



**Prosperous Communities
Committee**

Tuesday, 30 May 2023

**Subject: Update to Central Lincolnshire Joint Strategic Planning
Committee (CLJSPC) Memorandum of Understanding**

Report by:

Director of Planning, Regeneration &
Communities

Contact Officer:

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Purpose / Summary:

A review of the Central Lincolnshire Joint Strategic Planning Committee's Memorandum of Understanding has taken place. The Prosperous Communities Committee is asked to consider the revisions and additional provisions that have been made and recommended by the Central Lincolnshire Joint Strategic Planning Committee (CLJSPC) for approval and signature

RECOMMENDATION(S):

That the new Memorandum of Understanding shown in Appendix 1 between the Central Lincolnshire Joint Strategic Planning Committee and Partner Authorities, which includes West Lindsey District Council, be approved, and the Director of Planning Regeneration and Communities be authorised to sign the MOU on behalf of WLDC.

IMPLICATIONS

Legal:

The current Memorandum of Understanding sets out an agreement between each of the partner authorities in terms of commitment, resources and other considerations.

Members must be mindful of the Central Lincolnshire Joint Strategic Planning Committee Order 2009 Statutory Instrument No. 2467.

(N.B.) Where there are legal implications the report MUST be seen by the MO

Financial :

FIN/10/24/JA/MT

There are no specific financial implications as a result of the revised MOU.

The revisions undertaken reflect the activity undertaken by each Partner Authority in supporting the development and implementation of the Central Lincolnshire Local Plan and therefore costs are already factored in.

(N.B.) All committee reports MUST have a Fin Ref

Staffing :

There are no specific financial implications as a result of the revised MOU.

The revisions undertaken reflect the activity undertaken by each Partner Authority in supporting the development and implementation of the Central Lincolnshire Local Plan and therefore resources required to undertake these tasks are already in establishment.

(N.B.) Where there are staffing implications the report MUST have a HR Ref

Equality and Diversity including Human Rights :

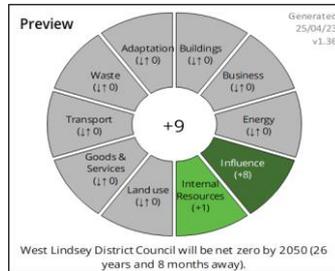
There are no specific equality & diversity implications as a result of the revised MOU.

However, it should be noted that the new adopted Local Plan (April 2023) is supported by an equality analysis which addresses any equality or human rights issues which may arise as a result of the policies in the Central Lincolnshire Local Plan.

Data Protection Implications :

N/A

Climate Related Risks and Opportunities:



The MOU sets out the roles and responsibilities of each of the partner authorities in supporting the development and implementation of the Central Lincolnshire Local Plan. As such the MOU itself presents limited risks and opportunities in influencing the Council’s activities and actions in response to Climate Change.

However, the MOU does enable the production of evidence and policy which significantly influences and shapes the future development of the Central Lincolnshire Local Plan area and as such presents significant opportunity to influence development and respond to climate change through climate positive policies, such as Reducing Energy Consumption in New Build. Equally the MOU sets out the monitoring support required by each Partner Authority which supports the broader objective of West Lindsey’s own Sustainability, Climate Change and Environment Strategy, to record and monitor progress against tackling the Districts Carbon Footprint.

Section 17 Crime and Disorder Considerations:

N/A

Health Implications:

There are no direct health implications as a result of the revised MOU.

However, the MOU does enable the production of evidence and policy which significantly influences and shapes the future development of the Central Lincolnshire Local Plan, including Health and Wellbeing, supporting the creation of green space, sports facilities, as well as requiring contributions to infrastructure ensuring new residents have appropriate access to primary care services etc.

Title and Location of any Background Papers used in the preparation of this report :

The MOU was considered and approved by the Central Lincolnshire Joint Strategic Planning Committee on 13th April 2023. Where it was recommended that *'the new Memorandum of Understanding be recommended by the Joint Committee for approval by each of the Partner Authorities.'*

<https://democracy.n-kesteven.gov.uk/documents/s133539/MOU%20and%20SO%20Update%20Report%2023%2004%2013%20v2.pdf>

Risk Assessment :

N/A

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

X

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

X

1 Introduction

- 1.1 There is provision within the Central Lincolnshire Joint Strategic Planning Committee Order 2009 for the Central Lincolnshire Joint Strategic Planning Committee (CLJSPC) to create its own standing orders, for the regulation of its proceedings and to meet the needs of the Committee.
- 1.2. The Central Lincolnshire Joint Strategic Planning Committee last reviewed its Standing Orders and Memorandum of Intent in 2010, shortly after its inauguration.
- 1.3. It is good practice to carry out a periodic review to take account of changes in law or any other practical considerations, to ensure the Standing Orders remain fit for purpose and relevant to governance the needs of the Joint Committee.
- 1.4. As well as the Standing Orders, officers have reviewed the Central Lincolnshire Authorities' Memorandum of Intent to ensure that this too remains fit for purpose.

