



**DERBYSHIRE**  
County Council  
Improving life for local people



## Notes of meeting of Derby HMA Joint Advisory Board

28 January 2022

Via Microsoft Teams

2.00 pm – 4.00 pm

### Item 1 Welcome and introductions

#### Amber Valley Borough Council

Councillor Tony Harper (Cllr TH)  
Derek Stafford, Assistant Director (Planning) (DS)

#### Derby City Council

Councillor Steve Hassall (Cllr SH)  
Andrew Waterhouse, Spatial Planning Group Manager (AW)  
Nicky Bartley, Planning Policy Team Leader (NB)

#### Derbyshire County Council

Councilor Tony King (Cllr TK)  
Steve Buffery, Team Leader – Policy & Monitoring (SBu)

#### South Derbyshire District Council

Councillor Stephen Taylor (Cllr ST)  
Steffan Saunders, Head of Planning & Strategic Housing (SS)  
Karen Beavin, Planning Policy Team Leader (KB)

#### Erewash Borough Council (attending as Observers)

Councillor Michael Powell (Cllr MP)  
Steve Birkinshaw, Head of Planning & Regeneration (SBi)

### Item 2 Apologies for absence

Paul Clarke, Chief Planning Officer, Derby City Council.

### **Item 3 Appointment of Chair**

Cllr TH stated that he would be willing and able to chair the meeting and referred to having previously chaired the Greater Nottingham HMA Joint Planning & Advisory Board (JPAB) up to May 2021. This was unanimously supported. It was also agreed that the chair should continue to rotate between the JAB authorities and noted that a chair for the next meeting would need to be agreed under Item 10 on the agenda.

### **Item 4 Notes from JAB meeting held on 22 April 2021 and matters arising**

It was agreed by those who were present at the meeting that the notes were an accurate record of the meeting. It was noted that any matters arising related to items elsewhere on the agenda and would therefore be considered under the relevant item.

### **Item 5 Derby HMA Growth Options Study – final report**

DS noted that a paper on this item had been circulated with the agenda, together with the final report for the Study and it was confirmed that all had received these and had had the opportunity to read them in advance of the meeting.

For the benefit of new attendees, DS summarised the background to the Growth Options Study and that since the last JAB meeting in April 2021, officers had undertaken further discussions with the consultants (AECOM) to agree further minor amendments to the draft report, to reflect comments made by the JAB. The final report was received from AECOM in September 2021 and would have been reported to the JAB meeting scheduled in October 2021, which unfortunately had to be cancelled.

DS advised that officers were now seeking endorsement of the final report by the JAB and that the timing of the publication of the Study now needed to be agreed, along with any press release or statement.

It was agreed that the final report should be published as soon as possible and that it was important to have a joint statement on behalf of all the JAB authorities, setting out clearly the purpose of the Study and its intended use to inform future plan-making across the Derby HMA up to 2050.

### **Agreed Actions**

- **Derby HMA officers to prepare a draft press release/statement to accompany the publication of the Growth Options Study and to circulate this to members**
- **Members to agree the content of the draft press release/statement in relation to the Growth Options Study and b) to agree a date for the publication of the Study.**

## **Item 6 Derby HMA Strategy – including formal decision on plan-making options**

SS noted that a briefing note on this item, including proposed discussion points for the JAB, had been circulated in advance of the meeting. It was confirmed that all had received this briefing note and had had the opportunity to read it in advance of the meeting. For the benefit of new attendees, SS referred to the previous discussions by the JAB regarding the need for an HMA-wide strategy to underpin future plan-making across the Derby HMA. The purpose of this briefing note is to set out the current position in relation to plan preparation in the HMA and to invite discussion by the JAB on a number of points.

Cllr TH emphasised the importance of a collaborative approach between local authorities, referring to his experience of how this has worked well within the Greater Nottingham HMA and that he would support all of the suggestions set out in the briefing note.

Following an invitation to Cllr MP by Cllr TH to speak, despite his attendance at the JAB as an observer, Cllr MP endorsed the comments about the benefits of collaborative working within the Greater Nottingham HMA.

Cllr ST advised that he would also support all of the suggestions in the briefing note, subject to clarification on the significance of the 15 year minimum time frame for the period of local plans. SS advised that although plan periods below this minimum has previously not always been a 'showstopper' for Inspectors at local plan examinations, but that the most recent national policy, as set out in the NPPF, gives a stronger emphasis to this minimum 15 year period.

Cllr TH invited all members to endorse of the suggestions and this was unanimously agreed.

### **Agreed Actions**

- **To apply a consistent plan period for each Council, with a minimum 15 year plan period and targets for adoption being no later than the end of 2024**
- **To work collaboratively to agree an HMA-wide strategy that covers strategic distribution of growth and related issues such as strategic infrastructure requirements and approaches to climate change and the Green Belt**
- **To work collaboratively to agree an HMA-wide development distribution strategy over the agreed consistent timeframe**
- **To develop a shared evidence base over the whole HMA**
- **To develop a shared approach to sustainability appraisal for the HMA strategy**
- **Each Council to prepare its own individual local plan within the agreed framework**
- **To use Statement(s) Of Common Ground to identify and consider key strategic issues across and beyond the HMA.**

## **Item 7            Derby City Capacity Study – verbal update**

For the benefit of new attendees, NB provided a brief summary of the background to the process of assessment by Derby City Council of the capacity to accommodate further housing growth within the city boundary, referring in particular to this work being the ‘missing piece of the jigsaw’ to sit alongside the findings of the Derby HMA Growth Options Study (which excluded land within Derby City).

