

Isle of Anglesey County Council	
Report to:	Planning Policy Committee
Date:	21st February 2024
Subject:	Update on positions relating to staffing of the new Planning Policy Team and initial progress towards the preparation of a new Local Development Plan
Portfolio Holder(s):	Cllr. Nicola Roberts (Planning, Public Protection and Climate Change)
Head of Service / Director:	Christian Branch Head of Regulation & Economic Development Service
Report Author:	John I. Williams (Planning Policy Manager)
Tel:	
E-mail:	johnwilliams2@ynysmon.llyw.cymru
Local Members:	Applicable to all Elected Members

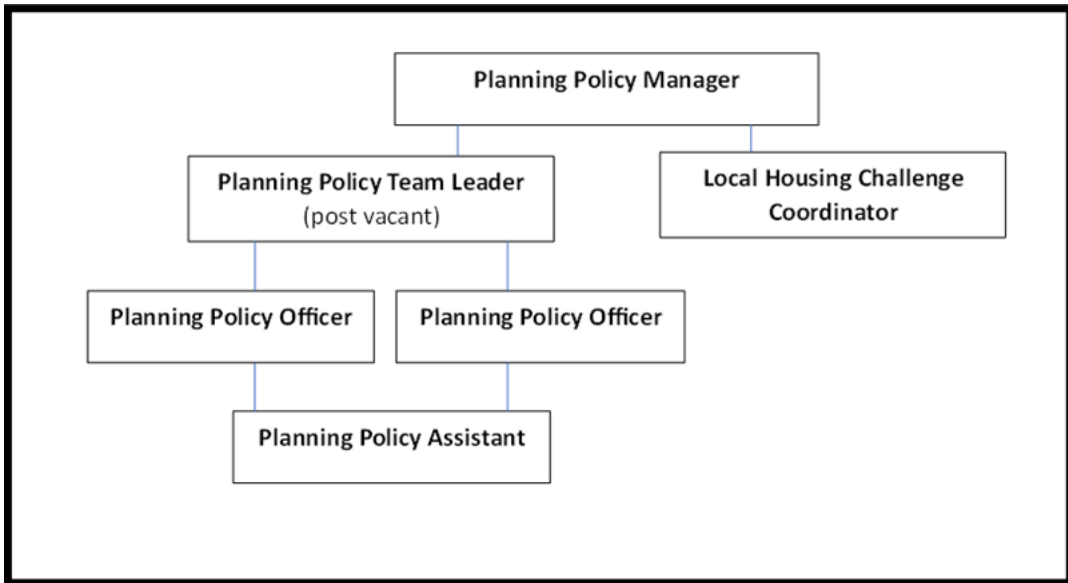
1.0 Purpose of report

1.1 This report focuses on the following:

- Providing an update for Committee members on progress in the establishment of a new Planning Policy Team;
- Providing an indicative work programme for the Team;
- Discussing matters relating to the Delivery Agreement and Community Involvement Scheme;
- The establishment of an internal Senior Officers' Group to provide strategic leadership and direction in relation to the replacement LDP;
- Discussing provisions for the Annual Monitoring Report for 2024;
- Updating members on matters relating to legislation relating to second homes and holiday lets and powers to restrict permitted development rights in this respect; and
- Providing detail relating to member training in relation to planning policy issues and the preparation of a new development plan.

2.0 Staffing

2.1 Candidates were successfully interviewed and appointed to three of the vacant four roles in the Planning Policy Team during November 2023. Due to the need to serve notice periods and given the imminent Christmas break, it was agreed that the three newly appointed officers would commence their duties on 8 January 2024. The Team structure is illustrated below:



Planning Policy Team Structure

- 2.2 The post of Planning Policy Team Leader remains vacant and was re-advertised on 13 February following amendments to the person specification that were considered and approved by the appointments panel. If lack of capacity persists from the perspective of work activities, external assistance can be requested from framework contractors.

3.0 Work Programme

- 3.1 The team's work programme will be divided between essential tasks involved in the preparation of the LDP and continuing to provide advice and respond to queries from the public and consultation responses in relation to planning applications received.
- 3.2 An indicative work programme highlighting the programmed tasks over the next six months is attached as **Appendix 1**.

