

<b>Isle of Anglesey County Council</b>	
Report to:	<b>The Executive</b>
Date:	<b>19<sup>th</sup> of July</b>
Subject:	<b>Future of the Joint Planning Policy Unit (Anglesey and Gwynedd)</b>
Portfolio Holder(s):	<b>Councillor Nicola Roberts (Planning, Public Protection and Climate Change)</b>
Head of Service / Director:	<b>Christian Branch, Regulation and Economic Development Service</b>
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Local Members:	<b>Relevant to all Elected Members</b>

#### A – Recommendation/s and reason/s

##### **Recommendations:**

- 1. Extension to the current joint-working agreement for the provision of the Joint Planning Policy Unit up to 31 March 2023.**
- 2. That the joint-working agreement, and therefore the Joint Planning Policy Unit and the Joint Planning Policy Committee, come to an end on 31 March 2023, and that there is agreement in principle for a new Planning Policy Team to be created for the Anglesey planning authority area.**
- 3. That the new Planning Policy Service prepare a New Local Development Plan for the Anglesey planning authority area.**
- 4. That arrangements for supporting and decision making on the process of preparing a New Local Development Plan and relevant planning policy issues are presented for the Anglesey planning authority area.**
- 5. Delegate authority to the Head of the Regulation and Economic Development Service to agree on collaboration arrangements with Gwynedd, in consultation with the Chief Executive, to ensure that the Council continues to meet the statutory requirements (and any related work), which is required for Monitoring the Joint Local Development Plan.**

##### **Background**

The Joint Planning Policy Unit (JPPU) was established by Anglesey and Gwynedd Councils on 1 May 2011, and subsequently a collaboration agreement was agreed for the operation of the JPPU which ran until 31 December 2017. The main duty of the JPPU at the time was to prepare a Joint Local Development Plan for the areas of the two local planning authorities.

Both authorities at the time agreed that there was a strong business case for establishing the joint-working arrangement, and that was evidenced following a review of the JPPU in 2017, it highlighted the planning and financial benefits to both authorities which included;

- a. Creating a more resilient service with a lot of expertise across a number of planning areas.
- b. Planning at a more strategic level and integrating cross-border policies.
- c. Combining efforts to address local issues that are important to both authorities.
- d. Splitting costs 50/50, and therefore making the best use of the resources of both authorities and saving costs.
- e. Fully addressing the issues in order to prepare a robust Joint Local Development Plan.

Following the review of the JPPU in 2017, both authorities agreed that there was still a strong business case for continuing with the joint-working arrangement, and in March 2017 it was agreed to continue with the arrangement until 31 July 2022.

Since the adoption of the Joint Local Development Plan on 31 July 2017, the JPPU's main work has included Monitoring the plan and preparing annual Monitoring reports, preparing supplementary planning guidelines, providing planning policy guidance to the Planning Services of both authorities, responding to consultations by the Welsh Government and beginning the process of reviewing the plan. In March 2022, the first step in the review process was completed when the Full Councils' approval was obtained, to publish and present the Review Report to the Welsh Government.

The next main work in progress for the JPPU is the preparation of a New Local Development Plan, and this work is a high priority for both Authorities. **Appendix 1** contains an overview of the steps and process of preparing the New Plan.

## B – What other options did you consider and why did you reject them and/or opt for this option?

As the collaboration agreement expires at the end of July 2022, there have been high-level discussions between the officers of the two authorities over the past few months regarding the future of the JPPU. A joint conclusion was reached that it should be recommended to the Executive of Anglesey County Council and to the Cabinet of Gwynedd Council, to proceed with a process to wind down the current joint-working arrangement.

The recommended actions by both authorities have been undertaken taking into account the high priority to prepare a New Local Development Plan, and what has changed since the collaboration arrangement was established in 2011.

