

Luton and South Bedfordshire Joint Committee Date: 24 June 2011 Agenda Item No. 9	
AUTHOR	Lachlan Robertson
SUBJECT	Local Development Framework: Completion of Local Development Document processes.
PURPOSES	To seek an amended Delegated Authority to progress local development documents
RECOMMENDATIONS	That the Joint Committee accept this proposal.
REASON FOR RECOMMENDATIONS	This will allow “fast-track” progress of the Examination of the Core Strategy to respond to the Planning Inspector’s remarks.

1 BACKGROUND

- 1.1 The Joint Committee agreed a Delegated Authority schedule on 22 October 2010.
- 1.2 The Planning Inspector’s letter of 15 April 2011 in response to the submission of the Core Strategy included the following remarks when referring to the content of that Delegated Authority:

“Thus, the Examination may become difficult and lengthy if the JTU representatives are unable to agree quickly to suggested changes or to make suggested changes of their own in response to the concerns raised. Can this be speeded up or resolved?”

2 MAIN ITEM

- 2.1 It is possible to widen the scope of the Delegated Authority by omitting reference to “minor changes” with associated re-wording. An amended Delegation Scheme is therefore provided in Table 1 below for consideration.

2.2 However it is also recommended that a sub-committee of Members of the Joint Committee be created under Regulation 8 of the Luton and South Bedfordshire Joint Committee Order 2007 which states:

“8.—(1) The joint committee may, in accordance with paragraphs (2) and (3), appoint one or more sub-committees.

(2) Each person appointed as a member of a sub-committee must be a member of the joint committee.

(3) Subject to paragraph (2), the persons appointed to a sub-committee and its terms of reference shall be determined by the joint committee.”

2.3 This sub-committee would have delegated authority in its own right to agree Proposed Changes to the Core Strategy as they arise during the course of the Examination of the Core Strategy and as it considers expedient to progress the Core Strategy up to, but not including its adoption by the Joint Committee. It would also ratify the decisions of the Head of the Joint Technical Unit. The terms of reference for the sub-committee are suggested in Appendix A attached to this report.

Table 1: Delegation Scheme (proposed tracked changes)

Delegation to Head of JTU	Subject	Authorised Person
To prepare and publish the Joint Core Strategy for the purposes of The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008	Core Strategy Preparation, Receipt of Representations, Submission and Examination	The Head of the Joint Technical Unit in consultation with the Chair and Vice-Chair of the Joint Committee. <u>In consultation with the Core Strategy Sub-Committee</u>
To compile the representations made and to make any minor changes arising thereof.	(Note: Nothing in this Delegation Scheme shall include the decision to formally adopt the Core Strategy or any other Development Plan Document)	
To submit the Core Strategy formally to the Secretary of State.		
To vary the Core Strategy in the light of minor changes proposed by the Authorised person or by the appointed Inspector in the period before, during and after the formal Examination of the Core Strategy.	(Note: “Minor” changes are those that do not go to the heart of the policies or allocations within the document)	

Preparation and approval of any other LDF related documents (including any supporting evidence for the purpose of public consultation or use) and the variation of such documents in the light of the public responses to consultation and/or further technical advice.	LDF documents generally, including relevant technical papers/documents e.g. Sustainability Appraisal and the Statement of Community Involvement)	The Head of the Joint Technical Unit in consultation with the Chair and Vice-Chair of the Joint Committee. <u>Core Strategy Sub-Committee</u>
Preparation and approval of draft Supplementary Planning Documents	This includes planning and development briefs for the purposes of public consultation	The Head of the Joint Technical Unit in consultation with the Chair and Vice-Chair of the Joint Committee. <u>Core Strategy Sub-Committee</u>
Preparation and monitoring of the Local Development Scheme (LDS)	Submission of the LDS to the Secretary of State including any revision and resubmission where required	The Head of the Joint Technical Unit in consultation with the Chair and Vice-Chair of the Joint Committee. <u>Core Strategy Sub-Committee</u>
Preparation of the Annual Monitoring Report (AMR)	Submission of the AMR to the Secretary of State by 31 December	The Head of the Joint Technical Unit in consultation with the Chair and Vice-Chair of the Joint Committee. <u>Core Strategy Sub-Committee</u>

3 FINANCIAL IMPLICATIONS

- 3.1 The operation of the delegation scheme will allow for the progressing of the LDF and Core Strategy as a cost and time efficient process.

4 LEGAL IMPLICATIONS

- 4.1 Delegation schemes are a normal procedural device operated by local Councils for the efficient conduct of Council business. This places the Joint Committee in a similar position.

5 EQUALITIES IMPLICATIONS

- 5.1 There are no equalities implications as all processes will still be subject to normal equalities impacts assessments.