4.0 Delivery Agreement and Community Involvement Scheme (CIS)

- 4.1 The intention is to prepare and consult on a DA and CIS with a view to reporting to the Full Council meeting of September 2024 in order to obtain the Council's endorsement before submitting the documentation to Welsh Government for agreement. The preparatory stages of completing a LDP will be subject to a timetable encapsulated in a formal Delivery Agreement (DA) which must be agreed with Welsh Government. Work to draft the DA is under way and uses the draft prepared by the JPPU prior to the termination of joint working arrangements with Gwynedd Council as a basis for preparing the agreement. This Committee's Terms of Reference stipulates that all draft reports and documents prepared as part of the process of preparing the LDP shall be

brought before it for opinion and guidance thereby allowing the Committee to influence the DA and CIS.

- 4.2 The DA in its final form is an important and legal part of the process LDP preparation and forms an official agreement between the County Council and the Welsh Government. Any deviations from the DA that were not agreed to by the Welsh Government will form an important test of the soundness of the Plan. The content of the DA and the method by which the County Council implements it are essential to the LDP's success.
- 4.3 The DA will be divided into two parts:
- **The timetable** which sets out definite dates for the stages of LDP preparation up to the Deposit Plan period and will provide indicative dates up until the Plan's adoption;
 - **The Community Involvement Strategy** which sets out who the County Council will contact when preparing the LDP, how and when County Council officers, elected Members, the public, local interest stakeholder groups and developers can contribute to the whole process and what will happen to the responses.
- 4.4 The DA also sets out how the new LDP will be assessed in accordance with the requirements of the Development Plans Manual through the Sustainability Appraisal with Integrated Impact Assessments including the Plan's Impact Assessment on the Welsh language.
- 4.5 It is essential that adequate staff and financial resources are committed to undertaking the various steps necessary in the process of preparing the LDP.
- 4.6 Progress in developing the new LDP will be monitored and reviewed against the DA's requirements ensuring that different stages outlined in the timetable are reached/delivered in accordance with the dates set. However, instances may arise where the DA may need to be reviewed and amended. These include:
- If the process is significantly behind schedule (3 months)
 - If any significant changes are required to the Community Involvement Strategy
 - If there are significant changes in the resources available to the Council
 - If new UK or Welsh Government legislation, regulations or guidance require new procedures or tasks to be implemented
 - If any other changes to the environment materially affect the delivery of the plan in accordance with the DA.

If the need to revise the DA arises, consultation with specific bodies will be necessary in addition to seeking an agreement to do so with Welsh Government.

- 4.7 In relation to the CIS, the LDP Regulations require that the Council works in partnership with stakeholders and the community early in the process of

preparing the LDP. One of the key objectives of the Development Plans system is that Plans should be based on early, effective and meaningful community involvement in order to understand and consider a wide variety of perspectives (Development Plans Manual, March 2020).

- 4.8 The DA specifies how and when communities will be included in the LDP process in order to give communities the opportunity to help shape and influence the content effectively. The CIS will set out what the County Council intends to do where time allows and, if necessary, additional periods of engagement can be provided.
- 4.9 Input to the process will be expected from the public, businesses, landowners, developers, specific consultation bodies and general consultation bodies. A contacts database has been prepared in light of the preparation of the JLDP and this will form the basis of an updated database for the purpose of preparing the new LDP. Anyone has the right to ask to be added to or removed from the contact database at any time. Anyone who submits comments during any of the consultation periods will be added to the contacts database.
- 4.10 All stages of the LDP process will be subject to a Sustainability Assessment (SA) and, whilst it is generally a technical exercise, the opportunity will be given to those interested in the exercise to make representations. The evidence base supporting the SA will form part of a scoping report which will be subject to public consultation.
- 4.11 In terms of political involvement, all elected members will receive information at important times throughout the LDP preparation process, for example:
- discussion about the vision; strategic aims and objectives for the LDP;
 - consideration of the preferred strategy; and
 - when there are discussions about specific issues in terms of sites and settlements.

Members will also have an important role to play due to their local knowledge, acting as local "champions" in order to raise awareness in the communities and therefore facilitate the process of drawing up the LDP. Councillors' contributions will be guided by the Members' Code of Conduct and the Standards Committee in order to prevent any influence on the Councillors' role in making recommendations and decisions in the relevant committees.