Consideration was also given to the two main options open to the authorities for providing Planning Policy capacity and expertise in the future, looking at what the options would include, as well as consideration of any benefits and opportunities,

disadvantages and risks to Anglesey as a result. The below therefore includes an assessment of the two main options and all the issues that have been considered:

**Option 1: Continue with the current joint-working arrangement**

Option 1 would include:

- a. A new joint-working agreement for the operation of the JPPU for a period of at least 4 years.
- b. A new agreement for providing and supporting the Joint Planning Policy Committee.
- c. Prepare one New Joint Local Development Plan.

Option 1 would mean that a decision similar to the one made by the two Authorities back in 2011, would be needed prior to starting the process of preparing the Joint Local Development Plan. It therefore follows that the benefits to the two authorities that have been outlined above can also be relevant when preparing a New Joint Local Development Plan. It must also be considered that there are advantages associated with the fact that:

- a. The Team (service) of 8 permanent officers has already been established together with all the relevant procedures, and already has experience in preparing a Local Development Plan that has been adopted.
- b. Governance arrangements have been established together with arrangements for decision making.
- c. The costs being shared between the two authorities will save money for both authorities.

Noting the advantages above, it must also be acknowledged that the planning context nationally, regionally and locally has changed considerably since the two authorities agreed to establish joint-working arrangements in 2011. Moreover, the aspirations of the two authorities are now very different to the situation back in 2011. Whilst accepting that there are benefits arising from continuing with the current joint-working arrangements, the disadvantages and possible risks may include:

- a. The need to continue reporting to two authorities with the process of preparing a New Joint Local Development Plan and related policy work.
- b. Will preparing a New Joint Local Development Plan meet the individual vision and aspirations of both authorities and is it possible to prepare a robust Plan that will achieve this?
- c. Establishing the Corporate Joint Committee, which has the statutory requirement to prepare a Strategic Development Plan for the North Wales region, which is a new layer of planning policy that did not exist when the Joint Planning Policy Service (JPPS) was created in 2011. There is uncertainty about what effect this will have on Local Planning Policy Services in terms of resources etc. now and in the long term, and this is a matter that the authorities must consider individually.

## **2.0 Option 2: End the collaboration arrangement**

This is the option that the two Authorities recommend to the Executive of Anglesey County Council and to the Cabinet of Gwynedd Council.

This option would include

- a. Abolish the JPPU and create separate Planning Policy Teams for the two authorities.
- b. That the authorities prepare separate New Local Development Plans for their areas.
- c. Abolish the Joint Planning Policy Committee and have separate arrangements for the two authorities, which will contribute to and make decisions when preparing a New Local Development Plan and relevant planning policy work.
- d. Continue to collaborate on the work that must be undertaken to monitor the Joint Local Development Plan.

The benefits and opportunities with option 2 include:

- a. Creating a new Planning Policy Service that gives Anglesey 100% ownership and focuses on the needs of Anglesey planning authority residents.
- b. Preparing a New Local Development Plan that has a vision for the Anglesey Planning authority area, and with local planning policies that facilitate this.
- c. The political input to the process of preparing and making decisions on the process of preparing a New Local Development Plan, limited to Anglesey Council Members only.
- d. The need to report to only one authority when preparing a New Local Development Plan and relevant planning policy work.
- e. An opportunity to take advantage of the expertise of the new Planning Policy Team to lead on projects or to carry out research that is important to Anglesey.
- f. Development opportunities for staff and to look at a structure for the Planning Policy Service which meets the needs of Anglesey.
- g. Opportunities to consider the possible demand on staff resources of the Anglesey Planning Policy Team, as a result of the work that will go on to prepare a Strategic Development Plan for North Wales.
- h. Opportunities to have Anglesey's input and influence on the process of preparing the Strategic Development Plan.
- i. Opportunities to plan for the future in Anglesey noting that the Government's requirements in terms of preparing Local Development Plans will change following the adoption of the Strategic Development Plan, with planning authorities then required to prepare a Summary Local Development Plan ("lite").

- j. Opportunities to continue working together with Gwynedd and other authorities when there are benefits that may arise from that.

