

<b>Environment Scrutiny Committee</b>	
<b>Report Title:</b>	Strategic Planning in Gloucestershire
<b>Meeting Date:</b>	22 <sup>nd</sup> November 2022
<b>Chair:</b>	Cllr Vernon Smith
<b>Presenting Officer:</b>	Simon Excell – Assistant Director – Planning and Economic Development
<b>Purpose of Report:</b>	To consider the past, current and possible future strategic planning of Gloucestershire, with specific reference to the roles and responsibilities of the County Council and the six District Councils.
<b>Planned Dates</b>	None.
<b>Background documents:</b>	<p>Gloucestershire County Council Local Development Guide 2021 (March 2021)  <a href="https://www.gloucestershire.gov.uk/media/14820/ldg-2021-final-adopted-version.pdf">https://www.gloucestershire.gov.uk/media/14820/ldg-2021-final-adopted-version.pdf</a></p> <p>Gloucestershire County Council Infrastructure Funding Statement 2020-21 (December 2021)  <a href="https://www.gloucestershire.gov.uk/media/2112528/gcc-ifs-2020-21-final.pdf">https://www.gloucestershire.gov.uk/media/2112528/gcc-ifs-2020-21-final.pdf</a></p> <p>Cheltenham Borough Council Infrastructure Funding Statement 2020-21 (December 2021)  <a href="https://www.cheltenham.gov.uk/downloads/file/9546/cil_infrastructure_funding_statement_2020_-_2021">https://www.cheltenham.gov.uk/downloads/file/9546/cil_infrastructure_funding_statement_2020_-_2021</a></p> <p>Cotswold District Council Infrastructure Funding Statement 2020-21 (December 2021)  <a href="https://cotswold.gov.uk/media/3zkjj2oh/infrastructure-funding-statement-2020-to-21.pdf">https://cotswold.gov.uk/media/3zkjj2oh/infrastructure-funding-statement-2020-to-21.pdf</a></p> <p>Forest of Dean District Council Infrastructure Funding Statement 2020-21 (December 2021)</p>

	<p><a href="https://www.fdean.gov.uk/media/yydlb4pw/infrastructure-funding-statement-20_21.pdf">https://www.fdean.gov.uk/media/yydlb4pw/infrastructure-funding-statement-20_21.pdf</a></p> <p>Gloucester City Council Infrastructure Funding Statement 2020-21 (December 2021)  <a href="https://www.gloucester.gov.uk/media/5730/gloucester-city-council-infrastructure-funding-statement-08_12_2021.pdf">https://www.gloucester.gov.uk/media/5730/gloucester-city-council-infrastructure-funding-statement-08_12_2021.pdf</a></p> <p>Stroud District Council Infrastructure Funding Statement 2020-21 (December 2021)  <a href="https://www.stroud.gov.uk/media/1784470/stroud-district-council-infrastructure-funding-statement-december-2021.pdf">https://www.stroud.gov.uk/media/1784470/stroud-district-council-infrastructure-funding-statement-december-2021.pdf</a></p> <p>Tewkesbury Borough Council Infrastructure Funding Statement 2020-21 (December 2021)  <a href="https://www.tewkesbury.gov.uk/developer-contributions">https://www.tewkesbury.gov.uk/developer-contributions</a></p>
<b>Appendices</b>	None.
<b>Recommendations</b>	To note the report.

## 1. Background

- 1.1. Strategic planning in Gloucestershire (and indeed nationally) has significantly changed and evolved over recent decades. Structure Plans were first introduced by the Town and Country Planning Act (1968). These were strategic-level development plans, prepared, in the case of Gloucestershire by Gloucestershire County Council (GCC). They consisted of a broad framework of policies looking forward up to 20 years ahead, supported by a 'key diagram' showing land use, transport and environmental proposals. Local Plans, prepared by the six District Councils, were required to accord with the overall strategy set out in the Structure Plan.
- 1.2. Several Structure Plans were produced by GCC up to the last adopted version, called the 'Gloucestershire Structure Plan Second Review 1991-2011', which was formally adopted by GCC in November 1999. (The subsequent review of this Plan – the Third Alteration – was very well advanced but did not proceed to adoption after a Secretary of State Direction in 2005).
- 1.3. Regional Planning Guidance for the South West (RPG10) was first published in September 2001 and set out the planning strategy for the South West region up to 2016 and beyond. Following the introduction of the Planning and Compulsory Purchase Act 2004, RPG10 became part of the statutory development plan and was renamed as the Regional Spatial

Strategy (RSS). In 2010 RPG10 subsequently became the Regional Strategy (RS) for the South West. The RS was revoked in 2013.