- 4.12 Consultation with relevant officers within the Council will be key throughout the LDP preparation period. A group of senior officers representing all services and chaired by the Chief Executive is to be established. The group will discuss specific issues, e.g. housing, economy, education, and issues relating to specific areas to present and discuss LDP issues. Group discussions will feed into the Preferred Strategy for the LDP for consideration at the political level.

5.0 Senior Officer Group

- 5.1 A group of senior officers, chaired by the Chief Executive, is to be established and will meet on a regular basis with a view to:
- Ensuring cross Council input to inform and shape the preparation of the new LDP to ensure it reflects the Island's needs and challenges; and
 - To provide leadership and direction in relation to the formulation of a Preferred Strategy to be adopted in the preparation of the Anglesey Replacement Local Development Plan
- 5.2 Specialist officers will be invited to attend meetings and provide expert input as required. Terms of Reference relating to the group's purpose and governance have been drafted and are attached to this report as **Appendix 2**.
- 5.3 The intention is for the group to meet on a monthly basis initially with a provision to increase meeting frequency as circumstances dictate. The feedback and opinion of the Group will be included in the reports that are required to be submitted to and, where necessary, agreed by the Planning Policy Committee.

6.0 Annual Monitoring Report 2024

- 6.1 Monitoring of JLDP policies is a statutory requirement. As such, it will be necessary for the preparation of the ARM for 2024 which must be submitted to Welsh Government by 31 October 2024. Given that the JLDP was produced jointly with Gwynedd Council, the expectation from Welsh Government is that one such report is prepared to address a singular plan. However, given the termination of joint working arrangements with Gwynedd Council on policy matters, a different approach will have to be followed to address this year's report and the remaining three reports over the life of the JLDP.
- 6.2 In a recent meeting with officers from Welsh Government and Gwynedd Council, options were explored as to how the reporting burden could be discharged for this and the remaining life of the Plan given the ending of joint working. Gwynedd advised that they do not have the resources to author a joint report as they did for 2023 but WG officers reiterated their preference for a joint report. They did however concede that there was scope for some local elements if the larger elements of the Plan were addressed as one, suggesting that a scaled-back joint AMR would be preferable.
- 6.3 Despite the above, WG admitted to remaining open to discussions on single LPA reports and advised that the timetable to submit the 2024 report could be extended beyond Christmas if appropriate justification was provided.
- 6.4 Although appreciating the staffing difficulties that the Planning Function had experienced in recruiting a new Planning Policy Team, WG officers emphasised the need to continue monitoring activities in order to collect appropriate data to inform future Plan development.

- 6.5 A programme of monitoring activity is to commence shortly and may require the input of external providers via a framework agreement given the amount of work required to be undertaken in a relatively short timeframe.
- 6.6 The Policy Team will continue dialogue with Gwynedd Council colleagues where submission of joint data to outline progress in relation to priority indicators of the JLDP (eg housing, economic development, biodiversity enhancement) is required. Similarly, discussions will continue with Gwynedd Council as to how best to present this data for submission to WG. Other than this, an Anglesey-centric report will be prepared to outline progress in relation to other Plan indicators with an intention to present the report to the Planning Policy Committee in September 2024 for agreement prior to its submission to WG by 31 October. Should any delays be encountered, appropriate contact will be made with WG colleagues to request an extension of the submission date.

7.0 Second homes and short-term holiday lets (Article 4 Direction)

- 7.1 Given Gwynedd Council's recent experience in progressing this work and the recent commencement in post of our Local Housing Challenge Coordinator (LHCC), it was felt that a meeting with the relevant officer from Gwynedd Council and the LHCC would benefit Anglesey's work in this regard. The initial meeting proved valuable and provided a context for our work in this topic area. As per our response to Gwynedd Council's consultation on the issuing of a Direction, monitoring Gwynedd's progress in this area will prove instructional.
- 7.2 Eryri National Park Authority's recent decision to progress in this direction has also been noted and contact has been made with the NPA confirming our interest in learning from the NPA's experiences given that this is an issue that Anglesey will have to consider in due course.
- 7.3 This will be an issue that will require member/senior officer input in order that specific needs can be identified and provide a focus for future work in this regard. A formal Council resolution will be necessary if Anglesey is to follow in issuing an Article 4 Direction. A fully researched and evidenced report will be made to a full Council meeting, following its discussion in this forum, in due course.

