



Agenda Item 5

Executive
11 February 2021

Title: Joint Cabinet/Executive Committee of Stratford-on-Avon and Warwick District Councils

Lead Officer: Graham Leach

Portfolio Holder: Andrew Day/John Cooke

Public report

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: No

Accessibility checked: Yes

Officer/Councillor Approval

Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	25/1/21	Andrew Jones
Head of Service	25/1/21	Philip Clarke
CMT		
Section 151 Officer	25/1/21	Mike Snow
Monitoring Officer	25/1/21	Andrew Jones
Finance	25/1/21	Lorraine Henson
Portfolio Holder(s)	25/1/21	Andrew Day/John Cooke

1. Summary

- 1.1. The report brings forward proposals for the governance arrangements for the Joint Cabinet/Executive between Stratford on Avon District Council (SDC) and Warwick District Council (WDC) for progressing a Joint Local Development Plan for South Warwickshire.

2. Recommendation

- 2.1. That Executive recommend to Council that subject to Stratford on Avon District Council passing resolutions to like effect:
 - (a) it agrees to prepare joint local development documents with SDC, pursuant to section 28 of the Planning and Compulsory Purchase Act 2004;
 - (b) That the proposed Constitution for the Joint Committee as set out in the Appendix 1 to the report, be adopted;
 - (c) Council Procedure Rules are amended so that only items that are key decisions (as defined by each authority) taken by the Joint Committee can be "called in"; and
 - (d) The Chairmen of the Scrutiny Committees of Stratford District Council and Warwick District Council are requested to meet in early May 2021 to consider the potential for joint scrutiny arrangements to scrutinise the Joint Committee.
- 2.2. That subject to recommendation 2.1 being adopted by both SDC and WDC Council meetings and subject to SDC Cabinet passing similar resolutions the Executive:
 - (a) The Executive agrees to establish a Joint Committee with SDC, with terms of reference as set out in Appendix 1 to this report;
 - (b) The Executive confirm their appointments to the Joint Committee;
 - (c) The Executive notes the agreed terms of reference for the South Warwickshire Joint Plan Advisory Group that has been established as set out at Appendix 2
- 2.3. The Executive supports a review of these proposals in July 2021, with views from all District Councillor sought, in order to determine if any changes are necessary.
- 2.4. The Executive notes that the intention is to have the first meeting of the Joint Cabinet/Executive w/c 8 March 2021

3. Reasons for the Recommendation

- 3.1. At its meeting on 1 October 2020 the Executive agreed to proposals to bring forward a Joint Local Plan for South Warwickshire (SLPSW) and asked officers to bring forward proposals for the governance arrangements for this.
- 3.2. The proposals set out have been developed in partnership between SDC and WDC officers. A Joint Cabinet/ Executive Committee is proposed to be created with SDC pursuant to sections 101 and 102 of the Local Government Act 1972, section 9EB of the Local Government Act 2000 and all other

relevant legal powers. The purpose of the Joint Committee is to enable the two Councils to work more closely together in developing a Joint Local Development Plan for South Warwickshire, ensuring that decisions are taken collectively and in a timely manner.

- 3.3. The Joint Committee will not undertake any function, at present, other than those defined within the terms of reference and as defined by law, with its major decisions being:-
- (a) Endorse technical studies and background reports to inform the preparation of South Warwickshire Local Development Documents, as appropriate;
 - (b) Approve or recommend to Council (as appropriate) South Warwickshire Local Development Documents for public consultation;
 - (c) Recommend to Council adoption of accompanying South Warwickshire Local Development Documents e.g. Local Development Scheme, Statement of Community Involvement;
 - (d) Recommend to Council approval of the South Warwickshire Development Plan Document / Local Plan for submission to the Secretary of State for examination; and
 - (e) Recommend to Council adoption of the South Warwickshire Development Plan Document / Local Plan.
- (NB. The adoption of the Joint South Warwickshire Local Development Plan will remain with the individual Council's for final approval.)
- 3.4. The Constitution document appended to this report comprises the terms of reference and standing orders that will apply to the Joint Committee, and which will take precedence over the respective Constitutional documents of each of the two councils. However, where the Constitution for the Joint Committee is silent on an issue, the Constitution of each respective Council will take precedence; for example the councillor code of conduct.
- 3.5. There will be a review of these arrangements by both councils towards the end of the first six months of the operation of the Joint Plan Advisory Group in order to determine if any changes are necessary.
- 3.6. Attention is drawn in particular to a number of features that apply to the arrangements:-
- The Chairman will be appointed at the start of each meeting until the start of the next meeting on a rotating basis.
 - Where members of one council are minded to vote support a proposal and members of the other Council minded to vote against the proposal the matter will be referred back to officers to reconsider the specific point of contention.
 - Each respective Council is not obliged to accept recommendations received from the Joint Committee
 - Provided the respective Council is following its own procedure rules, it may revise its decision to prepare joint local development documents with the other council
 - The Leader of either Council can at any time withdraw the delegated Executive powers from the Joint Committee;

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 in delivering a revised Local Plan.

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.

4.1.3. Under each heading below, you should use auto-numbering for your paragraphs, and they should look like below (4.2.1, 4.2.2 etc.)

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 JLPSW 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. The report does not bring forward proposals to current policies but acts as an enabler for bringing forward the JLSPW.

4.5. **Impact Assessments**

- 4.5.1. The report rings forward governance arrangements for the Joint Committee based on the principals within both the SDC and WDC Constitution. As a result it has not been considered necessary to undertake an equality impact assessment, as these are required to follow statute.

5. **Budgetary Framework**

- 5.1. The proposals will increase cost to the Council of the shared support for the additional Committee. However this is considered to be a minimal amount but will be monitored during the first 12 months of operation.

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. These are largely political and relate to the willingness of both councils to continue to work together to approve the document. Although some key decisions are being made jointly through a Joint Committee the Local Plan will require to be approved at key stages by each Council. 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 Committee and retain the decision making process as at present. However, this would go against the

Agenda Item 5

understanding already in place through previous reports and would lengthen the decision making process on developing a the JSWLP.