- 1.4. Since then, apart from specific plans in relation to minerals (Minerals Local Plan), waste (Waste Core Strategy / Waste Local Plan), transport (Local Transport Plan), etc., no regional or county-wide planning policies exist and it is the District Councils, as the relevant local planning authorities (LPA) that have the statutory responsibility for land use planning in their area.
- 1.5. There is therefore an absence of strategic direction between national planning policy (as set out in the National Planning Policy Framework [NPPF], revised in 2021 and sets out the Government's planning policies for England and how these are expected to be applied) and local planning policies (as determined by the LPAs).

## **2. Joint Core Strategy / Joint Strategic Plan / District Plans / GCC Plans**

- 2.1. Gloucestershire's District Councils have adopted differing methods to implement their statutory LPA roles and responsibilities. Cheltenham Borough Council (CBC), Tewkesbury Borough Council (TBC) and Gloucester City Council (GCiC) have combined to produce a Joint Core Strategy (JCS), which is currently being reviewed as a Joint Strategic Plan (JSP) – as well as producing individual Local Plans. Whereas Cotswold District Council (CDC), Forest of Dean District Council (FoDDC) and Stroud District Council (SDC) are all producing / reviewing their own individual Local Plans.
- 2.2. The (then) JCS authorities adopted the **JCS** 2011-2031 in December 2017. This document took approximately a decade to produce (from start to finish). It sets out the strategic planning framework for the three LPA areas, including the proposed quantum and location of future development, including housing and employment, as well as policies to protect and enhance the built and natural environment. The JCS remains a crucial part of the 'development plan' for each of the three areas. Planning applications are determined based on the JCS and other, material considerations.
- 2.3. When the JCS was adopted, the JCS (now **JSP**) authorities made a commitment to undertake an immediate review on specific aspects of the Plan. Between October 2018 and January 2019, there was a high level JCS 'Issues and Options' consultation. However, there has been no public consultation since, with the JSP now anticipated to be subject to the first of two Regulation 18 consultations in late Spring / early Summer 2023. The review will analyse future growth needs, decide the most appropriate strategy for delivering growth and allocate specific sites to help meet those needs. It is also an opportunity to evaluate all of the policies within the adopted JCS to identify if they continue to work effectively and are consistent with the latest NPPF.
- 2.4. GCC is now a funding partner to the emerging JSP (contributing £60K p.a., as well as significant officer time towards the progression of the project). A Partnership Agreement between the JSP authorities and GCC is nearing completion. This is in addition to GCC's role as a statutory consultee.

- 2.5. As well as the JSP itself, the JSP authorities have progressed Local Plans for each of their areas. CBC adopted their '**Cheltenham Plan**' in July 2020, GCiC's '**Gloucester City Plan**' has been through a public examination and is moving towards final adoption and TBC adopted their '**Tewkesbury Borough Plan**' in June 2022.
- 2.6. **CDC's Local Plan** was adopted in August 2018. The Local Plan Partial Update Regulation 18 'Issues and Options' consultation ended in March 2022. The Regulation 19 Pre-Submission Local Plan will be subject to a public consultation in 2023.
- 2.7. The current adopted **FoDDC's Local Plan** consists of a number of documents, including the Core Strategy (February 2012), Cinderford Northern Quarter Area Action Plan (February 2012) and Allocations Plan (June 2018). FoDDC is in the process of reviewing their Local Plan, which was subject to a public consultation August – October 2022. The Draft Plan is anticipated to be subject to a public consultation in Autumn / Winter 2023.
- 2.8. **SDC's Local Plan** was adopted in November 2015. The review of the Local Plan is well progressed and is expected to be subject to a Local Plan Public Examination to be conducted by the Planning Inspectorate in early 2023. (It should be noted that GCC has strongly objected to the SDC Local Plan and will be making a robust case to the Inspectors at the Examination).
- 2.9. GCC has the statutory responsibility to produce various local plans, as well as the District Councils. Some, but not all, are part of the county's overall local 'development plan'.
- 2.10. GCC is the Waste Planning Authority (WPA) for Gloucestershire. The **Waste Core Strategy** (WCS) was adopted in November 2012 and forms part of the local development plan. GCC is currently preparing a new **Waste Local Plan** and is currently running a targeted 'call for sites' consultation (comments due by 30<sup>th</sup> November 2022).
- 2.11. GCC is also the Minerals Planning Authority (MPA) for Gloucestershire and relatively recently adopted the **Minerals Local Plan** in March 2020. No review is currently planned. This also forms part of the local development plan.
- 2.12. GCC is also the Transport Authority for Gloucestershire and, again, relatively recently adopted the **Local Transport Plan** (LTP) in March 2021. A review is planned to start in 2023. This does not form part of the local development plan, but is an important material consideration in plan and decision making.
- 2.13. GCC also produces strategies that are of direct relevance to the future strategic planning of the county, such as the Local Flood Risk Management Strategy (LFRMS), School Places Strategy and Library Strategy.

