

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: Civic Affairs Committee
Full Council

23/3/2011
7/4/2011

WARDS: All

APPROVAL OF JOINT MEMORANDUM OF UNDERSTANDING BETWEEN CAMBRIDGE CITY COUNCIL, CAMBRIDGESHIRE COUNTY COUNCIL AND SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL ON LEAD OFFICER SUPPORT TO THE CAMBRIDGE FRINGES JOINT DEVELOPMENT CONTROL COMMITTEE

1 EXECUTIVE SUMMARY

- 1.1 In 2007 the three Councils agreed to delegate their development control functions relating to Major Developments on the Cambridge Fringes to a Cambridge Fringes Joint Development Control Committee ("JDCC"). Since that time the three Councils have worked collaboratively to implement major development proposals in accordance with the Southern Fringe Area Development Framework and the Cambridge Local Plan 2006. The JDCC subsequently approved terms of reference for its operation and a scheme of delegation for officers advising the committee.
- 1.2 A Joint Planning Director (Growth Areas) was appointed by the three councils and funded by Cambridgeshire Horizons to exercise planning and development control powers under the agreed scheme of delegations and to advise the JDCC, to negotiate with Developers and to liaise with Cambridgeshire Horizons and facilitate the release of grant funding. With the completion of section 106 agreements and the subsequent issue of outline planning permissions for all the Southern Fringe sites these initial objectives have been successfully fulfilled and the post of Director of Joint Planning will be discontinued from 31st March 2011.
- 1.3 The three councils have agreed that the City Council's new Head of Planning Services will take responsibility for managing the co-ordination and delivery of growth in the Cambridge fringe sites. One third of the Head of Planning's time will be spent on this responsibility and she will be accountable to all three council's for providing professional planning advice to the JDCC. A draft memorandum of understanding of how this arrangement is to operate has been drawn up by officers of the three authorities and this is attached at appendix A. This arrangement will be subject to review on an annual basis by the three authorities.

2. RECOMMENDATIONS

- 2.1 That Civic Affairs Committee note the contents of the proposed memorandum of understanding and recommend to Full Council that this be approved by the City Council.

3. BACKGROUND

- 3.1 The contract for the Director of Joint Planning will not be renewed after 31/3/2011. There is an ongoing need for an appropriately experienced and qualified senior officer to support the JDCC in co-ordinating the delivery of new communities on the Fringe sites in Cambridge. To include these duties as part of the responsibilities of the City's new Head of Planning Services makes sense and all three councils have informally supported this as an appropriate way forward. The memorandum of understanding confirms the day-to-day operation of this approach and formalises the arrangement.

4. CONSULTATIONS

- 4.1 Consultations have taken place with Cambridgeshire County Council, South Cambridgeshire District Council, the Executive Member for Climate Change and Growth, the Chairman of the Joint Development Control Committee, Legal, Finance and Democratic Services

5. OPTIONS

- 5.1 There is an ongoing identified need for an appropriately experienced and qualified senior officer to support the JDCC. Key commitments in the form of outline planning permission for the entire Cambridge southern fringe have been delivered and the development authorised by those outline permissions now needs to be implemented. Major planning applications at North West Cambridge remain to be submitted and considered. Continuation with the current Director post is not an option but need exists for an alternative way of covering a number of the functions this post currently has responsibility for. Having considered where these responsibilities might be best accommodated it is considered preferable that these rest with the Head of Planning Services at the City Council.

6. CONCLUSIONS

- 6.1 This arrangement makes provision for the continued co-ordination of growth across the Cambridge Fringe sites and support and advice at the appropriate level to the Joint Development Control Committee.

7. IMPLICATIONS

- (a) Financial Implications – funding has been agreed for 2011/2012. Thereafter the future years costs of this arrangement will need to be agreed jointly by the three councils.

- (b) Staffing Implications - this arrangement will commit 30% of the Head of Planning Services time to supporting the JDCC in the co-ordination and delivery of growth in the Cambridge Fringe sites.
- (c) Equal Opportunities Implications – there are no adverse implications arising from the proposals set out in this report
- (d) Environmental Implications – the successful delivery of new communities on the Cambridge Fringe sites remains a high priority for all three councils and this arrangement is necessary to ensure that the JDCC is supported in overseeing that task.
- (e) Community Safety – there are no adverse community safety implications from this report. Community safety will be an important issue in the delivery of successful new communities in the Cambridge Fringe sites.

BACKGROUND PAPERS: There are no background papers.

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Appendix A – Memorandum of Understanding

Memorandum Of Understanding: Scope Of Responsibility Of the Lead Planning Officer Advising The Joint Development Control Committee

A Proposal to form the basis of a Memorandum of Understanding to be entered into by Cambridge City Council, Cambridgeshire County Council and South Cambridgeshire District Council (“the Councils”)

1. In 2007 the Councils delegated their development control functions relating to Major Developments on the Cambridge Fringes to a Joint Development Control Committee Cambridge Fringes (“JDCC”) since when the Councils have worked collaboratively to implement Major Development proposals in accordance with the Southern Fringe Area Development Framework and the Cambridge Local Plan 2006
2. A Joint Planning Director (Growth Areas) was appointed to exercise planning and development control powers delegated under the Scheme of Delegations and to advise the JDCC, to negotiate with Developers and to liaise with Cambridgeshire Horizons and facilitate the release of grant funding. With the completion of section 106 agreements and the subsequent issue of outline planning permissions for all the Southern Fringe sites these initial objectives have been successfully fulfilled and the post of Joint Director of Planning will be discontinued from 31 March 2011.
3. It is proposed that after 31 March 2011 the functions of overseeing and delivering the committed and planned growth through the planning system and the role of adviser to the Councils and the person to whom delegated authority is given under the Scheme of Delegations shall be the Head of Planning Services at Cambridge City Council (“ the Head of Planning Services “).
4. In the performance of these duties the Head of Planning Services shall consult with senior officers from the Councils as appropriate and where called upon will advise the JDCC accordingly. In so doing the Head of Planning Services will seek to fairly represent the views of each of the Councils to the JDCC but the recommendations to the JDCC will be based on the Head of Planning’s professional judgement
5. The Memorandum of Understanding will operate on an ongoing basis from 1st April 2011 and shall be reviewed each year in January to determine its

effectiveness and whether or not it should be modified or replaced with any other arrangement. If the arrangements are working to the Councils' satisfaction they shall continue until revoked or modified by the agreement of the Councils.

6. For the first year of this arrangement i.e. until 31/3/2012 the funding shall be from the residual budget currently held by Cambridgeshire Horizons. Thereafter the funding shall be discussed and agreed through the annual review process.
7. For the avoidance of doubt) Major Developments has the same meaning as given in the Terms of Reference for the Joint Development Control Committee Cambridge Fringes ("TOR") as amended from time to time, Costs Sharing Protocol refers to Annex C of the TOR, and Scheme of Delegations refers to Annex D of the TOR.

V.7 3/3/2011