2 The Memorandum of Understanding

*previously Memorandum of Intent

- 2.1 The original Memorandum of Intent was an agreement entered into by all Partner Authorities in Central Lincolnshire which detailed the operational support provided by each Partner Authority and dated back to the Committee formation in June 2009.
- 2.2 Upon review, it was found that the Memorandum of Intent contained a number of outdated references and other provisions that would benefit from being updated.
- 2.3 Furthermore, the term Memorandum of Intent is no longer fit for purpose given that the Committee has been established and in operation for more than a decade. It was therefore proposed to be renamed as the Memorandum of Understanding.
- 2.4 The proposed Memorandum of Understanding is set out in Appendix 1 with a track change version provided in Appendix 2.
- 2.5 The proposed revised Memorandum of Understanding has been discussed with officers at all partner organisations, included Democratic Services, prior to being considered by the CLJSPC on 13th April 2023. As such it is the view of officers, and that Committee, that the new Memorandum of Understanding (MOU) is fit for purpose, that the role and responsibilities of the Committee and Partner Authorities are clear, and it will ensure that the Committee and partnership continues to operate effectively.
- 2.6 The CLJSPC at their meeting on 13 April recommended that the MOU be approved and signed by each of the Partner Organisations, due to

the it being an agreement between the Central Lincolnshire Authorities. As such it must be adopted and signed by each of the Partner Authority. It is, therefore being brought before the Prosperous Communities Committee in order to obtain approval to adopt and formally sign the new MOU.

- 2.7 It is anticipated that all Partner Authorities will have concluded this process by the end of June 2023.

3 **Summary of Changes**

- 3.1 Change of name from Memorandum of Intent to Memorandum of Understanding throughout the document – to reflect that the Committee has been established and in operation for over 10yrs.
- 3.2 At paragraph A5, the removal of all references to Regional Planning Body, which no longer exist.
- 3.3 Paragraph D5 now includes responses to external consultation by Government and other organisations on behalf of the CLJSPC which reflects current practices.
- 3.4 Within section E *'Membership of the Joint Committee,'* the MOU makes clear the inclusion of acknowledgement that each Partner Authority has 3 members places, plus a reserve member for each authority.
- 3.5 Update to the Tenure of Appointment in section H, specifically paragraph H3, which allows each Partner Authority discretion in relation to the tenure of members representing their authority as long as it is in line with the limitations and constraints as set out in the Statutory Instrument.
- 3.6 Section J of the MOU, specifically J2 under *'Meetings of the Joint Committee'* provides clarification in relation to the regularity of meetings and requirements to call an extraordinary meeting.
- 3.7 Updates to clarification in relation to the access of information rules can be found in section M, specifically paragraph M2, in acknowledgement that the CLJSPC is a Local Planning Authority in its own right.
- 3.8 Also in paragraph M6, there is a simplification in relation to the operation of the Chairman's casting vote where a decision receives an equal amount of for and against votes.
- 3.9 Section P provides an update and clarification in relation to the day-to-day operation of the Local Plans Team, including the strategic overview of the work programme and priorities of the Local Plans Team, which is provided by Heads of Planning, which comprises of a lead officer from each Partner Authority, in West Lindsey's case this is Rachael Hughes, Head of Policy & Strategy.

3.10 Finally, throughout the document, general editing, formatting and update in terms and names to reflect the current operation of the Central Lincolnshire Local Plans Team and Partner Authorities.

4 Conclusion

4.1 The revised MOU will ensure that the operation of the Committee and broader partnership remains effective and to ensure that the provisions are up to date with latest legislation and best practice.

4.2 The recommendations have been made following a periodic review and following discussion with officers at each of the Central Lincolnshire Partner Authorities to ensure that all governance documentation is including the Memorandum of Understanding remains fit for purpose and relevant to the needs of the Partner Authorities and Joint Strategic Planning Committee.