

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE CABINET MEMBER FOR PLANNING, INFRASTRUCTURE AND ECONOMIC DEVELOPMENT

Decision Made: 24 May 2023

Statement of Common Ground for Local Plan Review

Issue for Decision

The draft Statement of Common Ground (SoCG) summarises the key strategic matters between Maidstone Borough Council and National Highways (Appendix 1 to the report). The SoCG relates to the examination of Maidstone Borough Council's Local Plan Review and specifically the Duty to Cooperate obligation, which is an important part of the planning process. The report recommends that the Cabinet Member signs this Statement of Common Ground as set out in the Appendix.

Decision Made

RESOLVED: That the draft Statement of Common Ground between Maidstone Borough Council and National Highways, attached at appendix 1 to the report, be approved.

Reasons for Decision

Pursuant to s.33A of the Planning and Compulsory Purchase Act 2004 (as amended) when preparing development plan documents local planning authorities and county councils (in two-tier areas) are subject to a legal 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 policy making authorities to prepare and maintain one or more statements of common ground (SoCG), documenting the cross-boundary matters being addressed and to describe progress in cooperating to address these.

SoCG are written records 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 even if there are still matters to be resolved. In the case of local planning authorities, it also forms a key part of the evidence required to demonstrate that they have complied with the duty to cooperate.

A SoCG may also be used as an effective tool for demonstrating cooperation between the Local Planning Authority and those who play a part in helping deliver their Plan. This is pertinent to the Maidstone Local Plan Review, which was submitted to the Secretary of State for Examination in Public on 31 March 2022. The examination hearings are currently in process. SoCG are being used by the Council to demonstrate legal compliance in terms of the plan-making process, as

well as to demonstrate progress in resolving issues of plan soundness that the Planning Inspector is considering following representations made during the Regulation 19 consultation and the examination.

The SoCG in Appendix 1 has been produced by Maidstone Borough Council and National Highways. It provides an update to the current SoCG following further transport work and ongoing liaison with National Highways. The SoCG has previously been made available in draft form to the de-commissioned Planning and Infrastructure Policy Advisory Committee, in November 2022, for its views, with the SoCG having been subsequently signed by the then Lead Member.

Principal updates to the SoCG relate to the additional evidence that has been produced, particularly with regard to junction modelling and associated potential mitigations, as required by the Local Plan Review Inspector. Due to urgency, this updated version of the SoCG will be signed off by the lead member without going back to relevant PAC (now the Planning, Infrastructure and Economic Development PAC).

Alternatives considered and why rejected

Option 1: That the Statement of Common Ground (Appendix 1 to the report) is approved and signed by the Cabinet Member for Planning, Infrastructure and Economic Development, in order that it may be published as part of the Council's evidence base for the Local Plan Review examination.

Option 2: That the draft Statement of Common Ground (Appendix 1 to the report) is not approved by the Cabinet Member for Planning, Infrastructure and Economic Development. However, this would mean the document could not be approved and signed, thus potentially prejudicing national requirements associated with the production of the Local Plan Review and discharge of the Council's duty to cooperate with other authorities.

Background Papers

None.

I have read and approved the above decision for the reasons (including possible alternative options rejected) as set out above.



Signed: _____
Cabinet Member for Planning, Infrastructure and Economic Development.

Full details of both the report for the decision taken above and any consideration by the relevant Policy Advisory Committee can be found at the following area of the [website](#)

Call-In: This decision is urgent as the SoCG to allow the document to be published as part of the Council's evidence based for the Local Plan Review Examination. It is therefore not subject to call-in (and meets the requirements of Rule 13.5, Part C2 of the Council's Constitution).