Report to Sustainable development panel

15 July 2015

Report of Head of planning service**Subject** Norfolk Non Statutory Strategic Framework – update report

Purpose

This report informs sustainable development panel members about progress on the Non Statutory Strategic Framework considered by the Norfolk Duty to Cooperate Member Forum on 9 July 2015

Recommendation

To note the update on the Non Statutory Strategic Framework and comment on any issues arising before the updates to the framework are considered by cabinet on 9 September 2015.

Corporate and service priorities

The report helps to meet the corporate priorities decent housing for all and a prosperous city, along with the service plan priority to implement the local plan for the city.

Financial implications

Each Norfolk district has agreed to contribute up to £25,000 over an 18 month period to the project. In Norwich these costs will be met from the Local Plan budget.

Ward/s: All wards

Cabinet member: Councillor Bremner – Environment and transport

Contact officers

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Background documents

None

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Report

- 1. On 25 February 2015 a Duty to Cooperate Options paper, previously considered by the Norfolk Duty to Cooperate Member Forum in January 2015, was reported to the Sustainable development panel. This paper recommended formal cooperation on strategic planning issues through a shared non-statutory strategic framework. The Sustainable development panel noted the report and recommended that cabinet support the principle of formal cooperation through a shared non-statutory strategic framework.
- Cabinet subsequently considered the report at its meeting on 11 March 2015. It
 resolved to agree to co-operate on strategic planning matters through a shared nonstatutory strategic framework, subject to revised terms of reference for the member
 forum, budget provision and detailed arrangements for framework production being
 agreed.
- 3. On 16 March 2015 the Norfolk Duty to Cooperate Member Forum agreed to:
 - endorse the broad focus, structure and timetable of the Strategic Framework;
 - 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;
 - 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.
- 4. This paper is in appendix 1.
- 5. The Norfolk Duty to Cooperate Member Forum on July 9th 2015 considered an update report on the Non Statutory Strategic Framework.
- 6. The report is in appendix 2. It recommended that the forum agrees to:
 - (a) Amend the title of the proposed document to Norfolk Strategic Framework
 - (b) Agree that Norwich City Council acts as host and employing authority. This would involve two members of staff being employed to assist in the production of the strategic framework for approximately 18 months.
 - (c) Amend the scope of the framework document as outlined in Table 1 of appendix 1. These amendments were made to reflect previous comments made by the Norfolk district councils and the Broads Authority.
- 7. Officers will verbally report the outcome of the Norfolk Duty to Cooperate Member Forum to the sustainable development panel.
- 8. A report will be taken to cabinet on 9 September 2015 covering these issues.

Appendix 1

Norfolk Duty to Cooperate Member Forum – March 16th 2015

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 nonstatutory 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 <u>and</u> 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 cooperative 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.

Topic Area	Framework to	Evidence	Preparation process
	address	needed to support	
Spatial Vision	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: 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. Summary of impacts of broad population, economic, environmental, social trends and implications of	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.	Initially prepared by existing Strategic Planning Officer Group to identify any information gaps and revised as Framework preparation progresses and additional evidence becomes available.

Table 1. Potential Content of Framework Document

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types and tenures housing capacity. be undertaken by
including possible relevant LPA staff to an
shared Constrained agreed timeframe (with
approaches toCapacity–Needconsultant support ifmeetingto consider andnecessary/appropriate?
affordable needs? address other).
capacity/constrai
nt considerations
not covered in
SHLAAs.
Jobs Demonstrate Employment Externally commission
understanding of Growth Study. via consultancy to a
the strengths and brief produced involving
weaknesses of County Council(s) and
the local LEP.
economy, likely
growth areas, County Council to
patterns of Further runs of arrange EEFM runs
distribution and EEFM. (possibly to inform
inter- above study).
relationships. Reference to the
SEP and
investment/econo
mic strategies.

