

Executive
1st October 2020

Title: Joint Local Plan Review
Lead Officers: Bill Hunt, Philip Clarke
Portfolio Holder: John Cooke
Public report / Confidential report: Public
Wards of the District directly affected: All

Contrary to the policy framework: No
 Contrary to the budgetary framework: No
 Key Decision: Yes
 Included within the Forward Plan: Yes
 Equality Impact Assessment Undertaken: No
 Consultation & Community Engagement: No
 Final Decision: Yes

Officer/Councillor Approval

Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	7/9/20	Bill Hunt
Head of Service	7/9/20	Dave Barber
CMT	7/9/20	Chris Elliott, Bill Hunt, Andrew Jones, Dave Barber
Section 151 Officer	7/9/20	Mike Snow
Monitoring Officer	7/9/20	Andrew Jones
Finance	7/9/20	Mike Snow
Portfolio Holder(s)	7/9/20	Cllr. Cooke

1. Summary

- 1.1 This report sets out proposals for the preparation of a Joint Local Plan for South Warwickshire to be carried out by this Council in conjunction with Stratford District Council, and seeks approval for this work to progress.

2. Recommendation

- 2.1 That Executive notes the work that has been undertaken by officers to explore how a Joint Local Plan Review may be undertaken with Stratford on Avon District Council (SDC) as set out in appendix 1.
- 2.2 That Executive supports the Council working with SDC to deliver a Joint Local Plan for South Warwickshire.
- 2.3 That, subject to SDC Cabinet also agreeing to work with this Council to deliver a Joint Local Plan for South Warwickshire, Executive agrees to the recommendations set out in appendix 1 as the basis for the Joint Local Plan to be prepared.
- 2.4 That Executive agrees that a budget of £100,000 be made available from the Planning Appeals Reserve to fund initial work of the Joint Local Plan for South Warwickshire during 2020/2021.
- 2.5 That, subject to recommendation 2.3, Executive notes that in respect of the recommendations in appendix 1 relating to the establishment of a Joint Executive/Cabinet, the details of how this will operate will need to be approved by this Council and SDC, and instructs officers to prepare a further report on the options and operations for this.
- 2.6 That Executive ask the Leader to agree terms of reference and other arrangements for the Local Plan Advisory Board and to appoint its members on behalf of this Council and that the Chief Executive be authorised to take all other steps necessary to implement the recommendations on the appendix.

3. Reasons for the Recommendation

Recommendation 2.1

- 3.1 In July, Executive approved a paper which considered matters relating to local government restructure, and in particular identified a number of opportunities for closer working with Stratford on Avon District Council (SDC). Specifically, it agreed that in the context of the joint statement that had been prepared by the leaders of the two councils *"that agreement be given in principle to conducting a Joint Core Strategy/Local Plan Review and that a further paper be presented setting out details of a proposed programme, a member and officer governance"*.
- 3.2 Following this decision, officers have begun detailed discussions with officers from SDC to consider both the whether a Joint Core Strategy/Local Plan Review should be undertaken, and the way in which this work should be

undertaken. The outcome of these discussions are set out in the paper attached as **appendix 1** to this report. This paper is being considered both by this meeting today, and also by SDC's Cabinet on 5th October.

Recommendation 2.2

- 3.3 As the July Council report identified, within the Coventry and Warwickshire sub region there have been and are extensive discussions ongoing about developing a sub-regional spatial framework. Both SDC and WDC are part of that discussion. Whilst there seems to be general agreement there is no agreed proposal to consider and implement. Meanwhile, both SDC and WDC are committed to reviewing their respective Local Plans/Core Strategies in 2021, though in reality preparatory work should start now. Given the close relationship between the plans, as demonstrated by the extensive joint work undertaken in the development of the existing agreed Local Plan/Core Strategy proposals; there is a logic to undertake the planned reviews at the same time as one co-ordinated effort.
- 3.4 There are other good reasons to support development of a Local Plan for South Warwickshire which covers both Stratford on Avon and Warwick Districts particularly around accommodating housing growth, planning for infrastructure and supporting employment growth and the economy. These are discussed further in section 1 of appendix 1. Taken together, there is a strong case for preparing a joint Local Plan to cover both districts, hence the reference to South Warwickshire.