8.0 Member Training

- 8.1 In response to the request made at the last meeting of the Planning Policy Committee (July 12 2023) a training programme for members is being prepared and will consist of an overview of the development plan preparation process supplemented by more detailed sessions looking at specific elements of the process focusing on individual work areas.
- 8.2 A full training programme for 2024-25 will be submitted to the Planning Policy Committee's meeting scheduled for 21 March 2024.

Planning Policy Team Work Programme (to December 2024)

Tasks	Responsible officer	Indicative Timescale	Actions	Comments	Indicative Target	Risks	Costs
Replacement Local Development Plan							
Meeting with Chief Exec./ Deputy Chief Exec.	Planning Policy Manager	January 2024	Meeting to discuss general issues relating to the preparation of a replacement LDP.	Meeting held and initial activities/targets agreed.			
Officers' Group meeting	Planning Policy Manager	February 2024	Need to finalise Terms of Reference for the group. Draft agenda and agree with Chief Exec. and convene meeting	Draft ToR and Plan preparation timetable prepared for agreement	Monthly meetings	LDP will not reflect Island's development priorities if no cross-service input	
Delivery Agreement (DA)	Planning Policy Manager	February 2024- September 2024	Refine initial draft prepared by Cyngor Gwynedd prior to termination of joint working. Provide Anglesey-focused direction to document	Look to Council Plan to set context and highlight key local priorities	Endorsement at Full Council meeting of September 2024	Will not be able to progress LDP without endorsement and subsequent agreement of DA with WG	
Community Involvement Scheme	Planning Policy Manager	February 2024- September 2024	Draft a scheme of involvement for engaging with communities and stakeholders on the DA and LDP	Need to be as inclusive as possible to ensure LDP addresses key local priorities	Part of DA endorsement programme	Community involvement advocated by WG. Risk that LDP will not be representative of Island's needs if insufficient community engagement	

Contacts database	Planning Policy Assistant	February 2024	Ensure that the contacts list is received from Cyngor Gwynedd. Update and establish additional contacts for inclusion on circulation lists. Ensure contacts list fully updated/prepared for consultation on DA initially and subsequent stages of plan preparation thereafter.	Laura to liaise with Heledd as agreed at meeting of 15/1/24. Initial work undertaken to establish database	Complete by end February 2024	Restricted contacts will inhibit inclusivity and policy development	
Joint Local Development Plan Monitoring							
Staff	Planning Policy Officers	February 2024 – March 2024	Commence monitoring activity to inform 2024 Annual Monitoring Report and provide evidential base for replacement LDP	AL, HR and LP to commence monitoring duties re housing commencements/completions . Will discuss at next week's (20/1/24) team meeting	Site monitoring to be completed by end March 2024 with report prepared for presentation to SLT/Planning Policy Committee September 2024 for endorsement prior to submission to WG	Failure to monitor will result in inability to comply with statutory AMR requirements and will deny a valuable evidence source to inform future policy/plan development	
Framework consultants	Planning Policy Manager/ Energy Island Programme Delivery Manager		Contact to establish whether they are able to provide assistance in relation to monitoring the current JLDP.	Initially, external assistance will be required to assist in preparing the Annual Monitoring Report for 2024. Thereafter, external assistance will be necessary to complete particular, specialist tasks related to producing the LDP		Lack of support will be reflected in ineffective monitoring	

