

Appendix 1

WEST NORTHAMPTONSHIRE JOINT STRATEGIC PLANNING MEMORANDUM OF INTENT

**AN AGREEMENT BETWEEN LOCAL PLANNING AUTHORITIES TO
PROVIDE AND SUPPORT A JOINT STRATEGIC PLANNING
COMMITTEE FOR WEST NORTHAMPTONSHIRE**

FINAL DRAFT SEPTEMBER 2007

STATUS OF THE MEMORANDUM OF INTENT

This Memorandum of Intent is made on **[DATE]** as an agreement between the Local Planning Authorities, known jointly as the Partner Local Planning Authorities (PLPA), of:

The Daventry District Council (DDC); of Council Offices, Lodge Road, Daventry, Northamptonshire, NN11 4FP.

The Northampton Borough Council (NBC); of

The South Northamptonshire Council (SNC); of

The Northamptonshire County Council (NCC), of County Hall, Guildhall Road, Northampton, Northamptonshire NN1 1DN

This Memorandum of Intent is made pursuant to establishment of the “West Northamptonshire Joint Strategic Planning Committee” under the Planning and Compulsory Purchase Act 2004, section 29.

This Memorandum of Intent may be executed in any number of counterparts, all of which, taken together, shall constitute one and the same document.

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(A) PREAMBLE

A1. The partner local planning authorities (PLPAs) of Daventry , Northampton and South Northamptonshire have endorsed the need for joint strategic planning in their individual Local Development Schemes approved in 2007 under the 2004 Act. In those Local Development Schemes, the PLPAs identified joint preparation and adoption of Local Development Documents that will help to comprise the Local Development Framework under the 2004 Act.

A2. It is agreed that executive decision-making during the formulation, submission and adoption of the Local Development Documents will be exercised by the PLPAs in a single coordinated manner, via a West Northamptonshire Joint Strategic Planning Committee. This Memorandum establishes the principles of such an arrangement.

A3. This arrangement will also encompass the review of the named Local Development Documents, and formulation, submission and review of those identified by all the PLPAs in revised Local Development Schemes.

A4. The West Northamptonshire Joint Strategic Planning Committee is the decision-making body for the PLPAs and is a local planning authority in its own right on matters relating to the identified Local Development Documents.

A5. The agreement is also made with the support of Northamptonshire County Council, as key infrastructure provider, and in support of the West Northamptonshire Development Corporation (WNDC), the local delivery vehicle for parts of west Northamptonshire, though they do not hold the same plan making powers under the 2004 Act. The close relationship between the WNDC and the Joint Strategic Planning Committee will be important to ensure an integrated approach to spatial planning and development control and delivery (development management), whilst maintaining clear divisions of responsibility on decision-making and accountability with regard to statutory planning matters.

A6. The diagram opposite illustrates the relationship between the Joint Strategic Planning Committee, the PLPAs and WNDC.

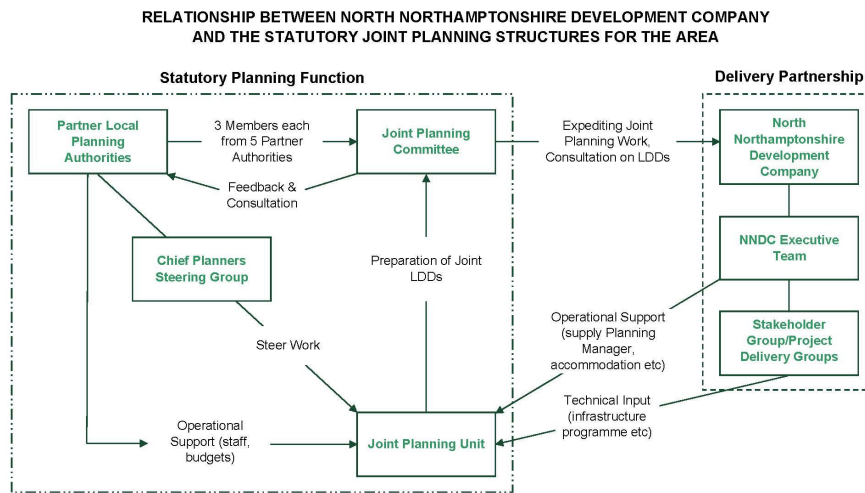
A7. Development control remains the responsibility of the individual local planning authorities, not this joint committee.