It can be gathered from the above that there has been a considerable amount of change in the context of planning policy since 2011, especially at regional level with the statutory requirement for Strategic Development Plans. The main opportunities this option offers is to give Anglesey ownership of Planning Policy issues and New Local Development Plans, which will thereby focus on meeting Anglesey's vision and aspirations and the needs of the Island's residents. This will also provide opportunities to try to plan for the future needs of the Anglesey Planning Policy Team, taking into account the implications of the Strategic Development Plan.

It is also necessary to consider the possible implications, challenges and risks that would result from ending the joint-working arrangement which would include:

### **Creating a new Joint Planning Policy Service for Anglesey**

This will delay the process of starting the preparation of the New Local Development Plan, as it will be necessary to establish a new Planning Policy Team.

Currently, there are 8 full-time positions in the Service, which compares with 12 when the JPPU was established in 2011 (7 from Gwynedd and 5 from Anglesey).

It is anticipated that a strong and capable new Team of permanent planners (including a Manager) will need to be established for the Anglesey planning authority area. The basis for the new structure and additional costs include:

- a. Recognizing the area of work and the associated duties (see below), it is essential to create a Policy Planning Team for Anglesey with a Manager.
- b. The need to give the Council the best opportunities to recruit planning officers at an appropriate level, in order to fulfil the functions of the new Planning Policy Team.
- c. The main work of the Service will include the preparation of a New Local Development Plan.
- d. At the same time and for the period up to 2026, it will be necessary to continue to monitor the Joint Local Development Plan (with Gwynedd).
- e. The Service will need input into the process of preparing a Strategic Development Plan for the region, which will take place at the same time.
- f. The Service will likely lead on technical and challenging planning issues which are a priority for the Council.
- g. Continue to deal with day-to-day planning policy issues such as providing planning policy guidance to the Council's Planning Service, developers and the public, and responding to consultations from the Welsh Government and documents from other bodies.

It must therefore be recognized that there will be increased staffing costs for the Council with this option (costs to be confirmed). Also, it must be recognized that there is no guarantee that Anglesey will be successful in recruiting staff for the new

Team, noting that new Planning Policy capacity will also be created in Gwynedd. The reality is that there will be more jobs available between the two new Services, than the 8 jobs currently in the Service. Additionally, the Corporate Joint Committee will likely be advertising the positions required for the preparation of the Strategic Development Plan. Therefore, there is a risk that difficulties with filling positions may affect and delay the process of starting and preparing the New Local Development Plan. Also, it must be noted that providing the JPPU since 2011 has split the staff costs 50/50 and saved costs, and that savings have been implemented over the years, reducing the number of posts from 12 to 8.

An application for permanent revenue funding may be required for any additional staffing costs.

### **Creating a New Local Development Plan for the Anglesey planning authority area**

There are one-off costs associated with the process of preparing a Local Development Plan, whether this is undertaken jointly or not. The costs include the commissioning of any work required for gathering the evidence base, and the Public Audit at the end of the process, where the cost is greatest. There will still be opportunities to commission some pieces of work jointly (with Gwynedd and other authorities) - but it is likely that work specific to Anglesey will need to be commissioned, and Anglesey will have to pay the total costs of the Public Inspection.

It is difficult to predict exactly what the costs of the process of preparing a New Local Development Plan will be, as this is dependent on the impact of any changes such as a change to Planning Policy Wales, it may result in the need to commission additional work. Changes may also affect the costs of the Public Audit.

As Anglesey will pay all the costs for the process of preparing a Local Development Plan, it will not be possible to save costs as has been possible with the current joint-working arrangement.

This must of course be considered in the context of the fact that Gwynedd and Anglesey have benefited from cost savings since 2011 through the formal joint-working arrangements. Also, a reserve has been established from money that has been saved by Anglesey through joint-working. It is currently anticipated that this may contribute towards some of the costs of preparing the new Plan.