Training							
Member training	Planning Policy Manager/External providers	Monthly to coincide with Committee meetings	Prepare and deliver a series of training events to inform elected members	Sessions to provide an initial overview of the plan preparation followed by more detailed sections to coincide with individual stages of plan preparation		Failure to provide sufficient training will result in ill-informed members and result in poor decision-making	
Officer training	Planning Policy Manager	Ongoing	Arrange appropriate training for newly-appointed officers	Need to provide adequate training to increase knowledge in relation to policy issues. Training can be provided by means of internal and externally provided content	Officers booked to attend Planning Aid Wales training on Strategic Development Plans. Planning Policy Manager to attend conference on Spatial planning, public health and health service policies: opportunities for improving health and addressing inequalities	Failure to maintain CPD and the development of staff	
Second homes and short-term holiday lets							
Article 4	Local Housing Challenge Coordinator (LHCC)	Ongoing	LHCC to examine evidential documents provided by Gwynedd Council with a view to commencing own evidence gathering.	Need for meaningful contact with senior officers and politicians to establish a direction of travel for progressing this work. Gwynedd and Eryri NP have already chosen to make Directions.		Need to secure focus and direction for report preparation. Research must be thorough and robust to inform recommendations	
Political							
Planning Policy Committee	Chief Planning Officer/Planni	Monthly	Prepare papers to update committee members on	Initial work to cover staffing, DA and community involvement scheme preparation	Need for member input is essential to guide LDP policy preparation		

	ng Policy Manager		progress of LDP preparation process				
Informal Executive Committee	Planning Policy Manager	ASAP	Need to initiate informal discussion in relation to strategic direction of LDP Need to understand position re Article 4	Council Plan to inform headline actions and planning's role in delivery			
Regional							
North Wales Strategic Plan	Planning Policy Manager	Ongoing	Contribute to progressing a strategic plan in the absence of a specific team at present	Need to contribute to discussions/actions in order that Anglesey's voice is heard		Failure to engage may result in poor representation for Anglesey in terms of inclusion in strategic terms	
Attend North Wales Policy Officers' meetings	Planning Policy Manager/ Team Leader	Monthly or as required	Update colleagues on progression of plan preparation and associated activities				
General							
Respond to DM consultations	Planning Policy Officers	Ongoing	Ensure that appropriate advice is provided to DM officers in relation to consultation on planning application	Assign different geographic areas of the island to individual officers for responding to planning applications		Poor decision-making	

**PLANNING POLICY PROJECT TEAM
TERMS OF REFERENCE**

Purpose

Ensuring cross Council input to inform and shape the preparation of the new LDP to ensure it reflects the Island's needs and challenges.

To provide leadership and direction in relation to the formulation of a Preferred Strategy to be adopted in the preparation of the Anglesey Replacement Local Development Plan

Objectives

1. Ensure the Council can undertake its statutory duties in relation to planning policy issues
2. Provide strategic and operational instruction, advice and scrutiny
3. Provide professional and technical advice, input and guidance in relation to differing service interests including legal, financial and governance obligations
4. Identify and review risks, issues, challenges and opportunities
5. Ensure compliance with Council policies and processes
6. Identify cross Service dependencies (e.g. ICT)

Membership

1. Chief Executive
2. Head of Function (Resources) & S151 Officer (or deputy)
3. Head of Profession HR and Transformation (or deputy)
4. Legal Services Manager & Deputy Monitoring Officer (or deputy)
5. Head of Service Regulation & Economic Development
6. Chief Planning Officer

Officers required to provide technical or specialist input will be invited to attend as appropriate.

Functions

Interpreting national planning policy from a Council and Service perspective.

The Group will provide technical input and opinion on:

- Draft documents prepared by the Planning Policy Team in the process of preparing the Local Development Plan before they proceed to stages that seek political approval and/or public feedback.
- Observations by the public and any stakeholder group/forum during periods of public engagement or statutory public consultation when preparing the Plan and potential responses of the Planning Policy Team.
- Draft documents in the process of preparing Supplementary Planning Guidance before they proceed to public consultation.

- Observations by the public and any stakeholder group/forum during periods of public engagement or statutory public consultation when preparing the Guidance and potential responses of the Planning Policy Team.
- The LDP's Annual Monitoring Report.
- Documents that are prepared as part of the process of reviewing the LDP.

Programme

The Head of Service Regulation & Economic Development, in consultation and agreement with the Group Chair, will be responsible for agreeing on the programme.

Coordination

Meetings will be arranged by the Regulation and Economic Development Service and held on a monthly basis/as necessary.

If the Chair is not available, a Deputy Chair will undertake this role, and will be responsible for liaising with the chair before and after meetings.

The only record of the meeting will be the action log and will be distributed within 3 working days.

Reporting Mechanism

The feedback and opinion of the Group will be included in the reports that are required to be submitted to the Planning Policy Committee.