



**Gloucestershire County Council's partnership agreement with Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council in relation to the Joint Strategic Plan**

<b>Dates between which decision will be taken</b>	Earliest date: 10 June 2022 Latest date: 16 June 2022
<b>Cabinet Member</b>	Cllr. David Gray - Cabinet Member for Environment and Planning
<b>Key Decision</b>	Yes
<b>Purpose of Report</b>	The Joint Strategic Plan (JSP) is part of the statutory development plan for Gloucestershire and heavily influences the quantum and future location of future growth in the Joint Core Strategy (JCS) area. The purpose of this report is to confirm Gloucestershire County Council's (GCC's) participation in relation to the production of the JSP, including the signing of a formal Partnership Agreement between GCC and the three local planning authorities.
<b>Recommendations</b>	That the Cabinet Member for Environment and Planning delegates authority to the Assistant Director for Planning and Economic Development (in consultation with the Cabinet Member for Environment and Planning) to sign and subsequently implement the JSP Partnership Agreement.
<b>Reasons for Recommendations</b>	By signing and implementing the JSP Partnership Agreement, GCC's involvement with the emerging JCS Review will be enhanced, ensuring greater influence on the JSP's contents.

<b>Resource Implications</b>	<p>Gloucestershire County Council has already agreed that £60K p.a. is added to the base budget. This £60K p.a. will be transferred to Tewkesbury BC, or the nominated Lead Authority (on behalf of all the JCS authorities), to contribute towards the running costs of the JSP. Any further requests for additional funding from the JSP authorities over and above this sum will be considered on a case-by-case basis, depending on the scale and nature of the request and available budgets. In addition to a financial commitment there is also an ongoing staff commitment dedicated to supporting and the production of the JSP.</p> <p>It should be noted that the partnership agreement refers to the initial three-year term of the agreement but allows for the participating councils to extend the arrangement for up to three further years.</p> <p>Appendix 4 of the Partnership Agreement covers TUPE obligations if any Authority takes on work that was undertaken by the designated roles covered by the Partnership during its life. It appears that this in the main relates to the three district councils. However, GCC needs to be aware of the provisions and to consider any potential TUPE implications if it takes on any of the activities currently undertaken by the districts as part of the Partnership Agreement.</p>
<b>Background Documents</b>	<ul style="list-style-type: none"> <li>• Adopted JCS - <a href="https://www.jointcorestrategy.org/adopted-joint-core-strategy">https://www.jointcorestrategy.org/adopted-joint-core-strategy</a></li> <li>• JCS Review - <a href="https://www.jointcorestrategy.org/joint-core-strategy-review">https://www.jointcorestrategy.org/joint-core-strategy-review</a></li> </ul>
<b>Statutory Authority</b>	<p>Town and Country Planning (Local Planning) (England) Regulations (2012) (Enabling power, the Planning and Compulsory Purchase Act 2004)</p>
<b>Divisional Councillor(s)</b>	<p>All councillors representing Gloucestershire County Council divisions in Gloucester City, Cheltenham Borough, and Tewkesbury Borough.</p>
<b>Officer</b>	<p><b>Any representations should be sent to:</b></p> <p>Name: Ben Watts  Telephone: 01452 426771  Email: <a href="mailto:ben.watts@gloucestershire.gov.uk">ben.watts@gloucestershire.gov.uk</a> <b>By 5pm on 8 June 2022</b></p>
<b>Timeline</b>	<p>Following the approval to sign the JSP Partnership Agreement the Assistant Director for Planning and Economic Development will formally sign the agreement and GCC will become formal partners in the planned production of the JSP. In addition, the £60K annual membership fee will be transferred to Tewkesbury Borough Council or the nominated Lead authority.</p> <p>GCC Officers have been supporting colleagues from the other JSP authorities to review their existing evidence base. This will continue as the Regulation 18 (of the Town and Country Planning (Local Planning) (England) Regulations) public consultation is due to be launched early 2023.</p> <p>GCC will then be able to formally comment on the proposal options outlined within the plan. As this process progresses the Cabinet Member for Environment and Planning will be kept informed.</p>

## Background

1. The JSP is a partnership arrangement between Cheltenham Borough Council, Gloucester City Council and Tewkesbury Borough Council where the participating councils have agreed to work together, subject to a formal Partnership Agreement between all three authorities. It is a statutory document which forms a vital part of the county's development plan. The existing JCS was adopted by all three local planning authorities in December 2017.
2. The adopted JCS is an important land use planning document. It sets out the number of new homes, jobs and supporting infrastructure that is needed to 2031 and details the strategy for how this development is to be delivered in a managed and resilient way, whilst protecting the natural and built environment.
3. The County Council's current role in the JSP process is that of a formal statutory consultee. This means that the County Council must statutorily engage in the JSP process under the 'duty to cooperate' process. The County Council therefore attends various officer and member meetings to put views forward. In addition, the County Council has historically engaged in every stage of public consultation – providing views for the JCS authorities to consider during the plan making process. This has included officer attendance at the JCS Examination in Public – prior to the adoption of the JCS in 2017.
4. The County Council has several different roles / responsibilities which are important to be considered during the plan making process. These include (but are not limited to) Highway Authority, Transport Authority, Education Authority, Library Authority, Lead Local Flood Authority, Minerals Planning Authority, Waste Planning Authority, Waste Disposal Authority, as well as having an interest as a landowner and major infrastructure provider. It is vital, therefore, that the various views of the County Council are put forward and considered by the JCS authorities.
5. The JCS is currently in the process of being reviewed with the intention of producing a new JSP to replace the JCS. An 'Issues and Options – Consultation' document was subject to public consultation between 12th November 2018 and 11th January 2019. The County Council engaged in this through an officer-level response. Further work on the JSP is currently progressing and a Regulation 18 public consultation is anticipated early 2023 (dates tbc) on the next stage of the Plan.
6. Given the plethora of roles / responsibilities that the County Council has (indicated above), the anticipated high level of growth and the significant level of associated infrastructure in the JSP area, the need for the County Council's involvement is greater than ever. It is vital that this growth is located and designed in such a way to ensure its sustainability – particularly regarding transport and carbon reduction.
7. Officers of the JSP authorities and the County Council have therefore agreed that it would be prudent to add the County Council to the existing JSP Partnership Agreement. Obviously, this has resulted in various changes to the existing, signed document having to be made. Therefore, the legal teams of both the County Council and Tewkesbury Borough Council (on behalf of the JCS authorities) are working together to finalise the Partnership Agreement. A draft version of the partnership agreement is provided as an Appendix to this report.