### 3. GCC's roles and responsibilities

- 3.1. GCC has a plethora of statutory roles and responsibilities which are directly and indirectly related to the future planning of the county. These are summarised below.
- 3.2. GCC is the local Highway Authority responsible (with National Highways for some roads) for maintaining and enhancing the local road network – including footpaths and green infrastructure and biodiversity improvements through highway projects, supported through the adopted LTP. As the local transport body, GCC's responsibilities include maintaining the public transport network.
- 3.3. GCC is the Lead Local Flood Authority (LLFA) and, since 2010, has had a statutory duty to manage flood risk in partnership with other Risk Assessment Management Authorities. GCC's role under the Flood and Water Management Act 2010 includes: investigating and reporting flooding; managing flood risk from non-main river sources; consenting works on water courses and enforcing works to maintain watercourses and commenting on all 'major' planning applications received by the LPAs.
- 3.4. GCC has a statutory duty Under Section 11 of the Childcare Act 2006 and Education Act 2011 to provide free early years education for all eligible young children. Under the Education Act 1996, the County Council has a statutory duty to make sure there are enough school places for children and young people up to 16 who live in the county. The Act requires that these places are of good quality with enough space to promote parental choice and diversity. This includes primary and secondary education and the Council should secure provision for children with special educational needs and disabilities.
- 3.5. GCC has a statutory duty under the 1964 Public Libraries Act to provide a public library service.
- 3.6. Gloucestershire Fire and Rescue Service (GFRS) is part of GCC and covers the entire county from 22 fire stations.
- 3.7. GCC is the statutory Waste Disposal Authority (WDA) as defined by the Environmental Protection Act 1990. GCC is therefore responsible for the management of waste disposal. GCC is also the MPA and WPA.
- 3.8. GCC has further statutory roles and responsibilities for adult social care, archives, archaeology, ecology, health and public health, as well as important, non-statutory roles to provide strategic infrastructure in the county – such as delivering Gigabit connectivity through the cross-boundary Fastershire project with Herefordshire Council. All of the above roles and responsibilities are outlined in more detail in the recently GCC Cabinet approved 'GCC Local Development Guide 2021', which outlines the types of GCC infrastructure required to support new developments and the associated rationale.
- 3.9. As stated above, GCC is not the LPA for the vast majority of planning applications that are determined in the county. Nor does GCC have the responsibility for the production of the Local Plans / JSP (again, with some specific exceptions). This results in the County Council making representations to hundreds of planning applications each year, as well as

commenting on all stages of emerging Local Plans / JSP. GCC officers and/or nominated consultants also appear at some planning application appeals, Local Plan Examinations and Development Consent Order (DCO) Examinations.

- 3.10. Different GCC teams take different approaches to responding to planning applications. For instance, Education officers would only make representations to applications that will increase the number of pupils required to be schooled and, as stated above, the LLFA have a statutory requirement to comment on all 'major' planning applications – for which there is a definition set in national legislation (i.e. the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009).
- 3.11. Although GCC make representations on both emerging Local Plans and planning applications, this is merely as a statutory consultee. GCC, as stated above, is not the LPA and therefore the final decision making process (for both Plans and planning applications) is with the District Councils.
- 3.12. It is, unfortunately, the case that not all representations that GCC make on both emerging Plans and planning applications are adhered to by the District Councils. GCC officers have established several instances where GCC representations have either been completely ignored and/or purposefully disagreed with in LPA planning officer reports. This is particularly the case regarding requested education and library contributions. There is evidence presented later in this report to suggest that tens of millions of pounds of financial contributions per annum are failing to be secured by GCC for essential infrastructure, such as primary and secondary schools. There have also been several instances of the advice on flood alleviation from GCC as LLFA not being adhered to.
- 3.13. This issue has been raised with the relevant LPAs at senior management level. At the time of writing this report, Counsel opinion is being sought by the GCC Legal team to establish what, if anything, can be done to try to ensure that GCC's requests for infrastructure are adhered to. This may include GCC taking the appropriate legal action.