### **The preferred option**

The two authorities, following their discussions over the past few months, recommend starting the process of ending the joint-working arrangements, which is option 2, and the advantages for Anglesey are set out above. From the standpoint of the opportunities to focus specifically on the vision and aspirations of Anglesey County Council and the needs of the residents of Anglesey, then ending the joint-working arrangements is the option that would best achieve this and is therefore preferred. In order to ensure sufficient time to facilitate a smooth transition from the current joint-working arrangements, and to move to create a separate Planning Policy Service, it is considered that it will be necessary to extend the joint-working

agreement until the end of March 2023, and bring the joint-working arrangement to an end after that.

It must be emphasized that this is no reflection on the work of the JPPU and the support they have received from both Authorities since 2011, recognizing that the JPPS has certainly achieved its purpose and brought benefits to both Authorities.

**C – Why is this a decision for the Executive?**

Given the strategic and operational implications of the decision, it is essential that the Executive approves the recommendations.

**Ch – Is this decision consistent with policy approved by the Full Council?**

The Council's Executive agreed to establish a Joint Planning Policy Unit in June 2010.

**D – Is this decision within the budget approved by the Council?**

A budget already exists for the Council's financial contribution to the Joint Planning Policy Unit. An application for permanent revenue funding may be required for any additional staffing costs.

The costs of preparing a new Local Development Plan are currently being assessed.

**Dd – Assessing the possible effects (if relevant):**

1	How does this decision affect our long term needs as an Island?	The creation of a new Planning Policy Team will give Anglesey 100% ownership of planning matters, and allow the Council to focus on the needs of Anglesey planning authority residents.
2	Is this a decision that is anticipated to prevent future costs / dependencies on the Authority? If so, how?	A new Team will lead to additional costs for the Council.  These costs are being assessed with the intention of presenting them formally to the Executive in the near future.
3	Have we been working together with other organizations to come to this decision? If so, please note with whom.	The preferred option has been identified following discussions with Gwynedd Council.
4	Have the citizens of Anglesey played a role in drafting this way forward, including those on whom the decision would have a direct impact? Explain how.	The future of the Joint Planning Policy Unit is a matter for the Council.
5	State any potential effects this decision would have on the groups protected under the Equality Act 2010.	Not relevant

6	If this is a strategic decision, note any potential effects the decision would have on those experiencing socio-economic disadvantage.	Not relevant
7	State any possible effects that this decision would have on opportunities for people to use the Welsh language and not to treat the Welsh language less favourably than the English language.	The new Team would operate, and be managed, through full compliance with the Council's Welsh language policy.

E – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	The need to ensure a robust and fair process and timetable to end the current agreement
2	Finance / Section 151 (mandatory)	A further report to the Executive is required to confirm the costs of establishing a new Planning Policy Team
3	Legal / Monitoring Officer (mandatory)	A report to the Full Council is required to establish a new political order after the abolition of Joint Committee
4	Human Resources (HR)	Need to ensure that all employment changes for staff are considered along with the legal requirement to consider potential TUPE implications. All relevant employment consultation legal processes must be followed.  It is also necessary to consider here that if option 2 is followed and more staff are required, current labour market trends could have an impact on the ability to recruit for the specialist roles required
5	Property	
6	Information Technology (IT)	
7	Procurement	
8	Scrutiny	
9	Local Members	

#### F - Appendices:

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

**Appendix 2:** The next steps for the provision of separate Planning Policy Services



Ff – Background papers (please contact the author of the Report for any further information)

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APPENDIX 1

Key Step		Timeline
<b>Definitive</b>		
<b>Step 1</b>	<b>Delivery Agreement</b> Prepare and present	<b>Up to 4 weeks for Welsh Government approval (usually less)</b>
<b>Step 2</b>	<b>Pre Deposit</b> Prepare and include	<b>Approx. 1.5 years</b>
<b>Step 3</b>	<b>Preferred Strategy</b> Public Consultation	<b>Approx. 1.5 years</b>
<b>Step 4</b>	<b>Deposit Plan</b> Public Consultation	<b>Approx. 1 year</b>
<b>Indicative</b>		<b>Timeline</b>
<b>Step 5</b>	<b>Presenting</b>	<b>Approx. 11 months in accordance with Planning Inspectorate Procedural Guidance</b>
<b>Step 6</b>	<b>Audit</b>	
<b>Step 7</b>	<b>Inspector's Report</b>	
<b>Step 8</b>	<b>Adopting</b>	
		<b>Total plan preparation time of three and a half years (plus one slippage period of three months)</b>

