to other physical and social infrastructure approach – health, education, broadband etc if significant and cross boundary.</p>		
Delivery	<p>Is the development market in the area likely to be sufficiently strong to support delivery of the growth needs identified in a sustainable manner?</p> <p>Is any further stimulus necessary to deliver?</p>	<p>High level market forces/viability assessment focussing on issues associated with strategic scale growth proposals as opposed to more dispersed/smaller scale development.</p>	<p>Externally commissioned</p>

2.5 There are a wide range of other topic areas where cross boundary issues may arise as Plan preparation proceeds but at this stage it is considered that the Framework should focus on those issues which are likely to influence the broad spatial distribution of growth.

3. Preparing a Framework - Process

3.1 Given the relatively focussed content of the framework listed above and the financial constraints on local authorities the option of seeking to recruit a new planning resource to lead the work is not favoured. The view was taken that existing local authority staff were likely to be best placed to draft the Framework itself from the evidence base available and a small number of commissioned studies. External work will only be commissioned where absolutely necessary and the initial expectation was that this may only be required in relation to employment and viability/delivery studies.

3.2 This would mean that the financial contribution needed for the work would be minimised but there would be a significant resource required in terms of officer time. There is currently little spare capacity within the policy teams of the partner authorities as a number are heavily engaged in finalising local plan documents although this situation has the prospect of

easing over time as plans are adopted. Some of the work that will be required could be regarded as 'mainstream activities' such as the preparation of Strategic Land Availability Assessments and will just require re-phasing of existing local plan work programmes to deliver what is necessary in accordance with an agreed timetable.

- 3.3 Experience from working on Local Plans in the Greater Norwich area suggests that joint working of local authority staff can be highly efficient and effective but that in order to be successful it requires a level of dedicated project management and administrative support to ensure that appropriate responsibilities are assigned, meetings organised, progress reports prepared, external consultancy commissioned and remedial action taken where milestones are missed. This will be required to support a series of task and finish working groups to do the work needed. A possible structure in relation to the member forum is illustrated in Table 2.
- 3.4 In order to put these structures in place a number of steps would need to be taken. Due to the time taken to recruit an early step will need to be recruitment to project manager and admin support post. The current expectation is the project manager post would only be part time (possibly 0.5fte) although having the scope to alter working hours throughout the period of employment would be an advantage. The administrative support is anticipated being full time. These staff would need to be hosted in one of the LPA offices (there would be advantages if the hosting authority was the one which provided the LPA lead officer). Another authority would need to agree to be the employing authority for the staff involved (this could be either another LPA or a County or the LEP). The employing authority would be responsible for drafting the job description, person specification and grading for the post, agreeing with the partner authorities and holding the shared budget for the production of the framework.
- 3.5 Establishing the membership of the officer groups should be more straightforward. The membership of the task and finish groups and the level of work involved will vary. All LPAs will not need to be involved in all of the task and finish groups. However, each task and finish group will need to report back regularly to the steering group and at key stages to the member forum. It is suggested that reports will be needed to the Member Forum prior to briefs being issued for external commission and on draft evidence reports before they are finalised and published.

Table 2: Possible Structure

Duty to Co-operate Member Forum

Strategic Planning Officer Group(s)
As existing – membership depending on coverage of the strategy

Framework Officer Steering and drafting Group
Comprising:
LA lead officer (chair)
Project manager
Lead Officer from each working group

Housing task and finish group

To produce SHMA reconciliation and SHLAAs

Comprising LPAs and County Council(s)

LPA lead officer

Economy task and finish group

To produce modelling forecasts, agree brief for employment study and act as client for study

Comprising LPAs, County Council(s) and LEP (if involved)

LEP lead officer (if involved)

Infrastructure task and finish group

To produce evidence related to infrastructure and environmental capacity

Comprising LPAs, County Council(s), stat agencies (EA, NE if involved)

County Council lead officer

Delivery task and finish group

To agree brief delivery/viability study and act as client for study

Comprising LPAs, County Council(s) and LEP (if involved)

LPA lead officer

Possible Budget implications

3.6 The budget remains uncertain at this stage. Key variables in determining this will be the coverage of the Framework (the greater the coverage the lower the cost to each authority involved), and the willingness of the partners such as the County Council(s), LEP and statutory agencies to assist with the process both in terms of the financial contribution and staff resources to assist with the work. However, the following costs have been estimated:

- Staff Project Manager £40,000pa (including on-costs, assuming 0.5fte)
- Admin support £30,000pa (including on-costs assuming 1fte)
- Economic Evidence - initial estimate c£40,000
- Strategic Infrastructure and viability/deliverability – initial estimate c£30,000

3.7 The above costs would mean under a conservative scenario of the work being financed solely by the District level LPAs across Norfolk the costs faced by each authority should be a maximum of c£15,000 each in the next financial year (2015/16) with no more £10,000 each in the following financial year, assuming there is no decision to commission further work.

