

## REPORT TO THE CABINET

7 March 2017

**Cabinet Member:** Councillor Dafydd Meurig (Planning and Regulatory)

**Subject:** Proposal to continue the arrangement of providing the Joint Planning Policy Service for Gwynedd Council and Isle of Anglesey County Council for a further five years (2017-2022)

**Contact officer:** Gareth Jones, Senior Manager, Planning Service, Environment and Public Protection

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### **The decision sought/purpose of the report**

To approve the proposal to continue the arrangement of providing the Joint Planning Policy Service for Gwynedd Council and Isle of Anglesey County Council for a further five years.

To authorise the Senior Officers of the Regulatory Department and the Legal Department, to review and agree on a new collaboration agreement to extend the collaboration period to include:

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- Review and agree on arrangements for the administration, implementation and management of the Joint Planning Policy Unit;
  - Review the role of the Joint Planning Policy Committee as a cross-boundary body to make decisions before reporting back to the Cabinet for approval.
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### **Local member's views**

Not specifically relevant in this case.

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### **Introduction**

#### **Background**

1. The Gwynedd Council Board and the Isle of Anglesey County Council Executive Committee agreed to collaborate to provide a Joint Planning Policy Service back in June 2010, when the following was agreed:

- i) That a Joint Planning Policy Unit was established to provide a Planning Policy Service for the Local Planning Authorities of Gwynedd and Anglesey.
  - ii) That a Joint Project Board was established to supervise the work of the Unit.
  - iii) That the Unit started working on a single Local Development Plan for the Local Planning Authorities of Gwynedd and Anglesey.
  - iv) That a joint Local Development Plan Panel was established to steer the work of producing a Local Development Plan for both Authorities.
  - v) That a Joint Planning Policy Committee was established as a cross-boundary body to make decisions.
  - vi) That the Head of the Regulatory Department and the Head of the Democracy and Legal Department received authorisation to implement i), ii), iii), iv) and v).
2. A collaboration agreement was formulated in order to implement the decision of both Councils, and the agreement period was linked to the work of preparing the Joint Local Development Plan for the areas of both Planning Authorities (not including the Snowdonia National Park Authority's area). Therefore, the current agreement notes that collaboration arrangements continue until the Joint LDP is adopted, or until 31 December 2017 (whichever was the earliest), unless both Local Planning Authorities agreed to their extension. It is noted that we currently hope that both Councils will be in a position to consider adopting the LDP during June / July 2017 depending on the dates of Full Council meetings (See Appendix 1 : LDP Timetable and Steps).
3. As we are in the last year of the collaboration agreement, it is believed that it is timely to consider and decide on the provision of the Policy Service in future for both Authorities. This will give security and stability for both Councils and for staff of the Joint Planning Policy Unit (JPPU).
4. In order to be able to give full consideration to the provision of the Planning Policy Service in future, it is believed that there is a need to examine the business case and justification for establishing collaboration arrangements in the first place, and assess whether or not the arrangement has achieved the benefits that were anticipated at the time, for both Councils. There is also a need to confirm what the purpose of the JPPU and the Joint Planning Policy Committee is under the current collaboration arrangement. In this context, it is noted that an Independent Review of the Joint Planning Policy Unit was recently held (See Appendix 2). The main findings and recommendations of the Review will be considered in this report, in terms of deciding on the way forward for the Joint Planning Policy Service for the future. It is also believed that consideration needs to be given to what exactly the work that needs to be achieved by the Planning Policy Service over the next five years is,

what would be the benefit for both Councils of continuing with the collaboration arrangement, subject to a review of the collaboration agreement.

