

NORTHAMPTON BOROUGH COUNCIL

WEST NORTHAMPTONSHIRE JOINT STRATEGIC PLANNING COMMITTEE

Tuesday, 16 December 2008

PRESENT: Councillor Tony Woods (Chair)
Councillors Wendy Amos, Sandra Barnes, Richard Church, Stephen Clarke,
Andre de Gonzalez Savage, Jane Hollis, Ken Melling, Dennis Meredith,
Chris Millar, Ben Smith, John Townsend and Paul Varnsvery.

1. APOLOGIES FOR ABSENCE

Apologies were received from D Dickinson and Councillor Jim Bass.

2. DECLARATIONS OF INTEREST

Councillors Sandra Barnes, Ben Smith, Richard Church, Tony Woods and Chris Millar declared personal but non-prejudicial interests in Item 10, 'Public Local Enquiry into three Urban Extensions at Daventry', as members of the WNDC Board.

3. MINUTES OF THE MEETING HELD ON 21 OCTOBER 2008

Subject to:

1. An annexe being produced to record in more detail the discussion that had taken place under Item 6, "Role and Position Statement of West Northamptonshire Joint Committee";
2. The use of forenames where Councillors were named in the minutes; and
3. The use of page numbering in the minutes;

the minutes of the meeting held on 21 October 2008 were signed by the Chair.

4. MATTERS OF URGENCY

None.

5. MOTION FROM NORTHAMPTON BOROUGH COUNCIL; AUTOMATIC SPRINKLER SYSTEMS IN INDUSTRIAL BUILDINGS

Reference was made to the motion set out on the agenda paper referred by Northampton Borough Council at its meeting held on 27 October 2008. It was noted that the issue was one that could not be determined by the Joint Committee, as it was a Building Control issue.

A brief discussion ensued in respect of the validity of such an item being placed on the agenda and Councillor Paul Varnsvery, as the mover of the motion, commented that whilst it was not an appropriate item for the Joint Committee it was still useful to have highlighted the issue with colleagues from across the West Northamptonshire area. He hoped that colleagues would take this matter back to their respective councils and refer it through their appropriate local mechanisms.

6. TERMS OF REFERENCE

The Interim Head of the Joint Planning Unit submitted the Terms of Reference for the Business Sub-Group and Programme Board that had been circulated with the agenda and it was noted that Councillor and officer names would be removed from the membership lists and replaced by Council names and officer titles.

- RESOLVED:**
- (1) That the purpose and roles of the West Northamptonshire Business Sub-Group be agreed as set out in the report attached to the agenda.
 - (2) That the purpose and roles of the West Northamptonshire Programme Board be as agreed as set out in the report attached to the agenda.
 - (3) That Councillor and officer names be removed from the membership list and replaced by Council titles or officer titles as appropriate.

7. WORK PROGRAMME POSITION STATEMENT

The Interim Head of the Joint Planning Unit submitted a report that set out an analysis of where the Joint Planning Unit currently stood in relation to its work programme and what needed to be achieved in the next few months in respect of the Joint Core Strategy. The first phase of the evidence process was almost complete with any gaps and further evidence seeking being addressed as phase two. Because of the size of the exercise some aspects would be separately commissioned. All partners were expected to have an input into the document and Northampton Borough Council would provide some additional officer support.

The Interim Head of the Joint Planning Unit cautioned against any delay in recruiting a permanent Head of the JPU and also pointed out risks and consequences if there were quality issues with the evidence.

Councillor Chris Millar stated that the report was an honest assessment of the situation and asked about the consequence if the timetable was not adhered to. He was concerned that recruitment of a permanent Head of the JPU should not be rushed. The Interim Head of the Joint Planning Unit commented that recruitment of the permanent Head would commence in the New Year. This post would then be involved with the recruitment of the rest of the team. If the timetable overran then there would be a need to reassess the work programme. A series of workshops were due to be held on 20 January 2009 and a schedule of training and committee meetings to engage wider council memberships and key stakeholders were being arranged to ensure consensus on the location of growth. There would also be briefings prior to the workshops so Councillors could still have an input even if they could not attend.

Councillor Sandra Barnes commented that it would be important for wider Councillor memberships to be engaged before stakeholders. It was noted that a schedule of all dates of meetings for the following year should be circulated as soon as practicable to ensure attendance from Joint Committee members. It was also noted that where Councillors could not attend the Joint Committee there would be paperwork available, which would itself form part of the evidence trail. Councillor Wendy Amos observed that workshops should deal with multi-dimensional problems so that different stakeholders with differing outlooks could share good practice and use their collective understanding to accelerate towards a three dimensional understanding.

It was noted that despite the range of skills available within the JPU it may still be necessary to commission consultancy support.

- RESOLVED:** (1) That the report be received and that its relationship to the structure and budget reports elsewhere on the agenda be noted.
- (2) That the Joint Committee support efforts to accelerate progress to ensure that the approved Local Development Scheme milestones are met.

