

Open Report on behalf of Tony McArdle, Chief Executive

Report to:	County Council
Date:	17 December 2010
Subject:	The Establishment of a South East Lincolnshire Joint Planning Committee and the Appointment of Member Representatives

Summary:

This report requests the Council to endorse the recommendation of the Executive on 2 November 2010, to agree to the establishment of a South East Lincolnshire Joint Planning Committee with Boston Borough Council and South Holland District Council for the purposes of preparing a Joint Local Development Framework for the area covered by the authorities (South East Lincolnshire Joint Planning Committee), and to make appointments to the South East Lincolnshire Joint Planning Committee.

Recommendations:

1. That the Council endorses the recommendation of the Executive to agree to the formation of, and the involvement of the County Council in, the South East Lincolnshire Joint Planning Committee on the terms of the Memorandum of Intent (attached as Appendix A to the Executive report) for the purposes of preparing a Joint Local Development Framework for the South East Lincolnshire area.
2. That the Council nominates three member representatives to the South East Lincolnshire Joint Planning Committee and three substitute members.

1. Background

The Executive at its meeting on 2 November 2010 (Report attached at Appendix A) agreed to the content of the Memorandum of Intent (attached at Appendix A to the Report) and requested that a Statutory Instrument should be placed before Parliament to establish a Joint Planning Committee for South East Lincolnshire.

The Joint Committee will have responsibility for the development of a joint Local Development Framework for the South East Lincolnshire area. Details of the scope and function of the Joint Committee are contained within the report and appendix detailed at Appendix A to this report.

Under the Council's Constitution the full Council is responsible for appointing representatives of the Council to outside bodies, unless the appointment is an Executive function under Part 3 of the Constitution.

Under Part 3 of the Constitution the Executive has responsibility to make appointments to all outside bodies except joint committees of two or more local authorities, or politically balanced bodies. It therefore falls to the full Council to make appointments to the South East Lincolnshire Joint Strategic Planning Committee.

The South East Lincolnshire Joint Planning Committee will have a total of nine members, of which Lincolnshire County Council has to nominate three member representatives, plus three substitute members.

Subject to approval by full Council, the Joint Committee will be established by Order under Section 29 of the Planning and Compulsory Purchase Act 2004. The Secretary of State is permitted under section 29 to include such aspects as he feels appropriate of local government statutory governance arrangements within the Order.

2. Conclusion

Although the County Council is not directly responsible for the production of Local Development Frameworks, (Other than Waste and Minerals), it is considered essential to have the strategic authority involved as a partner because of its role in infrastructure provision and its background in providing strategic planning expertise. The County Council can provide support with regard to infrastructure delivery, developer contributions, housing and monitoring.

3. Legal Comments:

Section 29 of the Planning and Compulsory Purchase Act 2004 permits the establishment of a Joint Committee of one or more local planning authorities together with the County Council. Indeed statutory planning guidance recommends this as the best way of preparing Local Development Framework documents. The County Council is not transferring any of its statutory responsibility and role to the joint Committee.

4. Resource Comments:

There are no material financial implications arising from the acceptance of the recommendations in this report.

5. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

n/a

d) Policy Proofing Actions Required

n/a

6. Appendices

These are listed below and attached at the back of the report	
Appendix A	Report and associated Appendix from the Executive meeting held on 2 November 2010

7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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