	Identification of indicative job growth targets and land supply implications/spati al implications for planning policy.		
Infrastructure	Are there any key infrastructure constraints or opportunities (physical, social and/or environmental) which are likely to impede growth or influence its distribution at a strategic scale?	Analysis of current evidence base to identify possible constraints and opportunities, and whether further work is necessary to inform high level strategy.	To be produced by officers working with staff from key agencies such as EA and NE.
	To address transport infrastructure (road, rail and other sustainable modes), green infrastructure, water issues (both supply and disposal), and flooding.		
	Potential to include high level statement in relation to other physical and social infrastructure approach – health, education, broadband etc if significant and cross boundary.		
Delivery	Is the development market in the area likely to be sufficiently strong to support	High level market forces/viability assessment focussing on issues associated with	Externally commissioned

delivery of the growth needs identified in a sustainable manner? Is any further stimulus necessary to deliver?	strategic scale growth proposals as opposed to more dispersed/smalle r scale development.	
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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.

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 **Economy** task Infrastructure **Delivery** task and and finish group and finish group finish group task and finish group To produce To agree brief To produce modellina To produce delivery/viability SHMA reconciliation forecasts, agree evidence related study and act as and SHLAAs brief for to infrastructure client for study employment and study and act Comprising environmental Comprising LPAs, LPAs and as client for County Council(s) capacity County study and LEP (if Council(s) Comprising LPAs, involved) Countv Comprising LPA lead officer LPAs, County Council(s), stat LPA lead officer Council(s) and agencies (EA, NE

Table 2: Possible Structure

LEP (if involved)

LEP lead officer

(if involved)

if involved)

County Council 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;
- 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)

Appendix 2

Norfolk Duty to Cooperate Member Forum July 9th 2015

Non Statutory Strategic Framework – Update

1. Purpose of report

1.1 At the meeting on the 16th of March the Forum considered a detailed report on the recommended scope and content of the proposed Non Statutory Strategic Framework and the suggested practical arrangements for its preparation. There was discussion about the scope of the document and a limited number of amendments were suggested. The Forum resolved to:

- 4) Endorse that the Strategic Framework should in the first instance focus on those areas identified in Table 1(see below) and be produced using a structure outlined in Table 2 and the timetable outlined in paras 3.8-11;
- 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;
- 6) 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.

1.2 This report provides an update on progress since the 16th of March.

1.3 Since the meeting in March, all of the Norfolk district councils, along with the Broads Authority and Norfolk County Council, have agreed the principle of progressing a non-statutory strategic framework, along with the funding to progress that work.

1.4 Broadland, Norwich and South Norfolk may need to take further reports to their councils to agree the detail of their in principle decisions, whilst the remaining councils are not expected to need to consider any further reports at this point.

1.5 In considering whether to endorse the preparation of a framework some Council's raised additional issues for further consideration:

- North Norfolk requested that a mechanism should be established to enable cross boundary shared settlement planning, particularly in relation to Hoveton and Wroxham;
- The Broads Authority requested that some changes be made to anticipated work on the evidence base for the framework to ensure that climate change, water quality, landscape, tourism and conservation issues are adequately covered;
- Great Yarmouth requested that Waveney should be included in strategic considerations.

1.6 In the interests of simplification, and in recognition of the very limited likelihood that neighbouring authorities outside Norfolk being directly involved in the production of the framework, officers recommend that the non-statutory strategic framework should be known as the Norfolk Strategic Framework from now on.

1.7 Subject to final clarification from all partners, it is proposed that Norwich City Council will be the employing and hosting authority for the two employees to be appointed, the project manager (0.5 part time) and the project assistant (full time). Both will be employed on a fixed term basis for 18 months by the hosting authority.

1.8 Norwich is proposed by officers for this role firstly due to its highly accessible location both for the partner authorities and the employees and secondly because the City Council is not proposing to chair the group, thus sharing responsibilities. For the same reasons, whilst less accessible, Breckland's offices in Dereham are also considered to be a suitable alternative should members not favour Norwich as the host.

1.9 Acting as the employer and host authority will require the chosen Council to take on responsibilities for the employees such as line management, pay and pensions.

1.10 In order to progress matters as quickly as possible, draft person specifications and job descriptions are being drawn up using the city's templates to enable grading of the positions to be done and adverts to be produced. It would be possible to amend these specifications if necessary, with a slight delay to the employment process.

1.11 Discussions are on –going with both the LEP and the Suffolk Authorities. The Suffolk Authorities have welcomed the engagement to date and will continue to be involved as appropriate but do not currently anticipate joining the Forum.