**APPENDIX 2**

**ACTIONS FOR THE 2022/23 JOINT POLICY PLANNING SERVICE MANAGEMENT TEAM  
AGREED ON 10 JUNE (SUBJECT TO CABINET DECISION)**

<b>MATTER</b>	<b>ACTIONS AND OUTPUTS</b>	<b>BY</b>
<b>Contact the Welsh Government</b>	1. Meeting with WG officers – GJ to arrange a meeting for the MT with Mark Newey and Candice Myers.	<b>By the end of June 2022</b>
<b>Decision on the Planning Policy Service moving forward (agreement expires at the end of July 2022)</b>	<p>The MT agreed that Reports need to be submitted to the Cabinet (CG) and the Executive (YM) before the end of July 2022 with recommendations to include:</p> <ul style="list-style-type: none"> <li>• The MT agreed the need to extend the agreement until the end of March 2023 in order to establish new arrangements and deal with staffing issues, with the agreement to end thereafter.</li> <li>• Arrangements for future Governance as the Joint Planning Policy Committee will be abolished.</li> <li>• Prepare separate Local Development Plans</li> <li>• Joint-working arrangement for the future</li> <li>• Staffing issues. (It is noted that some of these issues will be issues for the Authorities individually - but if there are additional costs which are likely on the CG side - these will need to be identified)</li> </ul> <p>The MT agreed to reconcile the reports as far as possible with GJ to share a draft with CB and DJ.</p>	<b>19 July 2022 – Cabinet (CG) and Executive (YM) meetings</b>
<b>JPPU staff and individual Policy Services (CG and YM)</b>	<ol style="list-style-type: none"> <li>1. Update and support Service staff. RJ to update in her team meetings - with the MT also to update when timely.</li> <li>2. Guidance from Human Resources (TUPE issues etc). CB to confirm YM's human resources contact and GJ to confirm CG's contact.</li> <li>3. Create new Policy Services staff structures for the individual Authorities - according to their individual needs, financial situation, individual aspirations etc. also taking into account the additional requirements of SDP / CJC. This to include JD and appraisal (if necessary).</li> </ol>	<p><b>Ongoing</b></p> <p><b>Before the end of June 2022</b></p> <p><b>Before the end of September 2022</b></p> <p><b>October 2022</b></p>

	<p>4. The MT agreed that the authorities' arrangements should run parallel. GJ to send current job descriptions to DJ</p> <p>5. Consultation on the new structures - the MT agreed that this should be done jointly with the Service's staff - the input of human resources is required.</p> <p>6. Recruiting staff to the Structures.</p>	<p><b>Before the end of March 2023</b></p>
<b>Finance</b>	<p>1. CB and GJ to confirm contacts for finance matters</p> <p>2. CG need to invoice YM for 2022/23 – for the year following the decision in July 2022.</p> <p>3. Need to transfer 50% of any funding in the reserve to YM and tidy up accounts when the agreement ends</p> <p>4. Both Authorities need to consider how to address any additional financial costs that may arise from their new staff structures</p> <p>5.</p>	<p><b>Before the end of June 2022</b></p> <p><b>July / August 2022</b></p> <p><b>After March 2023</b></p> <p><b>For the authorities to consider individually.</b></p>
<b>Governance arrangements for JPPU until the end of the joint-working agreement</b>	<p>1. 1. A new Joint Planning Policy Committee has been created - meeting on 17 June 2022.</p> <ul style="list-style-type: none"> <li>• The MT agreed the need for a session to raise awareness before the Committee</li> <li>• Approve accounts - only decision required by the Committee.</li> </ul>	<p><b>17 June 2022</b></p>
<b>High level work programme - until the end of the joint-working agreement</b>	<p>1. <b>1. Delivery Agreements (Draft)</b> The MT agreed the desire from both Authorities to prepare Delivery Agreements (draft) in order to facilitate the separate arrangements that are underway. It was agreed not to report the Agreements to the Joint Panel / Committee - as these will be matters for the individual authorities to consider. The DA will be in draft form and the individual Authorities will need to fill in information regarding resources etc.</p> <p>2. <b>Annual Monitoring Report</b> Work <b>necessary</b> to complete AMR 2021-2022. The MT agreed that this must be done and reported to the</p>	<p><b>Until March 2023</b></p> <p><b>Before the end of October 2022</b></p> <p><b>Until the end of March 2023</b></p> <p><b>Until the end of March 2023</b></p>

