

**EXPLANATORY MEMORANDUM TO**  
**THE CAMBRIDGE CITY FRINGES JOINT COMMITTEE ORDER 2009**

**2009 No. 1254**

1. This explanatory memorandum has been prepared by the Department for Communities and Local Government and is laid before Parliament by Command of Her Majesty.

2. **Purpose of the instrument**

This Order establishes a joint committee to exercise specified functions of a local planning authority under Part 2 of the Planning and Compulsory Purchase Act 2004 (the 2004 Act) for the parts of the administrative areas of the city of Cambridge and the district of South Cambridgeshire known as the Cambridge City Fringes (comprising Cambridge East, Cambridge North West and Cambridge Northern Fringe East).

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

None

4. **Legislative Context**

4.1 Part 2 of the 2004 Act provides for local development plans in England. Under the system, local planning authorities are required to prepare a local development scheme which is in effect a “project plan” for the preparation of local development documents. The scheme identifies which local development documents will be produced, in what order and when. Local development documents consist of development plan documents and supplementary planning documents. Development plan documents, taken as a whole, together with the relevant regional spatial strategy (RSS) under Part 1 of the 2004 Act constitute the development plan for the area. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

4.2 Section 29 of the 2004 Act makes provision for one or more local planning authorities to agree with one or more county councils to establish a joint committee. The Secretary of State may by order constitute a joint committee to be the local planning authority for the purposes of Part 2 of the 2004 Act for such areas and in relation to such matters as the constituent authorities agree.

4.3 The joint committee established by this Order will exercise the functions of a local planning authority under Part 2 of the 2004 Act in relation to the preparation, submission and revision of a joint local development scheme and local development documents specified in the joint local development scheme.

## **5. Territorial Extent and Application**

This instrument applies in relation to England.

## **6. European Convention on Human Rights**

As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

7.1 Part 2 of the 2004 Act established a new local development planning system in England. Under the previous system local authorities prepared local plans. These set out the policies and proposals for the development and use of land in the authority's area. There were extensive requirements as to consultation and for objections to be taken into account in the plan preparation and adoption process. Although plans do not have to be rigidly adhered to, they provide a firm basis for rational and consistent planning decisions. They give everyone concerned with development in an area an indication of what kind of development will and will not be permitted during the plan period.

7.2 The current system has similar features. Local planning authorities prepare local development documents, which consist of development plan documents and supplementary planning documents. Development plan documents, taken as a whole, together with the Regional Spatial Strategy (RSS) (the preparation of which is governed by the provisions in Part 1 of the 2004 Act), constitute the development plan for the area. The new system aims to promote greater integration between the various strategies produced by local authorities and other agencies and the land use planning system. This will be achieved through the production of spatial plans, which will involve a wider range of policies than has normally been included in development plans.

7.3 The Cambridge Sub-Region is focused principally on the administrative areas of Cambridge City and South Cambridgeshire District Councils. The RSS for the East of England sets out that these local authorities will be expected to deliver around 42,500 new homes and a proportion of the 75,000 new jobs for Cambridgeshire as a whole over the period 2001-2021. This growth is to be focused on the urban area and urban fringes of the city of Cambridge.

7.4 The two local planning authorities together with the County Council have requested that the Secretary of State establish a joint committee to enable the authorities to progress strategic planning issues for fringe sites which lie within the authorities' administrative areas. The joint committee will co-ordinate preparation of joint area action plans for the three fringe sites specified in paragraph 2.1, the timetable for which will be specified in a draft local development scheme to be submitted to the Secretary of State within six months of the commencement date of the Order. Area action plans are local development documents, which are constituent parts of the authorities' local development frameworks, which, together with the RSS, will provide the planning framework for the constituent authorities' areas. The local development scheme is a project

plan for the preparation of the local development documents which comprise the local development framework.

7.5 The work of the joint committee will be supported by the Cambridgeshire Local Delivery Vehicle known as Cambridgeshire Horizons, which comprises representation from the constituent authorities and other stakeholders, including the business community and the Homes and Communities Agency.

## **8. Consultation outcome**

The Order has been drafted to reflect the agreement between the constituent authorities to establish a joint committee and they have been consulted on the draft Order at various stages of the drafting process.

## **9. Guidance**

No guidance will be provided on this instrument.

## **10. Impact**

10.1 An Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

10.2 There is no new impact on the public sector.

## **11. Regulating small business**

The legislation does not apply to small business.

## **12. Monitoring & review**

Monitoring and review will be a matter for the constituent authorities.

## **13. Contact**

John Williamson at the Government Office for the East of England (tel: 01223 372739 or e-mail: [John.Williamson@goeast.gsi.gov.uk](mailto:John.Williamson@goeast.gsi.gov.uk)) can answer any queries regarding the instrument.