**Appendix One**

**Terms of Reference[[1]](#footnote-1)**

**Co-operation for Sustainable Development Board**

**September 2018 update**

**1. Aims and Objectives**

**(1) The Co-operation for Sustainable Development Board will support Local Plan making and delivery for sustainable communities across geographical and administrative boundaries in West Essex, East Hertfordshire and the adjoining London Boroughs. It will do this by identifying and managing spatial planning issues that impact on more than one local planning area within West Essex, East Herts and the adjoining London Boroughs.[[2]](#footnote-2)**

1.1 Local authorities are required by law through the Duty to Cooperate to *‘engage constructively, actively and on an on-going basis’* on planning matters that impact on more than one local planning area (‘strategic planning matters’).The duty is further amplified in the National Planning Policy Framework (NPPF) which sets out requirements for maintaining effective cooperation.[[3]](#footnote-3).

1.2 The Co-operation for Sustainable Development Board (‘the Board’)established in October 2014 is responsible, on behalf of the core member authorities, for identifying the strategic issues that impact on more than one local planning area and agreeing how these should be managed (covering the whole local plan cycle from plan-making, through to delivery and monitoring). This may include evidence gathering. It is an advisory body, and any decisions resulting from its advice remain the responsibility of its constituent councils.

1.3 As part of this process, the Board will keep under review the cross boundary issues (strategic planning matters) being progressed through Local Plans and constituent Local Plan documents as appropriate, and identify issues which are likely to require cross boundary working. In doing so it will consider the plans of local planning authorities outside the core membership where these are likely to impact upon more than one member authority. [[4]](#footnote-4) **(2) The Board will support better integration and alignment of strategic spatial and investment priorities in West Essex, East Herts and adjoining London boroughs, ensuring that there is a clear and defined route through the statutory local planning process, where necessary.**

1.4 In order to support the economic growth points within the area and investor confidence, recognising the different attributes and contributions made by the individual member councils, the Board will work jointly with the Local Economic Partnerships identified in Section 4 to understand long term investment priorities and ensure that these are aligned with other public and private sector investment plans.

**2. Membership and Accountabilities**

2.1 The Board provides a forum for local authorities to manage strategic matters that impact on more than one local planning area, developing the necessary evidence base and ensuring wider corporate and other relevant matters are fully taken into account. It provides a mechanism to demonstrate effective and on going joint working and support the preparation of statements of common ground or memorandum of understanding[[5]](#footnote-5) to demonstrate how the cross boundary matters are being addressed and the progress in addressing them. Although there is a clear emphasis on reaching a common approach on key strategic approaches, the Board is an advisory body only. Any decisions on taking forward outputs from its meetings and work programme (e.g. shared views, policy approaches, evidence or research) will be the responsibility of individual local authorities and the statutory planning process.

2.2 Core membership of the Board will comprise representatives from Epping Forest, Harlow and Uttlesford districts, Brentwood Borough, Chelmsford City and Essex County Council, East Herts and Broxbourne districts and Hertfordshire County Council, and the London Boroughs of Waltham Forest, Redbridge and Enfield. The GLA will be given Observer status and will be sent minutes of meetings and invited to engage at appropriate times.

2.3Each core member authority will be invited to contribute to the work programme and to consider strategic planning issues that impact on the wider area. Other authorities may be invited to attend on an occasional basis if an issue being considered is likely to have a significant impact on the authority’s planning area. Where appropriate representatives from the Lee Valley Regional Park Authority, the Conservators of Epping Forest (City of London), Natural England, the Environment Agency and Highways England and other statutory bodies will be invited to attend.

2.4 Each core member authority will be represented on the Board by the relevant holder of the Planning portfolio or Leader as appropriate, to ensure confidence of authority and commitment to resources.[[6]](#footnote-6) Officers may attend meetings in support of members.

2.5 Regular feedback and briefing to the constituent members’ political and corporate leadership is the responsibility of member representatives, and should be used as a way of ensuring wider ownership and support for the Board’s work as it progresses. There should also be appropriate liaison between the local authority representatives of both the Board and the South East, Hertfordshire, Greater Cambridge and Greater Peterborough Local Economic Partnerships, and London Enterprise Panel

2.6 The Chairman of the Board will be appointed on a rotating basis which should be reviewed at least annually to ensure fair and equal opportunities amongst the constituent member authorities. Officers of the Garden Town team will provide administrative and clerical support to meetings.

2.7 The Board will normally meet every two months with meetings commencing at 6.30pm and will normally precede Garden Town Member Board meetings and will be held at venues within the Garden Town area.

**3. Ways of Working**

3.1 Refer to Diagram in Annex 1 for details of working arrangements. The Board will agree a work programme, including steering and management arrangements for each project, on an annual basis. This could include setting up ‘task and finish’ groups for specific projects, either reporting directly to the Board or on a shared basis with other bodies. In the interests of transparency, notes of the Board’s meetings will be publicly available once they have been agreed.

3.2 The Co-operation for Sustainable Development Officer Group will provide either direct advice or support, and/or deliver agreed projects.

3.3 Once the work programme has been established, good project management principles should be applied, such as risk management, particularly around political sensitivities and funding, and keeping the work programme under review to ensure that it is meeting the agreed objectives and the identified priorities remain relevant.

**4. Key relationships**

4.1 Harlow and Gilston Garden Town Member Board – Following the designation of the Harlow and Gilston area as a Garden Town in January 2017, the Coop Board have worked closely with the Garden Town authorities of East Herts, Epping Forest and Harlow District councils along with Essex and Hertfordshire County Councils (and the establishment of the Member Board) to ensure that good quality villages and neighbourhoods, homes, jobs and infrastructure are provide for new and existing residents in and around the Harlow area.

