

GWYNEDD COUNCIL CABINET



Report to a meeting of Gwynedd Council Cabinet

Date of meeting:	19 July 2022
Cabinet Member:	Councillor Dafydd Meurig - Cabinet Member for the Environment
Contact officer:	Gareth Jones, Assistant Head of Environment Department
Subject:	Future of the Joint Planning Policy Unit (Gwynedd and Anglesey)

THE DECISION SOUGHT

That the Cabinet agrees:

- 1) To extend the current collaboration agreement for the provision of the Joint Planning Policy Service until 31 March 2023;
- 2) That the collaboration agreement, and therefore the Joint Planning Policy Unit Service and the Joint Planning Policy Committee, is terminated on the 31 March 2023, and that a new Planning Policy Service is created for the Gwynedd planning authority area;
- 3) That the new Planning Policy Service prepares a New Local Development Plan for the Gwynedd planning authority area only;
- 4) That arrangements for supporting and making decisions on the process of preparing a New Local Development Plan and relevant planning policy matters are created for the Gwynedd planning authority area;
- 5) To delegate powers to the Head of Environment Department to agree on collaboration arrangements with Anglesey to ensure that the Council continues to meet the statutory requirements (and any associated work), required to monitor the Joint Local Development Plan;
- 6) That given this is a high priority matter, the Cabinet is requested to prejudge the annual bidding process and agree a bid for £70,000 of permanent revenue budget in order to meet the additional cost of establishing a Gwynedd Planning Policy Service;

REASONS FOR THE NEED FOR A DECISION

The collaboration agreement that is in place between Gwynedd Council and the Isle of Anglesey County Council to provide the Joint Planning Policy Service (JPPS), will end on 31 July 2022, and therefore a decision is needed regarding the JPPS for the future.

1. Background

- 1.1. The Joint Planning Policy Service (JPPS) was established by Gwynedd Council and the Isle of Anglesey Council on 1 May 2011 and subsequently, an agreement was reached on a collaboration agreement for the implementation of the JPPS, which ran until 31 December 2017. The main duty of the JPPS at the time was preparing the Joint Local Development Plan for the two local planning authority areas.
- 1.2. At the time, both authorities agreed that there was a strong business case for establishing the collaboration agreement, and this was evidenced following a review of the JPPS in 2017, which highlighted the planning and financial benefits for both authorities, which included:
 - Creating a more resilient service with a great deal of expertise across a number of planning fields.
 - Planning on a more strategic level and integrating cross-boundary policies.
 - Combining efforts in order to address local matters that are important to both authorities.
 - Sharing costs 50/50, and therefore making the best use of both authorities' resources and saving costs for the authorities.
 - Fully addressing matters in order to prepare a robust Joint Local Development Plan.
- 1.3. Following the review of the JPPS in 2017, both authorities agreed that there remained a strong business case to continue with the collaboration agreement, and in March 2017, it was agreed to continue with the arrangement up to 31 July 2022.
- 1.4. Since the Joint Local Development Plan was adopted on 31 July 2017, the main tasks of the JPPS have included monitoring the plan and preparing annual monitoring reports, preparing supplementary planning guidance, providing planning policy advice to both authorities' Planning Service, responding to Welsh Government consultations and commencing the process of reviewing the plan. In March 2022, the first step in the review process was achieved when approval was received from the Full Councils to publish and present a Review Report to the Welsh Government.
- 1.5. The next main task in the pipeline for the JPPS is to prepare a New Local Development Plan, and this work is a high priority for both Authorities. Appendix 1 includes an overview of the steps and process of preparing a New Plan.

2. Future Planning Policy Service provision

- 2.1 As the collaboration agreement terminates at the end of July 2022, high-level discussions have been taking place between the officers of both authorities over the past months regarding the future of the JPPS. A mutual conclusion was reached to recommend to Gwynedd Council's Cabinet and to the Isle of Anglesey County Council's Executive, to proceed with the process to wind-up the existing collaboration agreement.

2.2 The recommendation of both authorities has been undertaken by considering the high priority given to the preparation of a New Local Development Plan, and the changes that have occurred since the collaboration agreement was established in 2011.

2.3 Consideration was also given to the two main options that were open to the authorities for the provision of the Planning Policy Service in the future, looking at what the options would include, as well as consideration of any benefits and opportunities, disadvantages and any resulting risks to Gwynedd. Therefore, the following includes an assessment of the two main options and all matters that have been considered:

Option 1: Continue with the existing collaboration agreement

2.4 Option 1 would include:

- A new collaboration agreement for the implementation of the JPPS for a minimum 4-year period.
- A new agreement to deliver and support the Joint Planning Policy Committee.
- Prepare a single New Joint Local Development Plan.