### **Why was the Joint Planning Policy Service established?**

5. When justification for collaboration was originally considered, both Councils agreed that there were similar features in both Authorities in terms of planning policy service provision. This was mostly prominent in terms of the functions of policy services, key matters regarding service functions, customer contact, the character of the areas and the main challenges faced by both Authorities (e.g. significant developments such as Wylfa Newydd etc.) when preparing the Local Development Plan, namely a main field of work.
6. Many potential scenarios were examined in terms of what collaboration arrangement would be likely to bring in the most benefits for both Authorities. It was agreed that the option that would bring in greater benefits was the creation of a Joint Planning Policy Unit (with Gwynedd Council as the Host Authority for the JPPU), and commencing the process of preparing a single Joint Local Development Plan for both Local Planning Authority areas. The business case at the time included planning and financial reasons for this method of collaboration and benefits included:
  - a) Sharing specialist information
  - b) Career development opportunities
  - c) Production of a more robust service
  - d) Increased flexibility with staff resources and using staff more effectively
  - e) Planning on a more strategic level and integrating cross-boundary policies
  - f) Simplify, smooth and improve arrangements for contacting customers and therefore, improve service for customers
  - g) Share costs, make the best use of resources and save costs for both Councils
  - h) Share a vision for the Local Development Plan
  - i) Share research for work on the Local Development Plan
  - j) Combine information and efforts to give more power to arguments in order to reach general aims (e.g. housing for local people, linguistic matters)
  - k) Fully address matters regarding the robustness of the Local Development Plan
  - l) Ability to prepare a robust Local Development Plan

7. Preparing a Local Development Plan is the main work output of a planning policy service and it is a statutory requirement on all Planning Authorities to prepare a Plan. It is a process that requires broad expertise, some external commissioning work and a public examination towards the end of the process.
8. Preparing a JLDP is the most costly element of the work of a planning policy service, and at the time, examining the costs of commissioning research work and public examinations in other Authorities, an estimated cost of approximately £250,000 a year was provided (not including staff costs) to prepare a single Local Development Plan. Potential expenditure profile work was undertaken on the LDP preparation process which predicted that the cost of preparing two Plans (one for Gwynedd Council and one for the Isle of Anglesey County Council) would be approximately £1.9 million, and that a single Joint Plan prepared by a Joint Planning Policy Unit would cost approximately £1.3 million. Based on the profiling work undertaken prior to the commencement of the process, it meant that both Authorities would save costs of approximately £600,000 between them as a result of the collaboration arrangement.

#### **What is the purpose of the JPPU and the Joint Planning Policy Committee?**

9. When the JPPU was created, the Unit included 12 staff members and the purpose of the JPPU was to **'facilitate sustainable development, contribute towards social and economic regeneration as well as creating a high standard environment that is accessible to all, by controlling the use of land and buildings'**. The main duties of the JPPU can be summarised as follows:
  - a) Produce a single Local Development Plan for the Local Planning Authorities of Gwynedd Council and the Isle of Anglesey County Council.
  - b) Monitor the adopted Gwynedd Unitary Development Plan.
  - c) Produce Supplementary Planning Guidance.
  - d) Provide specialist advice (including advice on planning applications, proposals, enforcement matters and appeals) and responding to consultations on planning policy matters for both Authorities, external organisations and the public in general.
  - e) Undertake Surveys of Land Availability for Housing on an annual basis.
  - f) Contribute towards the production of Development Briefs and Development Strategies for both Authorities.
10. The JPPU is accountable to the Joint Planning Policy Committee which was created as part of the collaboration agreement, and includes 14 Councillors (namely, seven each from both Councils). The role of the Joint Planning Policy Committee is to:

- a) Agree and complete the Deposit JLDP for Anglesey and Gwynedd.
  - b) Agree and complete reports on responses to the consultations and (where appropriate) changes to the Deposit JLDP for Anglesey and Gwynedd.
  - c) Adopt Supplementary Planning Guidance in relation to the Anglesey and Gwynedd JLDP.
  - d) Accept and agree on the report of the Planning Inspector.
  - e) Be responsible for monitoring and reviewing the JLDP for Anglesey and Gwynedd.
11. There is also a Joint Local Development Plan Panel which includes the same Councillors who serve on the Joint Planning Policy Committee. Its role involves considering draft documents which have contributed towards the development of the JLDP.

