

**Member Appointments to Outside Bodies**  
Report by Head of Governance and Executive Assistant

**Summary:** This report seeks approval for an appointment of one member to the Norfolk Duty to Cooperate Member Forum and for delegated authority to be provided to the Planning Committee to make future replacement appointments to this Forum.

**Recommendations:**

- (i) That the Broads Authority appoint Dr M Gray to the Norfolk Duty to Cooperate Member Forum.
- (ii) That delegated authority be provided to the Planning Committee to appoint future replacement members to this Forum.

**1 Introduction**

- 1.1 The Localism Act 2011 inserts section 33A into the Planning and Compulsory Purchase Act (2004) providing a 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 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.
- 1.2 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. 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.
- 1.3 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.
- 1.4 The purpose of the Forum is for members to discuss the strategic transport and economic issues that are planning related and affect all or the majority of

local planning authorities 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). Discussions at the Forum will not be binding on any authority. The sovereignty of each Planning Authority 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.

- 1.5 Membership of the Forum will include a member with responsibility for planning from each District Council and the County Council, together with other areas as appropriate; this will include the Broads Authority.

## **2 Appointment of Member**

- 2.1 It is recommended that Dr M Gray is appointed to this Forum. In view of this Forum undertaking activities which are very much related to the planning function, it is recommended that delegated authority be provided to the Planning Committee to make subsequent appointments to this Forum.

## **3 Appointment of Member to Mills and Pump Trust**

- 3.1 At its meeting on 12 July 2013, the Chairman was given delegated authority to appoint a member as the Authority's second representative on the Mills and Pumps Trust. Members will wish to note that Mr C Gould has been appointed to this role.

Background papers:	Nil
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Broads Plan Objectives:	None
Appendices:	None