**4.2 South East Local Economic** **Partnership**: The Board will work closely with SELEP to ensure the long term integration of strategic planning and investment priorities. The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams. It is also identified in Local Planning Regulations as a body that local authorities need to take account of in meeting its ‘duty to cooperate’ obligations.

4.3 **Hertfordshire** **LEP**: The Board will work closely with Hertfordshire LEP to ensure the long term integration of strategic planning and investment priorities. The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams. It is also identified in Local Planning Regulations as a body that local authorities need to take account of in meeting its ‘duty to cooperate’ obligations.

4.4 **Greater Cambridge and Greater Peterborough LEP:** The Board will work closely with GCGP LEP to ensure the long term integration of strategic planning and investment priorities. The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams. It is also identified in Local Planning Regulations as a body that local authorities need to take account of in meeting its ‘duty to cooperate’ obligations.

4.5 **London Enterprise Panel** – this acts as the Local Economic Partnership for London.

4.6 **East Herts West Essex Border Liaison Group**: this is an established forum for members from many of the core Board authorities to come together and discuss issues of common interest several times a year. Its terms of reference specifically include reference to the duty to co-operate. Its wide membership (in terms of the number of elected members invited from the constituent authorities) means that it provides a useful forum for the Board to communicate on its activities, and receive updates on issues. The Chairman of the Board or an agreed member should report to each meeting of the EHWEBLG.

4.7 **London Stansted Cambridge Consortium:** this is an established partnership of public and private sector organisations, including councils, which covers the area from Tech City, the City Fringe, Kings Cross, and the Olympic Park, up through the Lee Valley and M11/A10 and West Anglia Rail corridors to Harlow and Stansted, and through to Cambridge. **The principal objective of the consortium is to drive economic development and enhance quality of life in the north London – Stansted – Cambridge corridor. This means not only driving job growth through productivity and investment, but more importantly increasing economic activity, by ensuring local communities access employment opportunities.**

4.8 **Other Key Partners:** A number of key bodies and organisations will be necessary to support the work of the Board either through direct support/advice or through joint projects. Most of these will be subject to the legal requirements of the ‘duty to cooperate’ and may well already be involved in the other partnerships mentioned above. Key bodies include the Lee Valley Regional Park, the Corporation of the City of London (responsible for Epping Forest), the Environment Agency, Natural England, Highways England, Homes England, CCG and Princess Alexandra Hospital. Private sector infrastructure providers, particularly utility companies, will also be key partners particularly in terms of ensuring alignment between investment plans and priorities.

**5. Technical Support**

5.1 The Board will be supported by an officer group, known as the Co-operation for Sustainable Development Officer Group, with representatives from each of the constituent authorities. The group will advise the Board on technical issues, and act as a steering group for any identified project, establishing suitable technical support and project management arrangements for each. This may involve the use of ‘task and finish’ groups and could include the use of external expertise e.g. from key statutory bodies identified in Section 4 above or the use of consultants. The group will therefore also be responsible for any necessary joint procurement arrangements.

5.2 A representative of the officer group (the chairman or a suitable substitute) will attend the Board meetings and provide regular progress updates on the work programme to the Chairman.

**6.** **Review**

6.1 These are the current terms of reference, and will be kept under review. . It is important to keep arrangements flexible to respond to changes in planning policy, priorities and work programmes and to move forward from plan policy development stages to implementation. It is therefore anticipated that the terms of reference will continue to be reviewed annually.

**ANNEX 1**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Local Plans and Strategies** | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **ECC** | |  | **EFDC** | |  | **UDC** | |  | **HDC** | |  | **HCC** | |  | **BBC** | |  | **EHDC** | |  | **LBR** | |  | **LBWF** | |  | **LBE** | |

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Cooperation for**  **Sustainable Development Board**  **( members )** | | |  |  |  |  | **LEPs :-**   * **South East** * **Hertfordshire** * **Greater Cambridge and**   **Greater Peterborough**   * **London Enterprise Panel** | | |
|  |  |  |  |
|  | **EEHBLG** | |  |
|  |  |  |  |
|  | **LSCC / Innovation Corridor** | |  |
|  |  |  |  |
|  | **Garden Town Member Board** | |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  | |  |  |  |  |
|  |  |  |  |  |  |  |  |
| **Cooperation for**  **Sustainable Development Group**  **( Officers )** | | |  |  |  |  |  |  |  |
|  | **Garden Town Officer Group** | |  |  |  |  |
|  | | |  |  |  |  |  |  |  |

1. The initial terms of reference were agreed in October 2014. [↑](#footnote-ref-1)
2. The core constituent administrative areas are identified as Epping Forest, Harlow and Uttlesford districts, Brentwood Borough, Chelmsford City and Essex County Council, East Herts and Broxbourne districts and Hertfordshire County Council, and the London Boroughs of Waltham Forest, Redbridge and Enfield. [↑](#footnote-ref-2)
3. The requirement for collaborating on ‘Strategic priorities’ is set out in paragraphs 24 and 25 of the revised National Planning Policy Framework 2018 (NPPF).

   4 Initial identification of cross boundary issues arose from the NPPF, PPG and from issues identified at member workshops in 2014, but are expected to change as new issues arise. [↑](#footnote-ref-3)
4. [↑](#footnote-ref-4)
5. As at September 2018 the Board had agreed four Memorandum of Understanding covering strategic housing need, employment need, transportation infrastructure and the impacts of growth on Epping Forest SAC [↑](#footnote-ref-5)
6. Councils will identify their lead member [↑](#footnote-ref-6)