

REPORT FOR NOTING

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	22 April 2025
SUBJECT:	JOINT PLANNING COMMITTEE
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	The report outlines draft arrangements and terms of reference for a joint planning committee between Rochdale and Bury councils to determine planning and related applications at Northern Gateway, Places for Everyone sites JP Allocations 1.1 and 1.2.
OPTIONS & RECOMMENDED OPTION	Recommended: That the Planning Control Committee note the report and recommend that full Council approve the establishment of a Joint Planning Committee with Rochdale Council, in accordance with the draft Terms of Reference, to determine planning and related applications at Northern Gateway, Places for Everyone Allocations JPA 1.1 and JPA 1.2.
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Place to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No

Considered by Monitoring Officer:	N/A
Wards Affected:	Unsworth & Holyrood
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 REASON FOR RECOMMENDATION

- 1.1 The Places for Everyone Plan allocates sites for employment and housing, including the Northern Gateway sites, which will provide an unrivalled opportunity to deliver an economic and productivity boost for Greater Manchester, secure inward investment, create new job and training opportunities, deliver much-needed new homes, and unlock community benefits and social value. There are two Northern Gateway allocations, one predominantly employment (JPA1.1) and the other residential (JPA1.2). Both allocations extend across the administrative districts of Bury and Rochdale.
- 1.2 The scale of the allocations at Northern Gateway is significant and transformational. Development of the allocations in Places for Everyone Plan will deliver up to 1,200,000 square metres of industrial and warehousing floorspace and around 3,000 dwellings across Bury and Rochdale. There is a need to align the planning process across the districts to ensure that planning matters are determined appropriately within the overall context of the above.
- 1.3 The proposal is that a Joint Planning Committee is formed of Members of both Rochdale and Bury Councils to jointly determine applications as set out in the terms of reference attached at appendix one and within the geographical area as per the plan at appendix two. In summary, the committee would generally only deal with applications of a strategic nature only and where the red edge crossed both administrative areas.
- 1.4 The main advantage is to streamline the decision-making process and bring consistency, there being one report and thus one decision. Legally, for applications that cross the boundary, there will still be a requirement for both authorities to each receive and issue a decision notice. However, the Joint Planning Committee would ensure that they would be identical in terms of the conditions attached.

2.0 ALTERNATIVES CONSIDERED

- 2.1 The alternative is that current arrangements prevail. Applications for strategic development at Northern Gateway would be determined by each individual district. For development to proceed cross boundary, it would be dependent on separate approvals from each council through their own decision-making arrangements. Each would issue a separate decision notice on the basis of the outcome. Whilst each Local Planning Authority would endeavour to work closely, this would most likely result in decisions being taken at different times, it being dependent on the scheme of delegation to officers and the timing and lead in for the respective planning committee meetings in each district. There is also the potential for different conditions to be attached to each planning permission, which, at worst, would be in conflict. Please note, that this approach may be considered the appropriate route to take on some planning applications within the allocations if it is deemed more appropriate to do so once the complexities of planning applications are considered.

3.0 KEY INFORMATION

BACKGROUND

- 3.1 Places for Everyone (PfE) was adopted as part of the development plan for Bury and eight other Greater Manchester districts in March 2024. The plan allocates two sites at Northern Gateway that cross the boundary between Bury and Rochdale. JP Allocation 1.1 Heywood/Pilsworth is located to the north of the M62 and is allocated primarily for employment; and JP Allocation 1.2 at Simister/Bowlee is allocated for residential development. The allocations came about as a result of close working between the councils over a number of years. JPA 1.1 also forms part of the Greater Manchester Investment Zone, one of only eight such zones within the UK. These zones are designed to have a range of business incentive measures, one of which is to simplify and accelerate planning decision making and use retained business rates locally to drive economic growth. The operation of the Investment Zone would be subject of separate working arrangements to be put in place with Bury and Rochdale Councils and the Greater Manchester Combined Authority (GMCA).
- 3.2 In March 2025, Cabinet approved the creation of a Mayoral Development Corporation (MDC) as the preferred delivery vehicle for the site, as did Rochdale Council. GMCA subsequently agreed to endorse the proposal and consult on the establishment of an MDC.
- 3.3 Bury and Rochdale Councils have a track record of working together and have already secured allocation of the sites at Northern Gateway for development. The above shows that both Councils are committed to continue the working closely to bring about the transformational change envisaged. It therefore makes sense to consider how best to deal with planning matters within this context to ensure consistency in approach and outcome.