### **Assessment of the collaboration arrangement**

12. At a meeting of the Joint Local Development Plan Panel on 24 June 2016, it was agreed that it was timely to review the existing arrangements of the joint Planning Policy service between Anglesey and Gwynedd Councils.
13. Subsequently, it was agreed that Christian Branch (Regulatory and Economic Development, Isle of Anglesey County Council) would undertake a review on behalf of Dylan Williams (Head of Regulatory and Economic Development Department) and Gareth Jones (Senior Manager, Planning Service, Environment and Public Protection, Gwynedd Council). The purpose of the review was to :
- a) Determine the efficiency and propriety of the existing collaboration arrangements.
  - b) Outline lessons learnt from existing arrangements that will influence and steer future collaboration working arrangements.
  - c) Consider future arrangements.
14. A copy of the full review is included in Appendix 2 but the main conclusions that derive from the review are summarised below.
15. The collaboration model has broken new ground in the field of planning policy. The project has been innovative and unique in the field of planning policy in Wales. The collaboration model is recognised by Welsh Government as an example that should be considered by other Planning Authorities. It is also believed that the arrangement is moving in the same general direction as what is mentioned in the Welsh Government White Paper (January 2017) regarding the reorganisation of local government services and preparing for strategic land use planning on a Regional level.

16. From the timetable in Appendix 1, it can be seen that both Councils have almost reached the end of the process in terms of preparing a Joint Local Development Plan, with the Plan programmed to be given consideration to be adopted by both Councils during June / July 2017. This is firm evidence that arrangements have generally worked and are likely to achieve the main output from the collaboration arrangement, namely adopting a Joint Local Development Plan. This will give firm policy basis to facilitate developments; it will satisfy the economic, social and environmental requirements of both Councils and prevent developments that can be detrimental.
17. The Unit has developed to become a strong team with broad expertise and experience in the field of Planning policy and has the ability to provide a bilingual service, which is also essentially important for residents of both Councils. Unit officers work per planning field rather than per area, which has facilitated the work of providing regular cross-boundary policy guidance. The capacity and range of broad expertise within the Unit has reduced the amount of work that needed to be commissioned by external consultants.
18. Collaboration to prepare one Plan has reduced costs and has achieved savings for both Councils. As previously noted, the main cost (not including staffing costs) is the process of preparing the Local Development Plan and relevant matters are summarised as follows:
  - Both Councils anticipated that one Joint Plan could reduce costs of approximately £600,000 between both Authorities.
  - Examining the costs of the process thus far (2011-2017), it appears that both Councils have (each at least) saved costs of approximately £320,000. 2016 - 2017 costs will include costs to undertake the public examination, namely one of the biggest costs which could be up to £500,000. As only one public examination will be required towards the end of the current process, It is likely that councils are likely to avoid further costs.
  - More expertise and capacity within the Unit means that most of the work has been undertaken by the Unit, which has reduced costs to commission work externally.

- It is likely that the arrangement has saved costs for bodies such as Welsh Government, Natural Resources Wales etc. that provide input to one Plan only instead of two separate plans.
19. As well as saving costs for both Councils, savings / cuts will be achieved / implemented in the Unit as a result of cutting the number of staff from 12, to 10 (end of March 2017) and then to 8 (end of March 2018) bringing forward savings of £111,570 to be shared between both Councils.
  20. In accordance with accounts and audit requirements for Joint Committees, it is noted that the entire collaboration arrangement has been subject to final accounts reports which were submitted annually to the Committee. These reports were audited and approved by an external auditor from the Wales Audit Office.
  21. Considering the above, it is believed that the collaboration arrangement has been appropriate and efficient and to a great extent, it has achieved the savings anticipated when the arrangement was established in the first place and it has been a success. Once the Plan is formally adopted, it is important that this success is recognised and celebrated, and that the contribution of the Unit's staff, Members of the Joint Planning Policy Committee and both Councils to the success is acknowledged.
  22. Although the collaboration arrangement is deemed a success, the Review notes opportunities where collaboration arrangements could be strengthened and improved and identifies matters that will need to be considered if the collaboration arrangement is to continue in future. These matters include:
    - a) Strengthening ownership of the Unit within both Councils.
    - b) Strengthening and improving joint managerial arrangements for the Unit's work and priorities, performance matters, finance and staff matters.
    - c) The need to create a clear and definite work programme for the Unit after the Plan is adopted and examine the resources required (in a period of savings / cuts)
    - d) The need for more firm arrangements for collaboration and to integrate the Unit with planning services of both Councils and other services.

