

REPORT TO THE CABINET

24 October 2017

Cabinet Member: Councillor Dafydd Meurig (Planning and Environment)

Subject: An agreement between Local Planning Authorities to provide and support a Joint Planning Policy Committee for Gwynedd and the Isle of Anglesey County Council

Contact Officer: Gareth Jones, Senior Manager, Planning and Public Protection Service

Decision sought:

To authorise the Head of Environment Department and the Head of Legal Services to prepare and execute an Agreement between Gwynedd Council and Isle of Anglesey Council in order to formally re-establish the Joint Planning Policy Committee for Gwynedd and the Isle of Anglesey County Council.

To delegate the Cabinet's functions in respect of the matters referred to in part 6 of this Report, to the Joint Planning Policy Committee for Gwynedd and the Isle of Anglesey County Council

Local Member's Opinion

Not specifically relevant in this case.

Introduction

Background

1. On the 7 and 20 March 2017 the Gwynedd Cabinet and the Executive Committee of the Isle of Anglesey County Council, approved a proposal to continue to provide a Joint Planning Policy Service for both Authorities for a further five years.
2. The decision of the Cabinet also authorised Senior Officers of the Environment Department and the Legal Department, to Review the role

of the Joint Planning Policy Committee (JPPC) as a cross-boundary body to make decisions, before reporting to the Cabinet for approval.

3. The role of the Joint Planning Policy Committee was established by agreement in 2011 and ended when the Joint Local Development Plan was adopted on the 31 July 2017. This report therefore seeks further approval from the Cabinet, to delegate its functions in respect of the matters referred to in part 6 below, to the JPPC and to formulate a new agreement and to support the JPPC over the next 5 years.
4. Given that the role of the JPPC ended following adoption of the Joint Local Development Plan and the agreement to continue the joint working arrangement for the next 5 years, there is now a need to re-establish the role of the JPPC.
5. In order to continue the joint working arrangement for the provision of the Planning Policy Service, the JPPC has to be re-established in order to continue to make cross boundary decisions on certain matters. Furthermore, the functions of the JPPC need to relate to the work of the Joint Planning Policy Unit over the next 5 years and to the fact that we now have an adopted development plan.

Relevant considerations

Functions of the Joint Planning Policy Committee

6. The new agreement will be very similar to the previous 2011 agreement, which included the responsibility for the monitoring and review of the Plan. The proposed functions of the JPPC are included below with the new functions underlined:
 - i) Accepting the Annual Monitoring Report and offering advice on it before it is submitted to both Councils.
 - ii) Adopt Supplementary Planning Guidance for the Joint Local Development Plan that are common to both Councils.
 - iii) To have responsibility for the review of the Joint Local Development Plan.
 - iv) To submit the review report and revised delivery agreement for the Joint Local Development Plan to both Councils for agreement.
 - v) To have responsibility for revision of the Joint Local Development

Plan and the submission of the revised Joint Local Development to both Councils for adoption.

- vi) 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.
 - vii) Accepting and agreeing on an annual report about the joint governance and funding procedure.
 - viii) To appoint any panel or working group in order to assist the Committee to fulfil its functions.
7. The revised delivery agreement referred to in iv) is a public statement that includes a timetable for preparing a revised version of the Joint Local Development Plan following the review. It also includes a Community Involvement Plan, explaining when and how stakeholders and communities can contribute. In preparing a revised delivery agreement, the Authorities are expected to revise the delivery agreement that was originally agreed for the Joint Local Development Plan, to include the timetable for revision and to explain how communities are included in the process.
8. The Community Infrastructure Levy ("levy charge") referred to in vi) is a tool for Authorities in Wales (and England) to help deliver infrastructure to support development in their area. In order to consider a levy charge, the Authorities must go through a specific process of assessing evidence in relation to infrastructure requirement in the area over the Local Development Plan period. Furthermore, the potential impact of a levy charge on the viability of future development facilitated by the Local Development Plan, must be assessed to consider the level of the levy charge or whether any levy charge can be justified.
9. With regard to any Supplementary Planning Guidance which affects the administrative area of only one Authority, these will be provided to the JPPC for information only. Formal consultation will be undertaken with the other Authority in these circumstances. An explanation will be provided within the Supplementary Planning Guidance outlining why it relates to the administrative area of only one Authority.
10. It is important to note that matters of adoption of any Review of the LDP will be reserved to each individual Council. Furthermore, matters relating to Scrutiny will be retained by each Authority.

Membership of the Joint Planning Policy Committee

11. The only change in terms of membership would be to remove the right to appoint Members as reserves. This would be consistent with the recent legislative changes imposed in relation to the membership of Planning Committees, where reserves are now prohibited by statute.

Standing Orders of the Joint Planning Policy Committee

12. The Standing Orders of the JPPC will be in accordance with Gwynedd Council's Constitution. There will be 7 members of each Authority on the Joint Committee with a quorum of 4 members. The Chair of the Committee will rotate every 2 years between each Authority. Isle of Anglesey will Chair the Joint Committee for the first two years. The same will apply to vice-chairs, with Gwynedd holding this role for the first two years.
13. Only appointed members of the JPPC may vote and the venue for the Meetings will rotate between Caernarfon and Llangefni, with meetings usually held every quarter.

Next steps and timetable

14. If approval and authorisation is given by the Cabinet, the agreement will be signed on behalf of Gwynedd Council and the JPPC will be established for the next 5 years with its first meeting currently scheduled for the 17th November 2017.

Opinion of the Statutory Officers

Monitoring Officer:

This report, which has been agreed with Isle of Anglesey County Council has been the subject of guidance from the Legal Service. I have no observations to add from a propriety perspective.

Chief Finance Officer:

I support the decision sought, as the continuation of the existing joint working arrangement will avoid duplication of work and will therefore avoid additional costs that the Council would face working individually. Following discussions with the author of the report, I understand that there will be no new financial obligations related to signing the proposed agreement to re-establish the Joint Planning Policy Committee for the next five years, and the financial arrangements will be consistent with the recent arrangements. If there was an intention to amend any aspect of the finance arrangements for the Joint Planning Policy Committee, I expect that the Head of Environment will consult with me prior to signing the proposed agreement, and if there was an amendment of any significance, I expect that the Head of Environment will refer the matter back to the Cabinet.