2. Budget and timetable

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2.1 Each district has agreed to contribute up to $\pounds 25,000$ over an 18 month period to the project. Costs should be a maximum of $c\pounds 15,000$ in the next financial year (2015/16) with no more than, $\pounds 10,000$ in the following financial year. It is anticipated that the framework will be complete during the 2016/17 financial year.

3. Revised Scope and Content

3.1 Table 1 below is an amended content description of the Framework incorporating those changes suggested at the March meeting and the subsequent further suggestions made by each Council. For ease of references suggested changes are highlighted in italics and under-lined. As previously stated the final content of the Framework is likely to evolve as it is prepared but initially the work will focus on the workstreams identified in the table. As previously agreed the work will be progressed by four task groups reporting via a steering group to the Forum.

Topic Area	Framework to address	Evidence needed to support	Preparation process
Spatial Vision	What is the overall spatial vision for Norfolk <u>taking</u> <u>account of cross</u> <u>boundary issues with</u> <u>Waveney and adjoining</u> <u>Counties (Suffolk, Cambs</u> , <u>Lincs) and the wider</u> <u>region as necessary</u>) 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: 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. Summary of impacts of broad population, economic, environmental, social trends and implications of known national and local policies	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.	Initially prepared by existing Strategic Planning Officer Group to identify any information gaps and revised as Framework preparation progresses and additional evidence becomes available.

Table 1. Potential Content of Framework Document

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<u>Jobs</u> <u>Economic</u> <u>Development</u> and Growth	Demonstrate understanding of the strengths and weaknesses of the local economy, likely growth areas, patterns of	Employment Growth Study.	Externally commission via consultancy to a brief produced involving County Council(s) and LEP.
Homes	to include water quality, landscape, tourism and conservation. To have a longer term vision – will need to look beyond 2036, <u>and will need to ensure that full account is taken of economic, environmental and social aspects of sustainable development. What is the overall quantity of homes to be provided between 2016 and 2036? What is the proposed distribution of housing growth between <u>LPA</u> administrative Areas? If there are constraints to growth how could these be addressed? Information on types and tenures including possible shared approaches to meeting affordable needs and other forms of housing. <u>The potential</u> <u>need for gypsy and</u> <u>traveller accommodation</u> <u>would be considered</u> <u>outside of the preparation</u> <u>of the framework in the</u> <u>first instance.</u></u>	SHMA – assessment of objectively assessed housing need and demand factors. Housing Growth Strategy. SHMAs and other evidence to be drawn together to derive an agreed Housing Growth Strategy. SHLAAs – Assessment of 'unconstrained' housing capacity. Constrained Capacity–Need to consider and address other capacity/constraint considerations not covered in SHLAAs. Review of GTAAs and existing planned provision.	Five District SHMA nearing completion. Possible reconciliation/consistency checking if others' SHMAs are within area of Framework. 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</i> <i>consultant support if</i> <i>necessary/appropriate?</i>). Consideration of whether further joint work to assess needs of Gypsies and Traveller is required to plan for appropriate provision

	relationships. Reference to the SEP and investment/economic strategies. Identification of indicative jobs <u>employment</u> growth targets and land supply implications/spatial implications for planning policy.	Further runs of EEFM.	arrange EEFM runs (possibly to inform above study).
Infrastructure	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</i> <i>a strategic scale</i> ? To address transport infrastructure (road, rail and other sustainable modes), green infrastructure, water issues (both supply and disposal), and flooding. Potential to include high level statement in relation to other physical and social infrastructure approach – health, education, broadband etc if significant and cross boundary.	Analysis of current evidence base to identify possible constraints and opportunities, and whether further work is necessary to inform high level strategy.	To be produced by officers working with staff from key agencies such as EA and NE.
Delivery	Is the development market in the area likely to be sufficiently strong to support delivery of the growth needs identified in a sustainable manner? Is any further stimulus necessary to deliver?	High level market forces/viability assessment focussing on issues associated with strategic scale growth proposals as opposed to more dispersed/smaller scale development.	Externally commissioned

4. <u>Recommendation</u>

4.1 It is recommended that the forum agrees to:

- 1. Amend the title of the proposed document to Norfolk Strategic Framework
- 2. Agree that Norwich City Council acts as host and employing authority
- 3. Amend the scope of the framework document as outline in Table 1

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