NB advised that the expectation is that the capacity assessment will show that there is insufficient capacity within the city to accommodate the level of housing growth to meet Derby’s future housing need, particularly given the 35% uplift applied by the Government to the city as one of the top 20 local authority areas in England by population.

NB advised that the City Council will be appointing independent consultants to scrutinise the initial assessment work undertaken by officers and to review market conditions within the city. Following this scrutiny and review, which it is estimated will take around 3 months to complete, the city council will then look to establish a realistic deliverable figure for future housing growth within the city.

Cllr ST noted the potential implications of the likely conclusions of the capacity assessment for South Derbyshire and Amber Valley and asked how the JAB will be involved in the process. NB advised that although discussions have already been undertaken between Derby HMA officers and will continue to take place in relation to the assessment, members could also have the opportunity for formal involvement in the process and officers could give further consideration as to how this could be best be done.

Cllr TK emphasised the importance of members being able to see some of the underlying assumptions made early on in the assessment process, prior to these being taken on board by the independent consultants. NB advised that this could be provided through officers briefing their respective members; however Cllr TK emphasised the need for a joint discussion between the Derby HMA representatives and that a special meeting of the JAB should be arranged to enable that discussion. NB advised this could be done, but that it was important to avoid any delay in the assessment process.

SS emphasised that the capacity assessment for Derby, together with the conclusions of the Growth Options Study (which identifies potential opportunities for strategic growth in Amber Valley and South Derbyshire) need to fit together and that the assessment of capacity within Derby therefore needs to be a collaborative approach between the HMA authorities.

AW advised that he saw no problem with such an approach and that as the appointment of consultants could not be made until around the end of February, given the procurement process, the proposed discussion by members around the assessment’s assumptions could be achieved without any delay in the process. Cllr TK welcomed this and emphasised that he did not want to delay the process, but that the sensitivity of the issues required the suggest approach.

Cllr SH endorsed the proposals to enable the JAB to discuss the assumptions underlying the capacity assessment and that it will be important for all JAB members to have the relevant information for the discussion, in advance of any meeting.

Cllr TH also supported the proposed approach and emphasised the importance to Amber Valley of moving the assessment process forward quickly, given the Borough Council's commitment to securing an adopted Local Plan by 2023.

### **Agreed Actions**

- **Derby HMA officers to identify an appropriate date and time for a special meeting of the JAB to discuss the higher level assumptions underlying the Derby City capacity assessment, prior to the appointment of independent consultants**
- **Derby City officers to forward relevant information on the capacity assessment to the other JAB authorities in advance of the special meeting.**

### **Item 8 Derby and Derbyshire Spatial Planning Framework – verbal update**

For the benefit of new attendees, SBu provided a brief summary of the background to the preparation of the Framework, before updating the meeting on the current position, which is that the D2 Joint Committee in October 2021 agreed that any further work on the Framework should be paused. This decision following a number of concerns raised by local authorities across Derby & Derbyshire, including in relation to a) the timing of the work (particularly given the uncertainty around the role and scope of strategic planning in the light of the Planning White Paper published for consultation last year and the anticipated Planning Bill later this year) b) the potential resource implications for local planning authorities given their statutory duties in relation to plan-making and c) the potential for public confusion and misunderstanding as to the role and purpose of the Framework.

Cllr TH recognised that it was important for all the Derby & Derbyshire authorities to be comfortable with proceeding with the Framework for it to be meaningful and that its timing needed to ensure that there would be no adverse impact on the timescale for preparing local plans across the HMA.

SS also referred to the need for the Framework to avoid any input to how housing provision should be distributed, which has been and will continue to be best undertaken at HMA level.

AW added reference to the need for the Framework to also avoid establishing policies, which should be developed through local plans.

Cllr TK sought clarification as to the timing of any further decision on whether to proceed with the Framework and whether this would be determined by the timing of the proposed Planning Bill. SBu advised that this would probably be the trigger for any further consideration.

### **Item 9 AOB**

No other matters were raised for discussion.

## **Item 10          Dates/times for JAB meetings up to January 2023**

DS advised members that there is a need to agree dates for the next round of JAB meetings, on a quarterly basis, up to January 2023.

Cllr TH invited members to propose any preferred dates within the weeks commencing 25 April 2022, 4 July 2022, 10 October 2022 and 23 January 2023.

Members agreed that Tuesday afternoons were the most suitable for future meetings and the following dates/times were therefore agreed, with all meetings to be hosted by Amber Valley in the Council Chamber, Town Hall, Market Place, Ripley:-

Tuesday 26 April 2022	2 to 4 pm
Tuesday 5 July 2022	2 to 4 pm
Tuesday 11 October 2022	2 to 4 pm
Tuesday 24 January 2023	2 to 4 pm

Cllr TK agreed to chair the 26 April 2022 meeting.

### **Agreed Action**

- **DS to arrange JAB meetings for the above dates/times and send invites to attendees**

The meeting ended at 15.20pm