2.5 Option 1 would result in a decision that is similar to the one made by both authorities back in 2011, before commencing the process of preparing the Joint Local Development Plan. Therefore, it follows that the benefits for both authorities that are outlined in part 1.2 of the report, could also be relevant when preparing the New Joint Local Development Plan. Consideration must also be given to the advantages associated with the fact that:

- The Team (Service) of 8 permanent officers has already been established, along with all relevant procedures, and has previous experience of preparing an adopted Local Development Plan.
- Governance arrangements have been established, along with decision-making arrangements.
- The costs are shared between both authorities, which will save money for both authorities.

2.6 Whilst the above advantages are noted, at the same time we must acknowledge that the national, regional and local planning context has changed considerably since the two authorities agreed to establish collaboration arrangements in 2011. At the same time, the aspirations of the two authorities are very different to the situation as it was back in 2011. Whilst accepting that advantages derive from continuing with the existing collaboration arrangements, the potential disadvantages and risks could include:

- The need to continue to report to two authorities with the process of preparing a New Joint Local Development Plan and associated policy work.
- Will preparing and New Joint Local Development Plan meet the individual vision and aspirations of the two authorities and is it possible to prepare a robust Plan that will achieve that?
- The establishment of the Corporate Joint Committee with its statutory requirement to prepare a Strategic Development Plan for the North Wales

region, which is a new tier of planning policy that did not exist when the JPPS was established in 2011. There is uncertainty about the impact of this on Local Planning Policy Services in terms of resources etc. now and in the long term, and this is a matter that must be considered by the authorities individually.

Option 2: Bring the collaboration agreement to an end

2.7 This is the option that both authorities are recommending to the Gwynedd Council Cabinet and the Isle of Anglesey County Council Executive. This option would include:

- Abolishing the JPPS and creating a separate Planning Policy Service for the two authorities.
- That the authorities prepare separate New Local Development Plans for their areas.
- Abolishing the Joint Planning Policy Committee and having separate arrangements in place for both authorities, that will feed into and make decisions when preparing a New Local Development Plan and relevant planning policy work.
- Continuing to collaborate on the work that must be done to monitor the Joint Local Development Plan.

2.8 The advantages and opportunities with option 2 include:

- Creating a new Planning Policy Service that gives 100% ownership to Gwynedd and focuses on the needs of the residents of the Gwynedd planning authority area.
- Preparing a New Local Development Plan with a vision for the Gwynedd Planning Authority area, which has local planning policies that facilitate that.
- The political input to the process of preparing and making decisions on the process of preparing a New Local Development Plan, restricted to Gwynedd Council Members only.
- The need to report to one authority only when preparing a New Local Development Plan and relevant planning policy work.
- An opportunity to take advantage of the expertise of the Planning Policy Service to lead on projects (e.g. holiday homes and second homes), or to carry out research that is important to Gwynedd.
- Development opportunities for staff and looking at a Planning Policy Service structure that meets the needs of Gwynedd.
- Opportunities to consider the possible demand on the staff resources of Gwynedd Planning Policy Service, as a result of the work being done to prepare a Strategic Development Plan for the North Wales region.
- Opportunities to have Gwynedd's input and influence on the process of preparing the Strategic Development Plan.
- Opportunities to plan for the future in Gwynedd, noting that the Government's requirements in terms of preparing Local Development Plans will change after

the Strategic Development Plan is adopted, with the subsequent requirement for planning authorities to prepare a concise Local Development Plan ("lite").

- Opportunities to continue to collaborate with Anglesey and other authorities when there are advantages from doing so.

2.9 It can be seen from the above that there has been considerable change in the planning policy context since 2011, particularly on a regional level with the statutory requirement for Strategic Development Plans. The main opportunities offered by this option is that it gives Gwynedd ownership of the Planning Policy Services and New Local Development Plans, which in turn will focus on meeting the vision and aspirations of Gwynedd and the needs of the area's residents. This will also provide opportunities to seek to plan for the needs of Gwynedd Planning Policy Service in the future, and consider the implications of the Strategic Development Plans.

2.10 There is also a need to consider the potential disadvantages and risks that could derive from bringing the collaboration agreement to an end, including:

Creating a new Planning Policy Service for Gwynedd

2.11 Given the need to follow specific processes to bring the collaboration agreement to an end, which will include transferring / recruiting staff, there will be a delay in the process of commencing the work to produce a New Plan for a period of between 6 and 12 months, as the new Planning Policy Service would need to be established initially. The delay would also increase the risk of not having a New Plan adopted before the end of 2026 (the end of the period of the Joint Local Development Plan) which also presents risks associated with applications for speculative Development.

2.12 There are eight full-time posts in the Service at present, compared to 12 when the JPPS was first established in 2011 (7 from Gwynedd and 5 from Anglesey). It is anticipated that a minimum of 6 permanent planners (including a Manager) would be needed, along with 1 temporary support officer, for the new Planning Policy Service for the Gwynedd planning authority area. This would equate to a permanent additional annual cost for the Council of approximately £70,000. There would also be a temporary annual cost for three years of approximately £37,000, but half of this finance is already in place following a successful one-off revenue bid, with the remainder to be financed from a reserve fund which stems from savings that have accrued from the collaboration arrangement. The basis to the new structure and additional costs include:

- Whilst acknowledging the work field and associated duties (see below), it is essential to create a Planning Policy Service, with a Service Manager, for Gwynedd.
- The need to give the Council the best opportunities to recruit planning officers at the appropriate level, in order to deliver the functions of the new Planning Policy Service.
- The Service's main work will include preparing the New Local Development Plan.