A8. This agreement also signifies that all PLPAs will support the Joint Strategic Planning Committee, principally through the resourcing of a Joint Planning Unit featuring funding and deployment of a Joint Planning Unit Manager, secondment of appropriately skilled and experienced staff necessary to progress the work programme in a professional manner and to timescale, and appropriate budget and other resources as necessary. The success of joint planning depends on such commitment.

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RELATIONSHIP BETWEEN WEST NORTHAMPTONSHIRE
STRATEGIC PLANNING COMMITTEE AND THE PLPAs AND THE
WEST NORTHAMPTONSHIRE DEVELOPMENT CORPORATION

PICTURE (SIMILAR)



(B) ESTABLISHMENT OF THE JOINT COMMITTEE

B1. The Joint Strategic Planning Committee is established in accordance with requirements set out in the Local Government Act 1972 under Section 102(1) (b) – power for two or more authorities to appoint a joint committee; Section 103 – expenses incurred by a joint committee defrayed between the authorities; Section 104 – disqualification for membership of a joint committee as per normal local authority rules; Section 105 – disability for voting on account of interests in contracts etc.

B2. One of Daventry District Council, Northampton Borough Council or South Northamptonshire Council shall be the accountable body for administration of the Committee including interpretation of rules and procedures.

(C) AREA OF JURISDICTION OF THE JOINT COMMITTEE

C1. The Joint Strategic Planning Committee will function as a Planning Authority for West Northamptonshire, as laid down by the Secretary of State in the West Northamptonshire Joint Strategic Planning Committee Order 2008 (No. ****), which comprises the administrative areas of:

- (a) The Daventry District Council;
- (b) The Northampton Borough Council; and
- (c) The South Northamptonshire Council.

C2. The area of jurisdiction is shown in Appendix A.

(D) SCOPE OF THE JOINT COMMITTEE

D1. On behalf of the PLPAs, the Joint Strategic Planning Committee will have responsibility for deciding on the formulation, submission, adoption and review as necessary, of the following:-

(i) the Local Development Documents as identified in the Joint Local Development Scheme March 2007:-

- the West Northamptonshire Joint Core Strategy DPD
- the Northampton Implementation Area DPD
- the West Northamptonshire Rural Areas DPD
- the West Northamptonshire Development Control Policies DPD
- the West Northamptonshire Affordable Housing SPD

(ii) the formulation, submission, adoption and review of joint Local Development Schemes, in respect of joint Local Development Documents. in accordance with legislative requirements.

(iii) the formulation, submission, adoption and review of joint Local Development Documents identified in joint Local Development Schemes as per (ii) above.

D2. In order to discharge its responsibilities, the Joint Strategic Planning Committee may commission such studies and advice as it considers necessary via the Joint Planning Unit.

(E) MEMBERSHIP OF THE JOINT COMMITTEE

E1. The Joint Strategic Planning Committee shall have a total of 11 Members, including the Chairman.

E2. Each PLPA shall appoint Members to the Joint Strategic Planning Committee as per the following quotas:-

DDC = 3 Members of DDC

NBC = 4 Members of NBC

SNC = 3 Members of SNC

NCC = 1 Member of NCC

E3. PLPA Members appointed to the Joint Strategic Planning Committee shall follow their respective PLPAs' Members' Code of Conduct in all respects, as per their signed Declarations of Office.

E4. Subject to unanimous agreement of the Joint Strategic Planning Committee, it may co-opt members of other organisations.

(F) VOTING RIGHTS

F1. Only duly appointed Members of PLPAs shall have voting rights on the Committee and be known as Joint Strategic Planning Committee Members.

F2. An observer shall not be entitled to vote at any meeting.

