

MAIDSTONE BOROUGH COUNCIL
RECORD OF DECISION OF THE EXECUTIVE

Decision Made: 27 June 2022

Statement of Common Ground with Medway Council

Issue for Decision

Whether the amendments made to the Statement of Common Ground with Medway Council are approved.

Decision Made

That the Statement of Common Ground with Medway Council, as attached at Exempt Appendix 1 to the report, be agreed.

Reasons for Decision

- 1.1 Pursuant to s.33A of the Planning and Compulsory Purchase Act 2004 (as amended) Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies (as set out in regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)), on strategic matters that cross administrative boundaries. In order to demonstrate effective and on-going joint working, the National Planning Policy Framework (NPPF) requires strategic policymaking authorities to prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.
- 1.2 A statement of common ground is a written record of the progress made by strategic policy-making authorities during the process of planning for strategic cross-boundary matters. It documents where effective cooperation is and is not happening throughout the plan-making process, and is a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working across local authority boundaries. In the case of local planning authorities, it also forms part of the evidence required to demonstrate that they have complied with the duty to cooperate.
- 1.3 This report brings before the committee a draft Statement of Common Ground (SoCG) that has been produced by Maidstone Borough Council in conjunction with Medway Council. It details the key cross boundary issues that have been addressed through ongoing Duty to Cooperate discussions which have been held throughout the production of the Maidstone Local Plan Review.

- 1.4 A previous draft of this SoCG was brought before the former Strategic Planning and Infrastructure Committee on the 21 March 2022, for agreement in advance of submission of the Local Plan Review to the Planning Inspectorate.
- 1.5 In March 2022 Medway Council informed MBC that the SoCG would need to be agreed at their Cabinet, rather than being signed off at officer level as had been the process with previous drafts of the SoCG. At the Medway Cabinet of the 10 May 2022, members resolved that further work needed to be done to clarify Medway's position in advance of signing.
- 1.6 Officers at Medway Council have now amended the SoCG and this has been reviewed by officers at MBC. The SoCG as appended to this report includes further amendments and points of clarifications suggested by MBC officers.
- 1.7 The amendments to the SoCG do not change the overall thrust of the document, nor do they introduce any new issues. Instead the changes largely reaffirm previous positions and points made elsewhere in the document.
- 1.8 As a previous version of this SoCG has already been agreed at the former SPI committee, this report seeks approval only for the changes that have been made to the SoCG since that committee.

1.9 Policy Advisory Committee Consultation

At its meeting on 8 June 2022 the Planning and Infrastructure Policy Advisory Committee considered this issue and agreed the following recommendation:

"That draft Statement of Common Ground attached at Exempt Appendix 1 to the report be recommended to the Executive for approval."

Alternatives considered and why rejected

3.1 Option 1 (APPROVED): That the draft SOCG be approved by the Executive. This would allow the Statement of Common Ground to be finalised and signed, in accordance with the agreed protocol, in order that it may be submitted to the Inspector appointed by the Secretary of State.

3.2 Option 2 (REJECTED): That the draft SOCG be approved by the Executive, subject to further comments and changes. This would allow the Statement of Common Ground to be finalised and signed, in accordance with the agreed protocol, in order that it may be submitted to the Inspector appointed by the Secretary of State.

3.3 Option 3 (REJECTED): That the draft SOCG is not approved by the Executive. However, this would mean the Statement of Common Ground could not be finalised and signed, thus failing national requirements associated with the production of the Local Plan Review.

Background Papers

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE FIELD DMTITLE

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