

11. **AGREEING THE PROTOCOL FOR STATEMENTS OF COMMON GROUND (BJT)**

1. **Purpose of the report**

To agree the arrangements for the National Park Authority to sign up to and agree Statements of Common Ground with constituent authorities and other relevant bodies as part of the duty to cooperate in producing Local Plans.

Key Issues

- **There is need for the Authority to draw up and agree Statements of Common Ground (SoCG) with constituent authorities as a key means of addressing cross boundary strategic planning issues.**
- **The report sets out a process for developing and authorising SoCG.**

2. **Recommendations(s)**

1. **To note the role and status of Statements of Common Ground and the arrangements for developing statements with constituent councils and other relevant bodies.**
2. **To delegate to the Chief Executive the authority to sign off all Statements of Common ground subject to consulting with the Chair of the Authority before doing so.**

How does this contribute to our policies and legal obligations?

3. The production of a Local Plan for the National Park is a statutory requirement and forms the starting point for all planning decisions.
4. Statements of Common Ground form an important role in fulfilling the duty to cooperate, which remains the key means of addressing cross boundary strategic planning issues. The duty to cooperate rests on all planning authorities and is a matter subject to scrutiny by the Planning Inspectorate at the time of examination into the Local Plan. Such agreements are expected to be in place at an early stage in the plan making process with supporting evidence of how continuous engagement has taken place in producing the plan, as well as ensuring appropriate commitments are also in place to deliver the plan.
5. The Local Plan review offers the opportunity to pursue key areas of impact in the National Park Management Plan and recently approved Corporate Strategy for 2019-2024. Indeed the Local Plan provides the spatial strategy for all 6 “Areas of Impact” described in the Management Plan.
6. **Areas of Impact:**
 - 1: Preparing for a future climate
 - 2: Ensuring a future for farming and land management
 - 3: Managing landscape conservation on a big scale
 - 4: A National Park for everyone
 - 5: Encouraging enjoyment with understanding
 - 6: Supporting thriving and sustainable communities and economy
7. **Corporate Strategy outcomes:**

A sustainable landscape that is conserved and enhanced;
A National Park loved and supported by diverse audiences; and

Thriving and sustainable communities that are part of this special place

8. Moreover, the Local Plan is also a means of achieving the strategic objectives of the adopted Landscape Strategy for the National Park, setting out the distinctive aims of each landscape character type.

Background Information

9. The introduction of the Localism Act in 2011 led to the abolition of Regional Plans and effectively the structures that had existed for strategic planning across England. In its place the Government set out the duty on local planning authorities to cooperate with neighbouring authorities in order to address cross boundary planning issues, such as the need to plan for growth in response to strategic housing market and housing needs evidence,
10. Difficulties arose in that the system was not a legal requirement to distribute growth and as such, political tensions have developed. Guidance has consistently highlighted the need for high-level political agreements to be drawn up across boundaries and in 2018, the Government sought to strengthen the system, again, without formal strategic planning structure.
11. Under the revised 2018 NPPF all local planning authorities now have a requirement to produce, maintain and keep up to date a Statement of Common Ground (SCG) to highlight agreement on cross boundary strategic issues with neighbouring authorities and other relevant organisations.
12. The Authority already has two memorandum of understanding (MoU), with Derbyshire Dales District Council and High Peak Borough Council, representing the areas of the National Park with the highest level of resident population. Discussions have already begun with these authorities plus Staffordshire Moorlands, Derbyshire County Council and Sheffield City Region to refresh the position with respect cross boundary planning issues at an early stage in reviewing the respective Local Plans across the area.
13. In agreeing the previous MoU's the Authority took the opportunities to further National Park purposes, e.g. by seeking sensitive approaches to development on the fringe of the National Park and by clarifying indicative development figures for housing which recognise the constraint on growth. Going forward there could be other opportunities to explore buy-in to other national park objectives e.g. for sustainable transport, recreation management, landscape restoration and wildlife recovery, e.g. through policies for carbon off-setting and natural capital.
14. Members are reminded that, as distinct from the rest of the planning system, National Park Authorities are granted planning powers to drive national park purposes. The boundaries of National Parks are drawn to reflect natural beauty, wildlife and cultural heritage and do not respond to historic political boundaries.
15. As such, National Parks Authorities are already cross boundary organisations in nature, crossing existing district and county areas because of the logic of their landscape designation. Consequently, they do not respond easily to housing market areas or the needs of the nation in terms of its economic and social growth demands.

Proposals

16. In order to be agile and responsive to constituent and neighbouring authorities a standard approach is proposed for the method in which the Authority agrees and signs all such documents going forward.

17. As such, it proposed that the role of signatory is delegated to the Chief Executive of the National Park Authority in consultation with the Chair of the Authority.
18. Officers from the Policy and Communities Service will undertake the early developmental meetings and drafting of the documents at a technical level.

Are there any corporate implications members should be concerned about?

Financial:

19. None, within existing staff resources

Risk Management:

20. Ensuring a sound system for Statements of Common Ground will assist the final assessment of soundness of the Local Plan

Sustainability:

21. Sustainability will be a central aim of the Local Plan and will be achieved through rigorous application of the sustainability appraisal, thorough examination of the evidence base and ultimately through the production and delivery of its policies.

Equality:

22. Equality matters will be considered through a specific Equalities Impact Assessment on the plan and will ensure that the needs and issues of people within all the protected groups are given due consideration.

23. **Background papers (not previously published)**

None

24. **Appendices**

None

Report Author, Job Title and Publication Date

Brian Taylor, Head of Policy and Communities, 24 October 2019