Recommendation 2.3

- 3.5 Appendix 1 also goes on to consider in more detail a number of specific matters relating to the production of the Local Plan. These are:-
- What might a Joint Local Plan for South Warwickshire (JLPSW) look like?
 - What organisational / staffing structure is required to deliver a JLPSW?
 - What governance arrangements should we put in place to support and manage the delivery of the JLPSW?
 - What might be an indicative work programme?
 - What Finance issues need to be addressed?
 - What are the next steps for taking this work forward?
- 3.6 At the end of each section are recommendations in relation to each of these matters. As noted above, this paper, and these same recommendations, are also to be presented to SDC's Cabinet on 5th October. It is recommended that, subject to SDC Cabinet also agreeing these, the Executive supports all of the recommendations in the appendix.
- 3.7 A few additional comments on this, some of which are particularly relevant to Warwick District Council, can be made.
- 3.8 Many of the principles and recommendations in the appendix are there to give a guide to how work on the JLPSW will commence. Some of these may well change as the JLPSW is prepared. For example:-

- Section 2 sets out a proposed scope for the JLPSW, however it is understood that this will be kept under review as work is undertaken.
- Section 3 sets out how the work on the JLPSW will be staffed. Currently it is proposed that a small team of three officers is created through secondments from the two authorities however this may be kept under review.

- 3.9 As regards the organisational and staffing structure of the JLPSW Team, this is set out in section 3 of appendix 1. So that members are aware, if WDC was to second 1.5 officers to the JLPSW Team, this would still retain a core of four planning policy officers to undertake other planning policy work for this council (noting however that these officers may be required to support the core JLPSW Team at key stages of the JLPSW production (such as during periods of public consultation)).
- 3.10 Some of the key recommendations relate to the governance and management arrangements (section 4 of the appendix). A few comments can be made about these.
- 3.11 Local Plan Advisory Board: In this Council, the role of Member Working Groups and Member Reference Groups has been important in many projects, to ensure both that members across the Council are fully briefed on key issues, and also can effectively input into projects. In the preparation of all previous Local Plans in Warwick District, groups such as this have been vital for building an understanding in, and confidence of, the emerging Local Plan. Such groups have been a place where policy ideas can be tested and discussed and have provided a much greater level of scrutiny that is ever possible through formal Scrutiny Committee. In the context of the major decisions which will have to be made in a JLPSW, the need to understand wider geography of the new JLPSW and the need to understand the views and concerns of fellow councillors in SDC, such a member working group is felt to be of particular importance.
- 3.12 Recently, the Council has agreed to replace its many working and reference groups with a series of Programme Advisory Boards. These provide a good model for how any member involvement in the Joint Local Plan may operate. The proposal in this report is therefore to create a South Warwickshire Local Plan Advisory Board, made up – equally - of councillors from both SDC and WDC and chaired jointly by portfolio holders. For this Council that person is proposed to be the Development Portfolio Holder.

Recommendation 2.4

- 3.13 As regards costs associated with preparing a JLPSW, these are known to be significant. The current Local Plan (adopted in 2017) cost approximately £1 million (not including staffing costs). Key areas where costs will be incurred include commissioning the evidence base, public consultation and costs associated with the Public Examination. It is expected that through economies of scale (including by commissioning parts of the evidence base on a wider sub-regional basis), and - importantly - sharing of costs with SDC, the costs of delivering the JLP will be less than for WDC than if it was

to prepare a Local Plan on its own.

- 3.14 It will be a key early task of the JLP Team that it establishes a detailed programme for preparing the JLPSW and estimates a budget cost for this work. The budget report to be presented to Executive in February 2021 will set out the likely budgetary requirements for preparing the JLPSW in the context of the Council's Medium Term Financial Strategy. It is estimated that this is likely to be in the region of £500,000 to £600,000 in total (on the basis that the total cost will be £1 - £1.2m and that these costs will be shared equally with SDC). It is prudent now, however, to identify funds to commence work the JLPSW in 2020/21 and £100,000 is identified from within the Planning Appeals Reserve for this purpose. An element of this will be to cover early legal fees, including the cost of legal advice pertaining to the establishment of the Joint Committee.

Recommendation 2.5

- 3.15 Section 4 of appendix 1 proposed two alternative models for how key decisions on the JLPSW could be taken. The recommendation in this report is that, except for those matters that need to be referred to the Full Councils of both authorities, the two councils establish a Joint Executive Committee. Given that the two councils are actively exploring much closer working, the creation of a single decision-making body for key decisions relating to the JLPSW would be strong expression of the desire of both councils to work closely together to address key development challenges across both districts.
- 3.16 The Joint Executive Committee would be established in accordance with section 101 of the Local Government Act 1972 and section 9EB of the Local Government Act 2000 and powers would be delegated to it by the Leader. The Joint Executive Committee would exercise the executive functions relating to the preparation of a joint plan, with decisions on its submission to the Secretary of State and its adoption reserved to the respective full Councils. Because the Joint Executive Committee will exercise statutory functions on behalf of both authorities, it will be necessary to agree formal arrangements for its governance and operation and a separate report will be brought to Executive and the Leader at the earliest opportunity. The Joint Executive Committee will not need to make any decisions in the near future and work can get under way on establishing the other arrangements proposed in the appendix and beginning the investigatory work for the review in advance of establishing the Joint Executive Committee.