F3. A co-opted Member shall not be entitled to vote at any meeting.

(G) OBSERVERS OF THE JOINT COMMITTEE

G1. Whilst not members of the Joint Strategic Planning Committee, WNDC are formally granted observer status and may assign one WNDC Board Member (and a substitute) to so attend and participate at the Committee though not vote.

(H). APPOINTMENT OF MEMBERS TO THE JOINT COMMITTEE

H1. Each PLPA shall appoint its quota of Members to the Joint Strategic Planning Committee in accordance with its own constitutional arrangements for appointing to committees, with no political balance necessary.

H2. Each PLPA shall appoint one Member as reserve in case of casual vacancy or inability of appointed Members to attend, but otherwise there shall be no substitute Members allowed.

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H3. Appointments shall be made annually by the PLPAs.

H4. Tenure of appointment shall be 3 years, unless the Member ceases to be a Member of the PLPA in which case a fresh appointment is to be made by that PLPA.

(I) EXPENSES OF THE JOINT COMMITTEE

I1. Any expenses payable to Members as a result of their membership of the Joint Strategic Planning Committee will be reimbursed by the individual PLPAs in accordance with their own Constitutions.

I2. The accountable body shall meet its own costs in servicing the Committee.

(J) MEETINGS OF THE JOINT COMMITTEE

J1. The Joint Strategic Planning Committee shall in every year hold an annual meeting with the first meeting held after 31st May in any year being the annual meeting. At the annual meeting, ordinary meetings shall be scheduled for the ensuing year.

J2. Ordinary meetings will be held bi-monthly.

J3. Extraordinary meetings may be called in addition to ordinary meetings by the senior committee administrator at the request of the Chairman, or where any 3 Members of the Joint Strategic Planning Committee request such a meeting and have signed a requisition presented to the Chairman of the Committee and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

J4. Notice and summons to meetings will be given at least 5 clear working days before a meeting.

(K) QUORUM OF MEETINGS OF THE JOINT COMMITTEE

K1. The quorum of a meeting of the Joint Strategic Planning Committee will be one quarter of the whole number of Members.

(L) CHAIRMANSHIP OF MEETINGS OF THE JOINT COMMITTEE

L1. The annual meeting of the Joint Strategic Planning Committee shall appoint a Chairman and Vice-Chairman from amongst the PLPA Members for the year ending 31st May in accordance with the Statutory Instrument.

L2. If the Chairman or Vice-Chairman role becomes vacant during the term of office, the next meeting of the Committee shall appoint a replacement.

L3. The Chairman shall preside at meetings. In his absence it shall be the Vice-Chairman. If both are absent, another Member chosen by the Committee shall preside.

(M) PROCEDURES OF MEETINGS OF THE JOINT COMMITTEE

M1. Procedures of meetings of the Joint Strategic Planning Committee shall be as stipulated in the Statutory Instrument. The Joint Strategic Planning Committee may adopt additional complementary procedures via making, varying and revoking standing orders.

M2. As the Joint Strategic Planning Committee is a local planning authority, its meetings shall be subject to the same rules, such as access to information rules, as the PLPAs.

M3. All business items shall be open to public participation, except those items that are declared confidential or exempt under relevant Acts.

M4. In all cases, minutes shall be taken and attending Members and observers shall be recorded in minutes along with declarations of personal or personal and prejudicial interests.

M5. All issues before a meeting shall be decided upon by a simple majority of those Members voting and present in the room at the time the question is put. Unless a recorded vote is demanded, the Chairman will take the vote by show of hands or, if there is no dissent, by the affirmation of the meeting.

(N) VENUE AND ADMINISTRATION OF MEETINGS OF THE JOINT COMMITTEE

N1. Meetings will take place at the offices of each of the district PLPAs on a rotating basis. The cost of accommodating these meetings will be borne by the host PLPA.

N2. A senior committee administrator(s) will be provided by the accountable body, supporting all meetings of the Joint Strategic Planning Committee by dealing with procedural matters associated with the arranging, calling and running of meetings, including taking and producing minutes, and by providing advice on points of procedure and the responsibilities of the Committee as necessary.