JOINT PLANNING COMMITTEE

- 3.4 Establishing a Joint Planning Committee would ensure that decisions are timely and consistent. The terms of reference attached would ensure that an equal number of members from each district will sit on the committee. Each Council would appoint a Chair and these will be the chairs of the district planning committees. The Chair of the Joint Committee meeting would be from the authority that has the largest land area in the application site. i.e. if 70% of the

application site is within Rochdale, the Chair from Rochdale Council would chair the meeting for that application and vice versa.

- 3.5 It remains the case that each Local Planning Authority would be responsible for processing and issuing non-strategic decisions on the applications made to it. Planning and related applications would continue to be submitted to and dealt with by each individual Council. However, applications of a strategic nature that meet the criteria set out in the terms of reference and are located within the relevant boundary, would be determined by the Joint Planning Committee. It should be noted that the terms of reference also include other provisions in the interests of transparency that may result in smaller applications coming before the committee, but the number of applications is expected to be very low.
- 3.6 Rochdale Council granted outline planning permission in March 2020 for the first phase of development at the Northern Gateway, at South Heywood. This included the Queen Elizabeth Way link road to J19, 167,000 square metres of industrial and warehousing floorspace and 1,000 new homes. Although this site is part of the allocation at JPA 1.1 in PfE, it is excluded from the boundary for the Joint Planning Committee because planning permission has already been granted.

4.0 FINANCE

- 4.1 There are no specific finance matters arising.

5.0 LEGAL

- 5.1 The Council has the power to enter into joint arrangements with one or more local authorities to exercise functions which are not executive functions in any of the participating authorities, or to advise the Council. Such arrangements may involve the appointment of a Joint Committee with other local authorities.
- 5.2 Section 101(5) of the Local Government Act 1972 enables two or more local authorities to discharge any of their functions by a Joint Committee.
- 5.3 The Council has the power to decide to set up a joint Committee, to appoint Councillors to that Joint Committee and to delegate particular powers to it that would otherwise be the responsibility of the Council.
- 5.4 The development control functions are non-executive functions, they are contained within Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (SI 2000/2853).
- 5.5 The establishing of any Joint Committee may result in the need to amend the Council's Scheme of Delegation and Constitution to reflect the changes.

7.0 OTHER CONSIDERATIONS (CORPORATE PRIORITIES, RISKS)

- 7.1 There are no relevant considerations of this report.

List of Background Papers:-

Appendix 1 – Terms of Reference;

Appendix 2 – Joint Planning Committee boundary

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Northern Gateway: Joint Committee – Terms of Reference

April 2025

1. Vision

- 1.1 Bury Council and Rochdale Council, along with 7 other Greater Manchester (GM) authorities adopted Places for Everyone (PfE) a long-term development framework for jobs, new homes and sustainable growth on 21st March 2024.
- 1.2 The Northern Gateway developments forms part of PfE development. There are two Northern Gateway allocations, one predominantly employment (JPA1.1) and the other residential (JPA1.2). Both allocations extend across the administrative districts of Bury and Rochdale.
- 1.3 A masterplan in the form of a Development Framework has already been prepared for JPA1.1 and was adopted by both Councils as a Supplementary Planning Document (SPD) in Spring 2025.
- 1.4 The Northern Gateway development will require planning applications that cover the two administrative boundaries Bury and Rochdale.
- 1.5 The Joint Planning Committee will cover the two administrative boundaries working to an agreed planning strategy on cross boundary applications received for the two Northern Gateway sites (JPA 1.1 – Heywood/Pilsworth (Northern Gateway and JPA 1.2 – Simister and Bowlee (Northern Gateway)).

2. Membership

- 2.1 All Joint Committee Members must be existing Members on their respective district Planning Control Committee's and must have completed training.
- 2.2 The participatory authorities will both appoint a **Chair** annually; the appointments would be ratified by Council.
- 2.3 The **Chair** of the Joint Committee meeting will be from the authority that has the largest land area in the application site. i.e. if 70% of the application site is within Rochdale, the Chair/Vice Chair from Rochdale would chair the meeting for that application.

- 2.4 Three substitutes per member Authority will be appointed from the respective Planning Control Committees.
- 2.5 Political balance of the Joint Committee will reflect that of the totality across each member Authority.
- 2.6 **In the absence of either of the Chairs** - A replacement Chair will be elected for the duration of the meeting from the Core Membership.
- 2.7 Appoints to the Joint Committee will be decided as part of the Council's Annual Appointments process, Members of the Joint Committee shall serve for as long as he or she is appointed to the Joint Committee by the relevant Partner Authority, a member shall cease to be a member of the Joint Committee if he or she ceases to be a member of the Partner Authority appointing him or her as a member of the Joint Committee.
- 2.8 Any casual vacancies howsoever arising shall be filled by the Partner Authority from which the vacancy arises.

