

**Agenda Item No. 4(d)**

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**10 October 2019**

Report of the Executive Director – Economy, Transport and Environment

**STATEMENTS OF COMMON GROUND**

(1) **Purpose of Report** The purpose of this report is to seek the Cabinet Member's approval for Derbyshire County Council to enter into and, be signatories to, Statements of Common Ground (SoCG) with other local authorities/organisations within and outside Derbyshire.

(2) **Information and Analysis** Under Section 33A of the Planning and Compensation Act 2004, local planning authorities are under a duty to cooperate with each other, and with other prescribed bodies, when local plans (including mineral and waste local plans) are being prepared which regard to 'strategic matters' that cross administrative boundaries.

The National Planning Policy Framework (NPPF), February 2019 sets out national policy in respect of this duty. Paragraph 25 of the NPPF expects strategic policy-making authorities to collaborate and identify the relevant strategic matters which they need to address in their development plans.

Paragraph 26 of the NPPF emphasises that effective and ongoing joint working in this regard is integral to the production of 'positively prepared and justified development strategies'. In particular, joint working should help to determine where additional infrastructure is necessary and where development needs that cannot be met wholly within a particular area could be met elsewhere.

In order to demonstrate effective and ongoing joint working, Paragraph 27 of the NPPF expects strategic policy-making authorities to prepare and maintain one or more SoCG to document the cross-boundary matters being addressed and the progress made in addressing them.

National Planning Guidance advises that SoCG should be prepared and then maintained throughout the plan-making process. By the time of draft local plan publication, SoCGs should be available via the websites of each of the

responsible local planning authorities to provide transparent documentation of the collaboration that has taken place.

Derbyshire County Council is the minerals and waste planning authority for the County (outside the National Park) and has a statutory duty to prepare minerals and waste local plans which it is discharging in collaboration with Derby City Council to provide new, joint minerals and waste local plans for the collective areas. It is therefore required to provide SoCG in respect of this specialist local plan provision.

Derbyshire County Council is also a statutory consultee on general development plans prepared by district and borough councils – both within and adjoining Derbyshire. Therefore, it has a duty to co-operate with these councils on the strategic, cross-boundary matters affecting these plans and is expected similarly to enter into SoCG with the relevant authorities and prescribed parties.

Requests for SoCG in which the County Council is expected to enter/be signatories to have been received from the following local authorities/organisations:

<b>Local authority(s)/organisation(s)</b>	<b>Title/Nature of Statement of Common Ground</b>	<b>Date Received</b>
Sheffield City Region (SCR) local authorities	Sheffield City Region Statement of Common Ground (Draft version)	17 July 2019
Durham County Council	The supply of high grade industrial dolomitic limestone for use in making refractory products (Final Version)	17 June 2019

Specific details about each of these draft SoCG, including a summary of the strategic matters proposed to be agreed to as common ground on behalf of Derbyshire County Council and any significant issues on which there appears to be an absence of common ground are provided in the relevant appendix attached.

In each case, the SoCG is considered to provide an appropriate acceptance or confirmation of common ground between the County Council and other authorities on matters of strategic planning which affect Derbyshire.

(3) **Financial Considerations**      None as a direct result of this report.

(4) **Legal Considerations**      The recommendation in this report is made having full regard to the County Council's responsibilities and services under the provisions of the Localism Act 2011, Planning and Compulsory Purchase

Act 2004, Town and Country Planning Act 1990 and National Planning Policy Framework.

(5) **Social Value Considerations** The relevance of social value in terms of social, economic and environmental wellbeing is considered in the preparation of local plans. Meeting the current and future needs of communities and the management of scarce resources (i.e. sustainable development) is central to the role of local and county planning authorities in preparing and implementing their local plans. Where social value considerations are particularly significant in co-operation under the duty to co-operate under Section 33, this can be expected to be reflected in the content of any corresponding SoCG.

### **Other Considerations**

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(6) **Key Decision** No.

(7) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(8) **Background Papers** Held on file within the Planning Service of the Economy, Transport and Environment Department.

(9) **OFFICER'S RECOMMENDATION** That the Cabinet Member gives approval for Derbyshire County Council to enter into Statements of Common Ground, referred to in the appendices to this report, with Sheffield City Region local authorities (Appendix 1) and Durham County Council (Appendix 2).