8. This Partnership Agreement, when signed by the authorised officers, will formalise the County Council's involvement in the JSP as a formal partner (as opposed to a statutory consultee). This will mean that the County Council will have to be fully engaged in the production of the JSP, including representation at various Member and Officer Groups which influence the Plan's contents. This will not mean, however, that the County Council needs to formally adopt the JSP in the future – this will still be the role of the JSP authorities as the relevant local planning authorities.
9. The Partnership Agreement states that the County Council will pay Tewkesbury Borough Council (on behalf of the JSP authorities) £60K p.a. towards the running costs of the JSP. This includes a contribution towards staff costs, the commissioning of reports, the production of consultation material, the costs associated with the Examination in Public, etc. All four authorities will pay the same financial contribution.
10. The County Council's Full Council has already agreed (in February 2020) that £60K p.a. is added to base budget. This £60K p.a. will be transferred to Tewkesbury BC after this Cabinet Member decision has been made and the Partnership Agreement is signed by the authorised officers on behalf of all four local authorities. Any further requests for additional funding from the JSP authorities over and above this sum will be considered on a case-by-case basis, depending on the scale and nature of the request and available budgets.

## **Options**

11. Option 1 – That the Cabinet Member for Environment and Planning authorises the Assistant Director for Planning and Economic Development to sign and subsequently implement the JSP Partnership Agreement.
12. Option 2 – That the Cabinet Member for Environment and Planning does not authorise the signing of the JSP Partnership Agreement and subsequently the County Council continues with the existing arrangements in respect of the JSP – namely that of a statutory consultee with a duty to cooperate.

## **Risks**

13. There are very few, if any, risks associated with the officer's recommended course of action. The £60K budget has already been secured in the base budget 2020/21 onwards. The final decision-making process still resides with the JSP authorities. It is hoped, and assumed, that the proposed enhanced involvement of the County Council in the preparation of the JSP will be mutually beneficial for all concerned.

## **Financial implications**

14. GCC's Full Council has already agreed that £60K p.a. is added to the base budget. This £60K p.a. will be transferred to Tewkesbury BC or the nominated Lead Authority (on behalf of all the JSP authorities) to contribute towards the running costs of the JSP. Any further requests for additional funding from the JCS authorities over and above this sum will be considered on a case-by-case basis, depending on the scale and nature of the request and available budgets. In addition to a financial commitment there is also an ongoing staff commitment dedicated to supporting the production of the JSP.

### **Climate change implications**

15. The JSP will include policies to manage the causes of climate change and to mitigate the impacts of environmental changes linked to the climate change.
16. The JSP will include policies to protect and, where possible, enhance, the natural environment, including specific policies on both ecology and biodiversity.

### **Equality implications**

17. An Equalities Impact Assessment has not been completed.

### **Data Protection Impact Assessment (DPIA) implications**

18. A privacy notice is provided on the JCS website. This confirms that Tewkesbury Borough Council is the lead authority and therefore will be responsible for the collect personal data on behalf of the other authorities involved. As such all-data protection requirements will be led by Tewkesbury Borough Council's existing policies and procedures.

### **Social value implications**

19. The JSP will provide several sites for future employment throughout the JSP area, as well as including several policies to promote future sustainable development and a vibrant economy.
20. The JSP will include policies to provide for the needs of all different sectors of the residents and businesses throughout the JSP area.
21. The JSP will include policies to seek to promote social, economic, and environmental benefits throughout the JSP area.

### **Consultation feedback**

22. An 'Issues and Options – Consultation' document was subject to public consultation between 12 November 2018 and 11 January 2019. The County Council engaged in this through an officer-level response.
23. Work is progressing on the JSP to enable a Regulation 18 public consultation to take place early 2023 (dates tbc). This represents the next stage of the plan making process.

### **Officer recommendations**

24. That the Cabinet Member for Environment and Planning authorises the Assistant Director for Planning and Economic Development to sign and subsequently implement the JSP Partnership Agreement.

## **Performance management/follow-up**

25. Representatives from County Council will attend the JSP Steering Group and JSP Task Group to ensure the views of the authority are represented during the production of the JSP.
26. County Council officers will attend specific officer working groups where GCC has a specific role to support the development of an updated evidence base in support the JSP review process. Such groups include (but are not limited to) Highway Authority, Transport Authority, Education Authority, Library Authority, Lead Local Flood Authority, Minerals Planning Authority, Waste Planning Authority, Waste Disposal Authority, as well as having an interest as a landowner and major infrastructure provider
27. The Cabinet Member for Environment and Planning will be kept informed of progress being made and attend the JSP Member Liaison Group meetings. This will provide the opportunity for any strategic, operational, or financial issues to be discussed and addressed in a timely manner.

## **APPENDIX A – Draft JSP Partnership Agreement**