

Decision under Delegated Powers

Officer Requesting Decision

Local Plans Team Leader

Officer Making the Decision

Head of Planning and Regeneration

Recommendation

That the attached Statements of Common Ground relating to joint work with key partners in the preparation of the Draft Charnwood Local Plan be agreed to and signed as they are prepared.

Reason

The National Planning Policy Framework places a duty on local planning authorities to cooperate with each other to address strategic issues relevant to their areas. The duty requires ongoing constructive engagement on the preparation of the local plan and other activities related to the sustainable development of land. A Statement of Common Ground is an agreed written record which demonstrates how the duty to cooperate has been fulfilled.

Authority for Decision

On 10th June 2021 Cabinet approved the publication of the Pre-Submission Draft Local Plan (Regulation 19) and its supporting documents for public consultation and recommended that the Council submit the Local Plan and its amended supporting documents to the Secretary of State for an Examination in Public. Delegated authority was given to the Head of Planning and Regeneration to submit additional background documents to support the examination of the Local Plan (Minute 7, 1 and 7 refer).

On 21st June 2021 Council resolved to approve the Pre-Submission Local Plan for consultation and submit it to the Secretary of State for an Examination in Public and that delegated authority be given to the Head of Planning and Regeneration to submit additional background documents to support the examination of the Local Plan (Minute 24, 1 and 4 refer).

Heads of Service have general delegated authority within the Constitution to take such action as may in their opinion be necessary or appropriate in connection with the implementation of decisions properly authorised by the Council.

Decision and Date



2 December 2021

Statements of Common Ground with our Duty to Cooperate partners

The duty to cooperate was introduced by the Localism Act 2011 and is set out in section 33A of the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan preparation.

Statements of Common Ground are how the plan making authority can demonstrate that a plan is based on effective cooperation and that the development strategy and policies are based on agreements with other partner bodies. They also form part of the evidence required to demonstrate that the duty to cooperate has been complied with. Statements should be signed by both parties, or more if the issue has a broader focus.

A number of Statements of Common Ground have been prepared, with statutory consultees, infrastructure providers as well as with neighbouring districts where strategic issues require a specific statement.

Each Statement of Common Ground records the engagement between Charnwood Borough Council and that partner during the process of preparing the local plan. It sets out the matters where that partner agrees with the Pre-Submission Draft Local Plan and confirms the duty to cooperate has been met and sets out the areas for further discussion through the Examination in Public process which that partner has raised through their representation. There have no matters of disagreement that have needed to be documented.

The list of Statements of Common Ground is set out below:

Duty to Cooperate Body	Statement of Common Ground
Environment Agency	Agreed and signed
Historic England	Agreed and signed
Natural England	Agreed and signed
Clinical Commissioning Groups (Health)	Agreed and Signed
Leicestershire County Council (Education)	Awaiting agreement
Highway Authorities <ul style="list-style-type: none">- National Highways- Leicestershire County Council- Leicester City Council	Agreed and being signed
North West Leicestershire District Council	Agreed and awaiting signature
Leicester City Council	Agreed and awaiting signature

The statements will be submitted to the Secretary of State alongside the Draft Local Plan. It will enable the Examination Inspector to understand how policy formation has resulted from effective joint working with key partners who have statutory responsibility for specific work areas.

Comments from HR

The report has no HR implications

Financial Implications

There are no financial implications associated with this decision.

Risk Management

No specific risks have been identified with this report.

Key Decision: No

Background Papers: Statements of Common Ground Final Drafts