	<p>Panel and Joint Committee before presenting to WG.</p> <p><b>The MT also agreed on the following pieces of work:</b></p> <ol style="list-style-type: none"> <li><b>3. <u>Monitoring Housing</u></b> Necessary work having started on this already 2021-2022. Information feeds into the AMR</li> <li><b>4. <u>Planning Applications</u></b> Continue to provide input on planning applications and pre-application advice as the need arises.</li> <li><b>5. <u>Joint Strategic Flood Consequences Assessment with Snowdonia National Park</u></b> Work has started on this. Need to submit to the Government by the end of November.</li> <li><b>6. <u>Employment Land Review – in collaboration with Snowdonia National Park.</u></b> This is an important evidence base for Local Development Plans. The preparation of a brief has started with discussion continuing between the 3 Authorities (Planning Policy and Economic Development). Undertaking joint work is sensible for a number of reasons including cost and understanding the need across the sub region - this has been agreed at the level of relevant officers</li> <li><b>7. Other issues that arise which are priorities for the Authorities (e.g. Holiday Homes issues, consultations)</b></li> </ol>	<p><b>End of November 2022</b></p> <p><b>To be confirmed</b></p> <p><b>To be confirmed</b></p>
<p><b>A framework joint-working after the joint-working agreement has ended</b></p>	<ol style="list-style-type: none"> <li><b>1. Need an informal agreement / understanding between the two councils on the work that will need to be done with the Joint Local Development Plan and beyond - see the possible work programmes below.</b></li> </ol>	<p><b>Before the end of March 2023</b></p>
<p><b>Work programme after the agreement ends in relation to the requirements of the Joint Local Development Plan up to 2026</b></p>	<p><b>The MT agreed that this work includes:</b></p> <ol style="list-style-type: none"> <li><b>1. Annual Monitoring Report 2022-2023 and annually until 2026 (plan period) - who and how it will be done noting that procedures are already in place in Gwynedd for this.</b></li> </ol>	<p><b>1 to 4 ongoing until 2026</b></p>

	<ol style="list-style-type: none"> <li>2. Housing Monitoring (this work is essential for the Annual Monitoring Report) - it will be necessary to establish a way of gathering the information of the two authorities. Currently using an external system.</li> <li>3. Housing growth figure and also holiday home threshold figure, both authorities will need to establish a way of collecting this information. This work is essential for the Planning Services work of both Authorities.</li> <li>4. Provision of consistent guidance with the implementation of planning policies where necessary as a result of an appeal decision or where there is change at national level</li> </ol>	
<p><b>Additional collaboration opportunities.</b></p>	<p><b>The MT agreed that this may include:</b></p> <p><b>New Individual Local Development Plans</b></p> <ol style="list-style-type: none"> <li>1. Joint commissioning of research work / gathering evidence where there are advantages for both Authorities.</li> <li>2. Possibility of a joint SPG</li> </ol> <p><b>Strategic Plans that affect both Authorities (e.g. Wylfa, National Grid)</b></p>	<p><b>When required</b></p>