- e) The need for the Unit to work more flexibly and be more prominent within both Councils.
  - f) The need to define the role of the Unit in the work of meeting the requirements of the Well-being of Future Generations Act.
23. The Review recommends that there is justification for continuing with the collaboration arrangement for the next five years (2017-22) to correspond with the first formal review of the Plan. This is of course subject to the new arrangement addressing matters that are mentioned in a) to f) above, as part of the new collaboration agreement.
24. It is noted that the Review of the JPPU, which is available in Appendix B, has been reported upon and scrutinised at a meeting of the Joint Local Development Plan Panel on 27 January 2017, and that Panel Members had unanimously supported the recommendation.
25. The Review of the Unit concludes that the collaboration arrangement has been a success, with this to a great extent justifying continuing with the collaboration arrangement for another five years. Although the Review mentions what benefits the Councils could receive as a result of continuing with the further collaboration arrangement, it is believed that this needs to be elaborated upon when considering the future of the Planning Policy Service. There is a need to examine the work scope of the Policy Unit after the Plan is adopted, what the work scope of the joint Policy Committee will be, and what exactly the potential advantages for both Councils are.

### **Work Scope of the Joint Planning Policy Unit 2017 - 2022**

26. It is anticipated that the main duties of the Unit include:
- a) Annual monitoring work of the Joint Local Development Plan's policies and preparing one **joint Annual Monitoring Report** to be submitted to Welsh Government and published
  - b) Produce one set of **Supplementary Planning Guidance** for the Councils which would elaborate further on LDP policies.
  - c) Examine the viability of **creating a levy charge list** for developing (CIL Regulations) in the areas of both Local Planning Authorities.
  - d) Conduct annual surveys to measure **availability of land for housing** in the areas of both Local Planning Authorities



- e) Provide specialist advice in **response to enquiries about planning policy matters** for both Local Planning Authorities.
  - f) Commence a review of the Joint Local Development Plan and publish one **Review Report**;
  - g) Subject to the conclusions of the review of the Plan, undertake the **process to revise the** Joint Local Development Plan (the short or full procedure of revision).
27. As well as the main duties above, the Unit's work will also include contributing towards the process of creating a National Development Framework and/or Strategic Development Plan, as required, collaborating with specific communities in the areas of both Councils to create a Location Plan, as required and leading on providing specialist policy advice / input for both Councils, on a regional and national level. Appendix 3 elaborates on what the work scope of the Unit will entail, while also drawing attention to the statutory requirements of the Unit's work. What is highlighted here is that the Unit's work does not come to an end after the plan is adopted by any means.

#### **Potential role of the Joint Planning Policy Committee 2017-2022**

28. It is anticipated that the potential role of the Joint Planning Policy Committee can include:
- a) Accepting the Annual Monitoring Report and offering advice on it before it is submitted to both Councils.
  - b) Adopting Supplementary Planning Guidance that are common to both Councils after they have been scrutinised in draft form (if necessary) before or after public examination by a relevant committee in both Councils in order to have local ownership.
  - c) Accepting and advising on SPG that are unique to one of the Councils, e.g. Wylfa Newydd, development brief for a specific site, before it is submitted to the Cabinet / Executive Committee to be adopted.
  - d) During the Plan revision stage - the same role it had during the preparation of the original Plan, but that it has the right to establish a different Panel of Members from both Councils if required, to consider significant specific topics during the preparation of the Deposit Plan, in order to have local ownership prior to making any decisions.

- e) Accepting and advising on a draft levy charge list for public examination and on the Inspector's recommendations before it is submitted to the Cabinet / Executive Committee for a decision. It is possible that we will not reach the public examination stages, but perhaps some kind of seal of approval will still be required not to have a levy charge list.
  - f) Accepting and agreeing on an annual report about the joint governance and funding procedure.
29. It must be emphasised that the above are only examples of what the role of the Joint Planning Policy Committee could entail for 2017-2022 and that the role of the Committee will require further approval by the Cabinet. Therefore, further discussions will be required between both Councils when preparing the new Collaboration Agreement, and review the role of the Committee. Those discussions will also need to consider whether or not there is a role for a Panel or Working Group from the Policy Committee to receive input before the Plan revision stage is reached.