Recommendation 2.6

- 3.17 In establishing the Local Plan Advisory Board, there will be a number of important matters to agree including the terms of reference and appointment of members who will sit on it. It is recommended that Executive ask the Leader to agree these and other arrangements and that the Chief Executive be authorised to take all other steps necessary to implement the recommendations on the appendix. In doing this, both the Leader and Chief Executive will work in partnership with the Leader and Chief Executive at SDC.

4. Policy Framework

4.1. Fit for the Future (FFF)

- 4.1.1. The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects. This report shows the way forward for implementing a significant part of one of the Council's Key projects.
- 4.1.2. The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found [on the Council's website](#). The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

4.2. FFF Strands

4.2.1 External impacts of proposal(s)

People - Health, Homes, Communities - A JLPSW will have a major impact on the Council's ability to meet its housing needs, including the provision of affordable housing, and to provide sports, recreation, leisure, community and cultural facilities to serve its population.

Services - Green, Clean, Safe - A JLPSW will have a major impact on all the Council's "green, clean and safe" aspirations. It will support the Council's ability to meet its climate change targets through the planning policies it puts in place regarding the location of new development and standards for new buildings. Policies in the Local Plan will also support safer communities.

Money- Infrastructure, Enterprise, Employment - A JLPSW will have a major impact on the Council's ability to support the local economy through providing appropriate and affordable places of work in the right locations and by other policies to support the economy including within the district's town centres.

4.2.2. Internal impacts of the proposal(s)

People - Effective Staff - It will be integral to the success of the JLPS that staff are properly trained and supported to undertake a wider range of tasks. As this is a joint Local Plan then the council will need to work with Stratford District Council to ensure that proper training and support is given to staff across both councils.

Services - Maintain or Improve Services - Good stakeholder engagement and public consultation are key to ensuring the success of the JLPSW.

Money - Firm Financial Footing over the Longer Term - It is anticipated that a joint Local Plan will save costs over each authority undertaking its Local Plan review separately. This will be kept under close review throughout the process.

4.3. **Supporting Strategies**

- 4.3.1. The Local Plan is a key supporting strategy for FFF. It supports all three strands as set out above. Preparing and adopting a Local Plan will therefore ensure a key tool for delivering FFF is in place and can be used to underpin a range of implementation policies, proposals and projects.

4.4. **Changes to Existing Policies**

- 4.4.1. Council's current planning policies are set, in large part in the current Warwick District Local Plan (2011 – 29). A new JLPSW will replace this Plan and set a new policy framework for making key planning decisions affecting Warwick District.

4.5. **Impact Assessments**

- 4.5.1. Sustainability Assessments and Equality Impact Assessment will be carried out throughout the preparation of the JLPSW.

5. **Budgetary Framework**

- 5.1 The staffing costs of resourcing the Joint Local Plan Team will be met through existing resources within the salary budgets of the exiting team.
- 5.2 As regards other costs associated with preparing a JLP, the Planning Appeals Reserve currently has £475,000 in it. Some of this is currently committed to other appeals work however it would be reasonable to set £100,000 aside for the JLPSW.

6. **Risks**

- 6.1 There are many risks associated with undertaking a Local Plan review. These are financial, reputational and, sometimes, legal. All local authorities are required to prepare Local Plans and this Council is experienced in managing these risks. All stages of the Local Plan are subject to councillor advice, scrutiny and approval and so there is plenty of opportunity for councillors to have proper oversight of the technical work and procedures that are being undertaken.
- 6.2 There are additional risks in undertaking a joint Local Plan review with another local authority as is being proposed here. These are largely political and relate to the willingness of both councils to continue to work together to approve the document. Although many key decisions are being made jointly through a Joint Executive Committee the Local Plan will require to be approved at key stages by each Council (see section 4 in appendix 1). Failure of either council to approve the Local Plan will mean that it cannot progress beyond that stage. This risk will be managed through close joint management of the Local Plan by both councils together, and significant levels of involvement from councillors of both councils particularly through the JLP Advisory Board.

7. Alternative Option(s) considered

- 7.1 Executive could decide not to progress with a Joint Local Plan for South Warwickshire but to continue to prepare a Local Plan for Warwick District alone. For the reasons set out in appendix 1, this option is not supported. The two councils have agreed in principle to prepare a joint Local Plan and nothing in this report would suggest that this is not an achievable option.