



To: Executive Councillor for Planning and Sustainable Transport: Councillor Tim Ward

Report by: Head of Planning Services: Patsy Dell

Relevant scrutiny Environment Scrutiny Committee 10/1/2012
committee:

Wards affected: All Wards

**DEVOLVING DECISION MAKING TO AREA COMMITTEES –
NEIGHBOURHOOD PLANNING AND DEVELOPMENT BRIEFS
Not a Key Decision**

1. Executive summary

This report explains the processes by which decisions on neighbourhood planning and development briefs will be taken by area committees from 1 April 2012, and seeks Executive Councillor approval to adopt these processes. A separate report considering related processes but affecting non-planning matters is also being considered by Community Services Scrutiny Committee on 12/1/12.

2. Recommendations

The Executive Councillor for Planning and Sustainable Transport is recommended to:

- (a) note the proposed process for devolving decision making on area specific planning and development briefs; and
- (b) adopt these processes and devolve decision making to area committees
- (c) request that the Council's constitution be amended to reflect devolvement of the decision making to the relevant area committee, with the recommendation made to the Executive Councillor who will attend the relevant Area Committee to take the decision.

3. Background

Cambridge City Council is keen to devolve decision making to area committees wherever appropriate, in line with the principal of subsidiarity and the spirit of localism and community participation in decision making.

As part of the project over the past year to explore ways to engage citizens and communities in decision making more effectively, officers and executive

Councillors have been exploring which decisions could be devolved to area committees. The fruit of this work is the list of decisions to be devolved as discussed at Strategy and Resources Scrutiny Committee on 10 October 2011:

- Approvals of projects funded by developer contributions for:
 - Public Art
 - Public Realm
 - Community Facilities
 - Open spaces (Children & teenagers and informal open space)
- Neighbourhood Planning and development Briefs
- Community Safety Grants
- Non-statutory tree planting

Devolving decisions on these issues to area committees should ensure that those decisions are taken by ward councillors with a local knowledge of the key issues facing communities in their wards, and the needs of those communities.

In devising the process for decision making under devolved arrangements officers and Executive Councillors have considered both the principles in Appendix A and also the need for transparency, accountability, clarity over who is making what decision, the City Council's constitution and other legal or process constraints. It has been the intention to devise clear and consistent principles, to aid efficient and effective decision-making.

Neighbourhood planning and development briefs are part of the development plan system, and can be formal or informal supplementary planning documents or planning guidance e.g. the Mill Lane Development brief. Their role is to provide advice and guidance on the preferred form of development of particular site or site(s). They are not vehicles for new planning policy development as they are 'subservient' in planning policy terms to higher order plans such as the Cambridge Local Plan 2006. They provide significantly greater detail about the interpretation of policies and guidance at the site-specific level, clarifying the aspirations for the development and assisting developers to bring forward acceptable schemes.

The Localism Act 2011 has introduced neighbourhood plans and they will also be part of the development plan strategy. The act gives local communities a new right to draw up a neighbourhood development plan which has to be in line with national policy, with the strategic vision for the wider area set by the local authority and with other legal requirements. The Council has committed to reviewing the local plan and this will be the new strategic vision for Cambridge when adopted in 2014. Neighbourhood plans produced under the Localism Act provisions will need to reflect the strategy

set out in the new local plan once it is adopted so are not at this stage covered by the principles set out in this paper.

4. Implications

(a) Financial Implications

These matters would normally go to Development Plan Scrutiny Sub-Committee or Environment Scrutiny Committee to be approved. There is likely to be little difference in the direct financial implications of taking these decisions at Area rather than Scrutiny or Scrutiny Sub-Committees.

(b) Staffing Implications

This is more about working differently than a requirement for additional resources.

(c) Equal Opportunities Implications

Yes, a corporate EQIA will be undertaken on this change in approach.

(d) Environmental Implications

These recommendations should have a very low or nil impact in themselves, as they are about changing the decision-making process rather than the specific matters that will come forward for future decision. The climate change impact of each project decided on under this new process will be assessed at the appropriate point in time.

(e) Consultation

Consultation on planning and development briefs will be agreed through the relevant Area Committee as and when these documents come forward and will normally be in accordance with the Councils adopted Statement of Community Involvement and Code of Best Practice on Consultation and Community Engagement.

(f) Community Safety

There are no adverse community safety implications.

5. Background papers

These background papers were used in the preparation of this report:

1. Cambridge Local Plan 2006,
2. Planning Policy Statement 12: Local Spatial Planning

3. Localism Act 2011

6. Appendices

Appendix A

7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

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Appendix A: Principles for Devolving Decisions on Planning and Development briefs for Area Committee approval

With effect from April 2012:

- New planning and development briefs (including Supplementary Planning Documents and planning guidance) on non-strategic sites within the City boundary (but not within the Cambridge Fringe sites), whether produced by Planning Services or by a developers agent under the editorial control of Planning Services shall be referred to the relevant area committee for agreement prior to consultation and for final adoption providing:
 - The proposed development being promoted by the planning or development brief is consistent with the policies set out in the Cambridge Local Plan 2006
 - Where the area covered by the planning and development brief lies wholly within the boundary of the relevant Area Committee (where cross boundary proposals are involved the default approval process will be Development Plan Scrutiny Sub-Committee)
- Any Neighbourhood Planning proposals which may be promoted under the provisions of the Localism Act will need to be considered by Development Plan Scrutiny Sub-Committee because of their relationship with emerging policy development through the review of the Cambridge Local Plan