**Mike Ashworth**  
**Executive Director – Economy, Transport and Environment**

## Appendix 1: Statement of Common Ground

<b>Name of Local Authority(s)/ Organisation(s) with whom Statements of Common Ground (SoCG) is to be signed</b>	Bassetlaw District Council, Barnsley Metropolitan Borough Council, Bolsover District Council, Chesterfield Borough Council, Derbyshire Dales District Council, Doncaster Metropolitan Borough Council, North East Derbyshire District Council, Nottinghamshire County Council, Peak District National Park Authority, Rotherham Metropolitan Borough Council, Sheffield City Council and Sheffield City Region (SCR) Mayoral Combined Authority
<b>Officer contact:</b>	Steve Buffery

### **Summary of strategic [cross-boundary] matters proposed to be documented as common ground in the SoCG:**

The SoCG has been prepared by the SCR Heads of Planning Group on behalf of the local planning authorities listed above. It has been prepared and will be kept up-to-date by the signatory authorities in order to demonstrate how Local Plans are being prepared by the authorities on the basis of an agreed understanding of the strategic issues facing the City Region.

The SoCG focusses on four main strategic matters: housing, employment, transport and digital connectivity.

**Housing:** Planning to meet the housing needs of the SCR taking account of housing market geographies and agreements between local authorities as necessary.

**Employment:** Creating the conditions in which new jobs can be delivered through Local Plans and supporting employment growth in Key Urban Centres and Major Growth Areas (including A61 Corridor and Markham Vale).

**Transport:** Working together to improve connectivity, particularly within the 20 regional transport corridors; supporting the safeguarding of critical transport routes (existing and new); and collaborating across boundaries to make best use of inter-regional rail, road and water transport networks.

**Digital Connectivity:** Helping to bring forward a range of local and City Region interventions to improve digital connectivity (particularly for 5G); and creating a supportive planning framework for digital connectivity.

In addition, current working arrangements on several other strategic matters are summarised in the Statement in order to illustrate the range of shared interests being progressed. These are being developed and will continue to be reviewed in future updates of the SoCG. These include Green Belt, energy and climate change, flood risk, minerals and waste, natural environment and health.

**Outline of projections/analyses/assessments/policy positions and points of view proposed as common ground under the SoCG which reflect previous authorisations by the Cabinet Member:**

Includes various projections in accordance with responses on local plan matters for the respective local plan areas in Derbyshire previously approved by the Cabinet Member.

**Outline of other projections/analyses/assessments/policy positions and points of view proposed as common ground under the SoCG by the Cabinet Member**

Includes description of issues which the Head of Planning is satisfied are the key strategic issues that face the City Region, which each of the local planning authorities to the SoCG will need to address in their Local Plans and through on-going collaborative working.

## Appendix 2: Statement of Common Ground

<b>Name of Local Authority(s)/ Organisation(s) with whom SoCG is to be signed</b>	Durham County Council
<b>Officer contact:</b>	Michelle Spence
<b>Summary of strategic [cross-boundary] matters proposed to be documented as common ground in the SoCG:</b> Industrial dolomitic limestone of sufficient quality for making refractory products for use in the steel industry is a very scarce resource in the United Kingdom. There are only two known resource areas, Whitwell Quarry in Derbyshire and Thrislington East Quarry in County Durham. Both supply limestone to adjoining works which produce the refractory products. Thrislington East Quarry is currently not producing industrial limestone and the adjacent works have been mothballed.	
<b>Outline of projections/analyses/assessments/policy positions and points of view proposed as common ground under the SoCG which reflect previous authorisations by the Cabinet Member:</b>  None identified	
<b>Outline of other projections/analyses/assessments/policy positions and points of view proposed as common ground under the SoCG by the Cabinet Member.</b> The main purpose of the SoCG is for each authority to agree to monitor production and reserves of industrial dolomitic limestone and share this information and to adopt a compatible local plan approach to maintaining supply.  The SoCG recognises that: “the onus for ensuring the supply of industrial dolomite lies with those authorities underlain by this mineral”, and that this should be achieved through planning for sufficient reserves to maintain production, conserving permitted reserves of high grade limestone for high grade uses and safeguarding areas of land where high grade dolomitic limestone is known to exist.	