- At the same time, and for the period up to 2026, there will be a need to continue to monitor the Joint Local Development Plan (with Anglesey).
 - The Service's input will be needed in the process of preparing a Strategic Development Plan for the region, and this will happen at the same time.
 - The Service is likely to continue to lead on holiday homes and second homes matters from a planning perspective, and possibly on other projects that are a priority for the Council.
 - Continuing to deal with day-to-day planning policy matters, such as providing planning policy guidance to the Council's Planning Service, developers and the public, and responding to Welsh Government consultations and documents from other bodies.
- 2.13 Therefore, it must be acknowledged that there will be higher staff costs for the Council with this option. Also, it must be acknowledged that there is no certainty that Gwynedd will succeed to recruit staff to the new Service, bearing in mind that a new Planning Policy Service will also be created in Anglesey. The truth is that more jobs will be available between the two new Services, compared to the eight posts that are currently in the Service. Also, at the same time, the Corporate Joint Committee is likely to be advertising jobs that will be needed to prepare the Strategic Development Plan. Therefore, there is a risk that recruitment difficulties could affect and delay the process of commencing and preparing the New Local Development Plan. Also, it must be borne in mind that providing the JPPS since 2011 has shared staff costs 50/50 and has saved costs, and also that savings have been realised over the years, which reduced the number of jobs from 12 to 8.

Creating a New Local Development Plan for the Gwynedd Planning Authority Area

- 2.14 One-off costs are associated with the process of preparing a Local Development Plan, whether this is done jointly or not. These costs include commissioning any work required to gather the evidence base, and the Public Examination at the end of the process, which is where the greatest costs lie. Opportunities will remain to jointly-commission some pieces of work (with Anglesey or Snowdonia National Park Authority and other authorities) - but it is likely that there will be a need to commission work that is specific to Gwynedd, and Gwynedd must pay all of the costs associated with the Public Examination.
- 2.15 Since Gwynedd would be paying all of the costs associated with the process of preparing a New Local Development Plan, it will not be possible to save costs, unlike the situation with the existing collaboration agreement. As an indicative estimate, the process of preparing a New Local Development Plan for the Gwynedd planning authority area only could cost around £150,000 more. The savings in the reserve fund that have been accrued over the years by collaborating, can contribute towards the total costs associated with the process, but a bid for "one-off" revenue funding will be required in the future to cover all the costs.

The preferred option

- 2.16 Both authorities, following their discussions over the past months, recommend commencing the process to terminate the collaboration arrangements, namely option 2, and the advantages to Gwynedd are set out in part 2.8 of the report.

In terms of the opportunities to focus specifically on Gwynedd Council's vision and aspirations and the needs of Gwynedd's residents, then terminating the collaboration agreement is the option that would best achieve that and therefore this is the preferred option. In order to ensure sufficient time to facilitate a smooth transition from the existing collaboration agreement, and move to create a separate Planning Policy Service, it is believed that the collaboration agreement will need to be extended up to the end of March 2023, and to terminate the collaboration agreement after this time.

- 2.17 It must be emphasised that this is in no way a reflection of the JPPS's work and the support provided to them by both authorities since 2011, and it is acknowledged that the JPPS has indeed achieved its purpose and brought benefits to both Authorities.
- 2.18 In making a decision on the matter, the Cabinet will need to weigh up the advantages and opportunities against the disadvantages and risks that will emerge following the termination of the collaboration agreement, as highlighted in the report.

3. Consultation and next steps

- 3.1 Discussions have been held at the Joint Planning Policy Service's Management Team, as well as with other senior officers at both Authorities. Also, a meeting has been held with JPPS staff to explain the situation and the recommendations for the future, and the Management Team provides updates as needed.
- 3.2 Appendix 2 to the report includes the steps and timetable that the JPPS Management Team has agreed upon for the coming months, however, it will require Cabinet approval to act upon some of the steps.

Views of the statutory officers

The Monitoring Officer:

Any further observations from a propriety perspective will be presented at the meeting

Head of Finance:

Extending the current arrangement is a sensible step, which will allow both councils to prepare for new arrangements from 1 April 2023. The Cabinet's decision to prejudice the bidding regime would mean that it will not be possible to weigh up this requirement against other bids for limited resources, but this issue is a high priority for the Council and the proposed course of action is therefore reasonable. Officers from the Finance Department have worked with the author on the financial information and I can confirm its accuracy.

Appendices

Appendix 1: The steps for preparing a New Local Development Plan

Appendix 2: The next steps for preparing separate Planning Policy Services