N3. Should the PLPAs agree that the host authority for meetings of the Joint Planning Committee will provide the services of a senior committee administrator, where this is on a rotating basis, then the cost of this service will be borne by the respective PLPAs.

(O) OVERVIEW AND SCRUTINY OF THE JOINT COMMITTEE

O1. Formal overview and scrutiny of the Joint Strategic Planning Committee's deliberations shall be exercised by the PLPAs' existing arrangements as they see fit.

O2. In April each year, the Joint Planning Unit shall submit an annual report to each PLPA reporting on progress of the Joint Planning Committee over the preceding year and progress anticipated in the coming year.

(P) WEST NORTHAMPTONSHIRE JOINT PLANNING UNIT

P1. Each PLPA agrees to the servicing of the Joint Strategic Planning Committee by a technical Joint Planning Unit, comprised of a Joint Planning Unit Manager (appointed by DDC, NBC and SNC, with SNC as host employer), seconded staff or staffing budget from each PLPA and other budget or resources agreed by the PLPAs via their regular service and financial planning processes.

P2. Each PLPA agrees to formally identifying resources to enable the Joint Planning Unit to function and deliver according to adopted timeframes of the Local Development Documents.

P3. Each PLPA's resource contribution towards the Joint Planning Unit shall be in direct proportion to their quota of Members on the Joint Strategic Planning Committee.

P4. Resource requirements for the Joint Planning Unit shall be identified by the Joint Planning Unit Manager and presented to the Joint Strategic Planning Committee for endorsement and for onward submission to PLPAs for their address.

P5. The Joint Planning Unit will be accountable to the Committee and will ensure that advice given to it is competent and compliant with current law and good practice.

P6. The Joint Planning Unit will be advised by a Steering Group comprising the Manager responsible for planning policy in each PLPA and will ensure that there is a suitable level of technical and professional expertise available to it and the Joint Planning Committee to give competent advice.

P7. The typical range of work of the Joint Planning Unit is set out in Appendix B.

(Q) MODIFICATIONS AND TERMINATION OF AGREEMENT

Q1. Amendments or modifications to this Agreement will require the consent of all PLPAs.

Q2. This Agreement shall continue in force unless and until the Secretary of State has revoked the order constituting the joint committee as the local planning authority under section 31 of the Planning and Compulsory Purchase Act 2004.

APPENDIX A

JOINT STRATEGIC PLANNING COMMITTEE

AREA OF JURISDICTION

(Ordnance Survey based map)

APPENDIX B

JOINT PLANNING UNIT RANGE OF WORK

Range of work

1. Production and Submission of Local Development Scheme (LDS) and Statement of Community Involvement (SCI)
2. Production and Submission of identified Local Development Documents helping to form the Local Development Framework.
3. Community engagement as per the Statement of Community Involvement.

Other Duties

1. Advise or participate in the co-ordination of sub-regional planning and infrastructure proposals and cross-boundary strategic planning on infrastructure issues, including transport infrastructure.
2. Co-ordinate and assimilate the information base to inform the joint Local Development Framework.
3. Produce or contribute to an annual Monitoring Report related to the joint Local Development Framework for west Northamptonshire.
4. Appear as expert witness at the Examinations into the Statement of Community Involvement and identified Local Development Documents, and at other formal Examinations or Inquiries as required.
5. Represent the interests of the Joint Strategic Planning Committee with the media and with other external organisations.
6. Develop and maintain a clear and comprehensive website.

**AUTHORISATIONS OF
THE WEST NORTHAMPTONSHIRE JOINT STRATEGIC PLANNING
MEMORANDUM OF INTENT**

Signed on behalf of Daventry District Council

Name

Position

Date

Signed on behalf of Northampton Borough Council

Name

Position

Date

Signed on behalf of South Northamptonshire Council

Name

Position

Date

Signed on behalf of Northamptonshire County Council

Name

Position

Date