3. Function

- 3.1
 - 1. To deal with any applications for planning permission under the Town and Country Planning Act 1990 and related legislation or for listed building consent under the Planning (Listed Buildings and Conservation Areas) Act 1990, which fall within the administrative boundary of both Bury and Rochdale Council within the JPA 1.1 and JPA 1.2 Northern Gateway allocations in the Places for Everyone Joint Development Plan if the application:
 - (a) are subject to Environmental Impact Assessment; or
 - (b) relate to full, outline or reserved matters planning applications that are considered Major Development that meets or exceeds the following thresholds:
 - a. For residential use, 500 or more dwellings or 5 hectares;
 - b. For employment use, 100,000 square metres or 5 hectares;
 - c. For other uses, 10,000 square metres or 2 hectares; or
 - (c) any other such application which the Chair of the Committee considers appropriate due to being a novel development type
 - 2. Any application, which falls across the boundary between Bury and Rochdale Council within the JPA 1.1 and JPA 1.2 Allocations and relates to a development which would constitute a substantial departure from the provisions of any approved plan or policies, in particular the Places for Everyone Joint Development Plan and the associated SPD – Northern Gateway, Unitary Development Plan or subsequent adopted Local Plan, which

is recommended for approval and/or is not a repeat or duplicate application of one previously refused.

3. Any application, which falls across the boundary between Bury and Rochdale Council within the JPA 1.1 and JPA 1.2 Allocations and is submitted by or on behalf of a Member of Bury or Rochdale Council's or his/her spouse.
4. The application, which falls across the boundary between Bury and Rochdale Council within the JPA 1.1 and JPA 1.2 Allocations and is submitted by a council officer at Bury or Rochdale Council who is employed in the Planning service or works closely with it, or is a senior manager as defined in the council's pay policy statement, or by a close family member such that the council officer has a material interest in the application.
5. Any major application, which falls across the boundary between Bury and Rochdale Council within the JPA 1.1 and JPA 1.2 Allocations and is submitted on behalf of Bury or Rochdale Councils where there is at least ten objections received from third parties.

4. Key Responsibilities of the Board

- 4.1 The Joint Planning Committee has been established pursuant to s 101 (5) of the Local Government Act 1972
- 4.2 The Joint Planning Committees main purpose is to determine significant planning applications on a shared boundary, the geographical area that the Joint Committee will relate to cross boundary planning applications on the Places for Everyone Allocations of JPA 1.1 and JPA 1.2, with the exception of the area covered by South Heywood. A map showing the boundary is at appendix 1.
- 4.3 The Joint Committee will be responsible for determining large planning applications that have a red edge that extends into both Bury's and Rochdale's administrative areas and would be of a strategic nature. Smaller scale applications, such a householder, prior approval and non-material amendment applications would not be presented to the Joint Committee and would follow the scheme of delegation in the respective district.
- 4.4 There may be instances where applications falling entirely within one district may be considered to be of such strategic importance that may have cross boundary issues to resolve, and it would be appropriate for the Joint Committee to determine. Such applications would need to be agreed with the Monitoring Officer's in both districts and the application would need to have a minimum of 100,000 square metres.

5. Meetings

- 5.1 The Joint Planning Committee will meet as required, meetings will be clerked by a representative from Bury Council's Democratic Services Team.
- 5.2 Bury Council will call a meeting if at least three members of the Joint Committee from each Partner Authority requests it or if the Chief Executive of both Partner Authorities requests it.
- 5.3 **Meetings** will commence at 7pm and will be held in Bury Town Hall unless otherwise agreed by the Joint Committee.
- 5.4 A **quorum** of six members will apply for meetings of the Joint Planning Committee including three elected members from each partner authority.
- 5.5 Members will adhere to the agreed principles of their Council's **Code of Conduct**.
- 5.6 **Declarations of Interest** – Any personal, prejudicial or pecuniary interests held by members should be declared in accordance with the Councils Code of Conduct on any item of business at a meeting, either before it is discussed or as soon as it becomes apparent. Interests which appear in the Council Register of Interests should still be declared at meetings, where appropriate.
- 5.7 The agenda and supporting **papers** shall be in a standard format and circulated at least five clear working days in advance of meetings. The minutes of decisions taken at the meeting will be kept and circulated to partner organisations as soon as possible. Minutes will be published on Bury Council's web site.
- 5.8 **Access to Information** – Background papers will be made available for inspection at both LA officer in accordance with s 100D Local Government Act 1972. It is important to ensure that all councillors are kept aware of the work of the Board and a copy of the minutes will be circulated to all Councillors. The Board shall be regarded as a Council Committee for Access to Information Act purposes. Freedom of Information Act provisions shall apply to all business.
- 5.9 All meetings will be held in **public**. The Board will retain the ability to **exclude representatives** of the press and other members of the public from a defined section of the meeting having regard to the confidential nature of the business to be transacted, publicly on which would be prejudicial to the public interest (Part 5A and Schedule 12A, Local Government Act, as amended).
- 5.10 All Members will have full voting rights, including Members substituting for that meeting. Where there are equal votes the Chair of the meeting will have the casting vote, there will be no restriction on how the Chair chooses to exercise his/her casting vote.
- 5.11 Only one **amendment** to a proposal may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of, providing the chairperson may permit two or more amendments to be

discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Joint Committee business.

- 5.12 Any member of the Joint Committee may request the Joint Committee to record the votes of individual members of the Joint Committee on a matter for decision.
- 5.13 **Meeting costs** will be shared jointly by the partner authorities.
- 5.14 A **Sub group** will only be established following resolution at the Joint Planning Committee and in consultation with the Monitoring Officers of the partner authorities.
- 5.15 Ward Councillors may speak on applications affecting their Ward (This could include a neighbouring ward(s) outside the application area which can be impacted upon) at meetings of the Joint Committee and subject to the Chair's discretion
- 5.16 Members of the public are also welcome to attend and take part by speaking, explaining their concerns either for or against a proposal, or simply listening to the Joint Committee debate. Members of the public should ideally register their intention to speak with the relevant Council's Democratic Services Department prior to the Joint Committee meeting taking place. Otherwise, addressing the Committee during the meeting would be at the Chair's discretion.
- 5.17 The standard practice should be that one person is allowed to speak for, and one person against, a proposal. If more people are interested they will be asked to agree who the single spokesperson should be; exceptionally more than one person may be able to speak at the discretion of the Chair, the Chair should say at the end of each presentation that another speaker for or against is permissible only where items have not been covered by the earlier speaker.
- 5.18 Each speaker should aim to speak for a maximum of three minutes so that it is fair for all parties involved. The Chair has the right to stop a speaker after their time limit has been exhausted.
- 5.19 Ward Councillors not on the Joint Committee are not invited to attend site visits and if present at the same time, should not address any Members of the Joint Committee during any visits. They are not an opportunity for further engagement and hearing representations by the applicant or members of the public for forms of lobbying, debate and submission of new information.
- 5.20 Site visits can be useful to identify features of a proposal which may be difficult to convey in a written report or via the use of photographs/drawings, but site visits can cause delay and additional costs and should only be used where the expected benefit is substantial. A valid reason needs to be noted if an application is deferred for a site visit at the Joint Committee meeting.

- 5.21 Site visits should involve the whole Committee, although this may not always be possible. They should be carefully conducted in order that there can be no accusation of bias, pre-determination or other impropriety against Members of the Joint Committee. Site Visits will be led by the Chair or Vice Chair with advice from appropriate officers who would remain present at all times during the arranged visit.
- 5.22 It is important to remember that site visits are 'visits' and not meetings with applicants and other members of the public. Site visits are an opportunity for Members of the Joint Committee to see the site and have the proposal explained by the appropriate officer(s), with an opportunity to ask questions of the officer(s) about the proposal. The site visit is not an opportunity to engage directly with members of the public, Ward Councillors not on the Planning Control Committee, the applicant or any consultees, landowners, supporters or objectors to a planning application.
- 5.23 Planning Applications will be received by both authorities, and a **single joint** report will be prepared from Officers from each partner authority.
- 5.24 The **order of business** shall be indicated in the agenda for the meeting, the Chair may amend the order of business without notice prior to the first substantive item being considered.
- 5.25 When a motion is under debate by the Joint Committee no other motion shall be moved except the following:
- To amend the recommendation;
 - To adjourn the meeting;
 - To adjourn the debate;
 - To exclude the public under section 100 of the Local Government Act 1972;
 - To postpone consideration on an item.
- 5.26 The ruling of the chair shall not be open for discussion.
- 5.27 The Joint Committee may **delegate a function** to an Officer.
- 5.28 The Joint Committee may appoint such task teams or working groups as they consider appropriate in order to consider and report to the Joint Committee on specific matters.

APPENDIX 1 – JOINT PLANNING COMMITTEE BOUNDARY

Appendix 1: Joint Planning Committee Boundary