Timetable

3.8 Assuming the Forum is content to endorse the recommendations in this report it will take some time to gain a formal decision from each of the participating authorities about participation on the joint exercise. In practice it will be the early part of the summer before endorsement is gained (June/July 2015). This will inevitably delay the process of appointing the project manager, establishing working groups, and drafting briefs for external commissioned work. In practice it is considered that September 2015 will be the earliest post holders and lead officers will be in place and work is able to commence in earnest.

3.9 The primary research phase and production of the key evidence base is considered likely to take at least six months (complete by March 2016). Spring 2016 is likely to be a period of fairly intense work for the staff involved in the steering and drafting group to produce the first draft of the framework in the light of the Forum's reaction to the evidence base produced.

3.10 Notwithstanding the absence of any legal requirement for consultation it is suggested that the process will need to feature the ability for the public and interest groups who have not been directly involved in the process to have their say on the emerging framework. This will add at least 3 months to the preparation timetable.

3.11 Allowing for time to analyse and consider any comments received on the draft document and for engagement with each of the adopting authorities on the final content of the document the earliest possible date that the Forum may be in a position to recommend adoption of a framework to the adopting authorities is likely to be the first meeting in 2017. In order to minimise any impact of this timetable, Local Plans are likely to need to be developed in parallel (if preparation is not already underway).

Recommendation

It is recommended that the forum agrees to:

- 1) Endorse that the Strategic Framework should in the first instance focus on those areas identified in Table 1 and be produced using a structure outlined in Table 2 and the timetable outline in paras 3.8-11;
- 2) Recommend that each authority formally agrees to participate in the preparation of the framework and agree to contribute up to a maximum of £15,000 in 2015/16 and £10,000 in 16/17 to cover the anticipated costs;
- 3) Write formally to the LEP and the all Suffolk authorities to request confirmation of whether or not they wish to participate in preparation of the framework and whether they are prepared to share costs.

Report prepared by Mark Ashwell (NNDC) and Graham Nelson (Norwich City)

Norfolk Duty to Cooperate Member Forum – March 2015

Revised Terms of Reference

1. Purpose of report

1.1 To seek approval for up-dated Terms of Reference for the work of the Duty to Co-operate Members forum.

1.2 The Members Forum was established in 2013 in response to the Duty to Co-operate when preparing Development Plans. It has met on a roughly quarterly basis under Terms of Reference which defined its role as:

- To discuss strategic planning issues that affect local planning authorities
- to understand the viewpoints of other authorities
- to consider and comment upon relevant supporting evidence base to support local plans (as appropriate)
- to consider the need for joint or coordinated working on particular topics or evidence

1.3 At the Forum meeting in January 2015 it was recommended to Member Authorities that the forum steers the preparation of a non-statutory strategic framework to inform the preparation of Local Plans. Revised Terms of Reference (attached) have been prepared in the expectation that agreement will be reached in relation to the preparation of this framework document. These reflect the emerging role of the forum, reference the enabling legislation, and outline the governance arrangements. These may require further amendment after this meeting, following which they will be recommended to member authorities for approval.

Recommendation

It is recommended that the Forum agrees to:

- Recommend to member Authorities that the attached revised Terms of Reference are agreed.

Report prepared by Mark Ashwell (NNDC, Tel 01263 516325, mark.ashwell@north-norfolk.gov.uk)

Appendix B – Draft Revised Terms of Reference

1. Introduction

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

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

‘...engage constructively, actively and on an on-going basis in any process by means of which activities within subsection (3) are undertaken.....’

1.3 The Duty to Cooperate is a legal test when local plans are independently examined and Local Planning Authorities will need to provide evidence to demonstrate that they have undertaken the duty. Local Plans are also examined for their overall soundness. To discharge the soundness test work undertaken under the Duty to Co-operate must be demonstrably effective, examinations to-date suggest that as a minimum this will require:

- Genuine Member level co-operation.
- A continuous process of co-operation throughout plan preparation.
- Co-operation across all cross boundary strategic issues.