8. STRUCTURE TO DELIVER THE APPROVED LOCAL DEVELOPMENT SCHEME

The Interim Head of the Joint Planning Unit submitted a report that set out a proposed permanent structure for the JPU to deliver the necessary staff resource and capacity to meet the approved Local Development Scheme timetable. She then summarised the proposed structure and key issue and noted that the help of partner organisations and the WNDC would still be needed.

In view of the earlier discussions about the appointment process for the permanent Head of the JPU a further discussion took place about a recruitment process.

It was noted that Counsel would be brought in to provide legal advice so as to ensure that each stage of the process was sound, evidence robust and to support the team at the examinations. The participating councils' Monitoring Officers would be asked to advise on the appointment of Counsel.

- RESOLVED:** (1) That the proposed structure be agreed and the risks be noted.
- (2) That Northampton Borough Council lead on the recruitment processes required and that, for the post of Head of Joint Planning Unit, an interview panel be established comprising an officer from each council together with the Chair of the Joint Committee and County Councillor Andre Gonzalez de Savage as substitute.

9. BUDGET TO DELIVER THE APPROVED LOCAL DEVELOPMENT SCHEME

The Interim Head of the Joint Planning Unit submitted a report that set out the budget requirement to deliver the necessary staff resource and capacity to meet the remaining Local Development Scheme timetable. The report covered the period 2009-2012. It was noted that a contingency fund would be needed in case further evidence was required or consultancy support had to be bought in. The Chief Executive of South Northants District Council commented that, as the responsible authority, her Section 151 Officer was content with the plans for funding arrangements.

The Chair noted that there would be regular updates of performance and expenditure. The Head of Planning and Regeneration (Northampton Borough Council) commented that there were critical project timelines in place for each phase, which would be monitored by senior managers and the Head of the JPU. The Joint Committee would be informed of any problems and successes.

The Managing Director for Daventry District Council suggested that a briefing note be prepared for members of the Joint Committee that could be used to help inform wider

Councillor membership to support the budget requirements required by the JPU when they were being discussed by the respective Councils.

- RESOLVED:** (1) That the proposed budget be agreed for approval by the constituent councils.
- (2) That any under spend on the 2008/09 budget be rolled forward to 2009/10.

10. PUBLIC LOCAL INQUIRY INTO THREE URBAN EXTENSIONS AT DAVENTRY

The Interim Head of the Joint Planning Unit submitted a report that set out a request from Daventry District Council that the Joint Committee make a statement on its position in respect of the five co-joined planning appeals, which were to be the subject of a public local enquiry scheduled to commence on 20 January 2009. The Head of Planning (Northampton Borough Council) commented that the references to Article 10(3) should be from the General Development Procedure Order 1995 and not the Planning and Compulsory Purchase Act 2004.

It was noted that the Joint Committee had not been created when the original applications had been received. The agreed legal advice suggested that it would be inappropriate for the Joint Committee to make a policy statement. Annexe 1 of the report drew the Secretary of State's attention to matters in PPS3 that set out the criteria determining applications that were outside of the local development framework. The Secretary of State was being referred to paragraph 69 of PPS3 and to consider whether or not these appeals met the criteria set out in that paragraph.

Councillor Chris Miller stated that the position was unacceptable given the late intervention by the Highways Authority. It was not for the Joint Committee to consider individual applications.

The Chair commented that it was important that members remained mindful of why the Joint Committee had been set up and what its purpose was, which was to bring forward local frameworks and to recognise the existing constraints.

- RESOLVED:** (1) That the statement appended to the report be approved for submission to the Planning Inspectorate as a statement of the Joint Committee's position to assist with the public local enquiry.
- (2) That it be agreed that officers of the JPU discuss the possibility of the Secretary of State making a direction under Article 10(3) of the General Development Procedure Order 1995 directing that the constituent local authorities and the West Northamptonshire Development Corporation consult the Joint Committee on strategic applications and that a report on this be submitted at the next meeting of the Joint Committee.

11. RESPONDING TO CONSULTATION DOCUMENTS

The Interim Head of the Joint Planning Unit submitted a report that set out the requirement for the Joint Committee to be a consultee for matters set out in Part 2 of the Planning and Compulsory Purchase Act 2004. The report recommended that in instances where consultations did not coincide with the Joint Committee's eight weekly meetings cycle that the Head of the Joint Planning Unit be delegated in consultation with

the Chair of the Joint Committee to make a response.

A discussion ensued as to the need for further consultation and reference to the Joint Committee.

- RESOLVED:**
- (1) That responsibility for responding to consultation documents be delegated to the Head of the Joint Planning Unit in consultation with the Chair of the Joint Committee but that consultations of strategic significance to West Northamptonshire should be brought to the Joint Committee or a consultation arranged by correspondence as appropriate.
 - (2) That in instances where it is considered both necessary and appropriate for a document to be considered by the Joint Committee but the timescales preclude it, the Head of the Joint Planning Unit with the agreement of Chair of the Joint Committee submit a response by the deadline pending formal ratification or amendment by the Joint Committee when it next met.

The meeting concluded at 19:45