**What is the benefit for both Councils of continuing with the collaboration arrangement?**

30. Having one adopted Joint Local Development Plan for the areas of both authorities will provide a firm policy basis for both Authorities and facilitate developments that meet the needs of both authorities. It also puts both Authorities in a stronger position to be able to take advantage of potential benefits in light of continuing with the existing collaboration arrangements.
31. In paragraph 25 above, it can be seen that the Unit will have a wide range of duties that both councils will need to undertake, after the Plan is adopted, and that a number of these duties are statutory. Continuing with the collaboration arrangement means that duties will have to be undertaken once by one Policy Unit, namely the joint Unit for both Councils.
32. Should both Authorities consider bringing the collaboration arrangement to an end, this would mean splitting the Unit and creating smaller Units within both Councils. Bearing in mind that the Unit will be reduced to 8 staff members by the end of March 2018, we would consider two small Units with approximately four staff members each. The two small Units would need to undertake duties noted in paragraphs 25 and 26, individually and separately, and work would include two Annual Monitoring Reports, two sets of Supplementary Planning Guidance, two Plan Reviews and two Plan revision processes. It is believed that it is

reasonable to conclude that this option would not benefit both Councils considering:

- The potential negative impact of abolishing the Unit
- We would lose expertise in specific fields
- This would militate against Welsh Government desires to pursue greater collaboration in the planning field
- The duplicating work and potential costs for both Councils
- The likely negative impact on the policy services of both Councils

33. It is believed that there is justification in terms of planning and that savings are likely to derive from continuing with the current collaboration arrangements. From a planning viewpoint, the review has confirmed that the collaboration arrangement has been a success, and that establishing one strong Unit, which has developed a broad expertise, has been an important part of the success. Continuing with the collaboration arrangement gives both councils an opportunity to be able to build on the success and try to retain expertise developed in the Unit. It is believed that this would put both Councils in the strongest position to meet planning and financial challenges, within both Authorities over the next five years. It is also believed that this will ensure that both Councils will have a strong voice within the region (and nationally) when consideration is given to preparing strategic development plans.

34. It is believed that continuing with the current collaboration arrangements will continue to reduce costs for both Councils, but it is difficult to provide firm figures on the exact amount of money that could be reduced by both Councils. Costs would be saved by avoiding duplicating work, and Appendix 4 provides an estimate of costs of preparing one set of documents (not including staff costs) only by the Joint Planning Policy Unit. Costs include preparing 17 Supplementary Planning Guidance, Availability of Land for Housing Study, monitoring, assessing the need for a levy list, printing the Local Development Plan (after its adoption) and revising the Plan. The estimated cost is approximately £631,000 with the highest cost of approximately £409,000 associated with the process of revising the Plan. It is noted that work to revise the Plan can extend beyond 2022, unless an early review is required. It is emphasised once again that only an estimated cost is provided here, but again it is reasonable to conclude that both Councils can be faced with costs of approximately £631,000 each, rather than between them should the collaboration arrangement come to an end. Further collaboration could reduce additional costs of around £315,500 for each of the Councils in the coming years.

## Conclusions

35. Bearing in mind the original business case, the review of the Joint Planning Policy Unit, the work scope that needs to be undertaken by both Councils over the next five years, as well as the potential additional planning and financial benefits for both Councils, it is believed that there is strong justification for continuing with the current collaboration arrangements to provide the Planning Policy Service. This is of course subject to building on the success and addressing the matters that needed to be improved and developed in light of the review.

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## Views of the statutory officers

**The Chief Executive:** "This Council has always been clear that we are willing to collaborate where there is a clear and decisive case in favor of doing so. The assessment of the collaboration within this field shows the benefits of joint working, although from looking forward, some areas require further consideration. I approve the recommendation.

**The Monitoring Officer:** The recommendations for taking the joint working arrangements forward to the post Joint Local Plan period represent an appropriate response. Obviously, further detailed work will be needed to amend the partnership arrangements. The functions of the Joint Committee need to be reviewed and this will be the subject of a further report with amended terms of reference for the Cabinet to consider and delegate.

**The Head of Finance Department:** The figures to date show that savings have been made through collaboration. While the figures in the report are departmental objectives for 2017-2022, I gather that the costs of operating as individual Councils would be significantly higher than joint working. If the Cabinet approves the proposal to continue joint working this would mean minimizing the departmental bid for specific funding for 2018/19.

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## Appendices

**Appendix 1: Timetable and preparation steps of the Joint Local Development Plan**

**Appendix 2: Review of the Joint Planning Policy Unit**

**Appendix 3: Work Scope of the Joint Planning Policy Unit**

**Appendix 4: Estimated cost of the next five years (not including staff costs)**