1.4 Norfolk Authorities have a strong record of working together through a range of both formal and less formal mechanisms. A Strategic Planning Officer Group has been established for many years and in January 2014 a Members Forum was established with the overall purpose of ensuring that the requirements of the Duty were met. This comprised Members from each of the Norfolk District Councils and the Broads Authority together with Norfolk County Council (the ‘Core Group’) supported by the Norfolk Strategic Planning Officer Group and meet on a quarterly basis to progress work under the duty. Its Terms of Reference were most recently reviewed in January 2015 (these Terms).

2. The Forum

2.1 The Forum's overall purpose is to ensure that when preparing Development Plans the requirements of the Duty to Cooperate is discharged in a way which enhances the planning of strategic matters and minimises the risk of unsound Plans. It will provide the political input and steerage necessary to discharge the duty.

Powers

2.2 The Forum has agreed to meet for the purposes set out in these terms of reference to provide a vehicle for cooperation and joint working between local authorities and other parties within Norfolk and across any other area over which the duty may be applied. They will act together in accordance with their powers under sections 13, 14 and 33A of the Planning and Compulsory Purchase Act and Section 1 of the Localism Act 2011 for this purpose.

2.3 For the avoidance of doubt, the Forum cannot exercise any of the functions of a Local Planning Authority or competent authorities, such as setting formal planning policy or exerting control over planning decisions, nor can it amend any decisions made by other bodies such as the LEPs unless such powers have been expressly delegated to the Forum by one or more of its members. The Forum will recommend actions to the member authorities and others insofar as this is necessary to discharge the Duty.

Specific Activities

2.4 The Forum will address matters relating to the Duty to Cooperate to comply with Section 33A of the Planning and Compulsory Purchase Act 2004. In summary it will:

- Identify spatial planning issues of strategic importance that impact on more than one local planning area across Norfolk and a wider geographical area where appropriate to do so and provide the basis for working collaboratively within, and outside, of the 'core group' across a range of organisations and geographies as might be appropriate to address cross boundary strategic issues.
- Recommend the most appropriate land use planning approach to better integration and alignment of strategic spatial planning across Norfolk and a wider geographical area where appropriate.
- Provide the evidence that the Local Authorities are working 'constructively, actively and on an ongoing basis' on strategic planning matters to support delivery of Local Plans which will be able to be assessed as 'sound'.
- With the agreement of member authorities, oversee the joint commissioning and preparation of evidence necessary to determine the most appropriate strategic spatial approach to cross boundary issues.

Expected Outcomes

- The timely production and review of an *evidence base* sufficient to address cross boundary strategic land use issues, to identify where such issues arise and recommend actions to the member authorities to address them.
- The preparation and agreement of a *single non-statutory shared strategic framework* document to inform Local Plan preparation covering, as a minimum, any cross boundary strategic land use issues relating to:
 - 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 (e.g. schools) 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.
- An evidenced (documented) approach to cooperation across strategic cross boundary issues at a Member level and throughout the process of Local Plan Preparation.

And, as a result of the above, a collaborative approach towards addressing strategic issues and delivering sustainable growth in Norfolk.

3. Governance and administrative arrangements.

Membership

The Core Group will consist of one Member from each of Norfolk County Council, Norwich City Council, South Norfolk District Council, North Norfolk District Council, Broadland Council, Breckland District Council, the Borough Council of King's Lynn and West Norfolk, Great Yarmouth Borough Council and the Broads Authority. The membership of the group will be determined by each authority via annual nomination, preferably of the Planning Portfolio Member or equivalent for each authority. Each authority should also nominate substitutes should the nominated Member not be able to attend particular meetings.

Membership of the Core Group will be kept under review and adjusted to reflect any wider geography over which it might be determined appropriate to cooperate.

Chairmanship and vice chairmanship will be determined by the Forum and reviewed each year.

Format of Meetings

Meetings will be held in private and will comprise the Members and Officers from each authority. Others (specialists, representatives of other organisations, consultants etc) may attend and present at the meetings by invitation. An Agenda and papers will be circulated in advance of each meeting and informal action notes will be taken for internal/ member use only.

Public Information/website

The agenda and a brief note of any recommendations made back to LPAs will be made public via a Duty to Cooperate web page on the NCC website.

Frequency of meetings

Initially every two months, or at intervals to be agreed, hosted in the first instance by Norfolk County Council.

Secretariat

The secretariat for the group will be provided on a rotating basis commencing with the County Council.

Decision Making

The Forum is not a decision making body and will recommend actions to partner Authorities. It will aim to reach a consensus wherever possible. Its recommendations are not binding on the actions of any of the partners.