#### **4. Section 106 Agreements / Community Infrastructure Levy**

- 4.1. One key issue and significant area of major disagreement between (most of) the District Councils and GCC is the introduction and implementation of Community Infrastructure Levy (CIL) and the significant impact this has had on GCC securing site-specific development obligations through Section 106 (S106) legal agreements.
- 4.2. On 1<sup>st</sup> September 2019, the CIL Regulations 2010 (as amended) came into force. It required all development contribution receiving authorities to produce an annual Infrastructure Funding Statement (IFS). Each IFS would include a summary of all financial planning obligation activity relating to CIL and S106 legal agreements for the previous financial year. Each of Gloucestershire's six LPAs are required to report separately and publish this information on their own websites, as is GCC.

4.3. **CIL** – GCC cannot collect CIL charged by the District ‘Charging Authorities’. It can however receive CIL from those authorities to be used towards strategic projects. Currently five of the six District/Borough Councils have CIL in place – the Forest of Dean being the only LPA without a CIL charging schedule.

4.4. SDC started charging CIL in April 2017. CBC, GCiC and TBC all started charging CIL in January 2019. CDC started charging CIL in June 2019.

4.5. Figure 1 (below) outlines the value of CIL collected by each of the CIL Charging Authorities in 2019/20 and 2020/21. The data for 2021/22 will be known very soon when the statutory IFSs (December 2022) are published by the District Councils. Based on this small sample size there is a clear indication that the value of CIL is expected to grow on an annual basis. More data will be known by the end of next month.

**Figure 1 – CIL received by charging authority**

	Cheltenham	Gloucester	Tewkesbury	Stroud	Cotswold
2019/20	£73,983	£47,583	£37,166	£417,044	£16,635
2020/21	£212,052	£458,022	£1,314,039	£512,635	£231,262

4.6. In line with the national guidance covering the use of CIL, each District Council has allocated CIL funding towards the cost of administering the scheme (i.e. to themselves) and to Parish and Town Councils who fulfil national requirements regarding their Neighbourhood Plans. Figure 2 (below) identifies how CIL funding has been allocated over the past two f/years where data is known. Apart from Stroud, the proportion of funding allocated is between 5% and 9% (most are nearer the lower figure). Again, more data will be published next month.

**Figure 2 – CIL Allocations by year**

Years	Cheltenham		Gloucester		Tewkesbury		Stroud		Cotswold	
	19/20	20/21	19/20	20/21	19/20	20/21	19/20	20/21	19/20	20/21
Neighbourhood Plans	£0	£912	£0	£4,466	£0	£49,423	£48,852	£50,750	£0	£0
Strategic Projects	£0	£0	£0	£0	£0	£0	£104,000	£282,050	£0	£0
Administrative	£3,699	£10,603	£2,379	£22,901	£1,858	£65,702	£20,852	£25,632	£832	£11,563
<b>Total allocated</b>	<b>£3,699</b>	<b>£11,515</b>	<b>£2,379</b>	<b>£27,367</b>	<b>£1,858</b>	<b>£115,125</b>	<b>£173,704</b>	<b>£358,431</b>	<b>£832</b>	<b>£11,563</b>
Total received	£73,983	£212,052	£47,583	£458,022	£37,166	£1,314,039	£417,044	£512,635	£16,635	£231,262
% Allocated	5%	5%	5%	6%	5%	9%	42%	70%	5%	5%

4.7. SDC is the only authority that has implemented a process for actively distributing CIL funds for strategic projects. GCC has benefited from this process with £237,050 allocated for four highways and transport projects in 2020/21. GCC also received £277,500 allocated to various leisure / flood /

transport / highways projects in 2021/22. Both f/years GCC received the majority of the Stroud CIL funding that was available. Bids and Expressions of Interest (EOIs) have recently been submitted by GCC to SDC for various infrastructure projects for implementation next f/year onwards. The 'rules' associated with these bids, however, severely restrict GCC's ability to bid for essential education infrastructure. SDC states that it can only make funding decisions on the next f/year's expenditure. Obviously, this results in GCC's inability to bid for a new primary and/or secondary school, as the expenditure would be well beyond the next f/year. Whilst several EOIs have been submitted by GCC, this has not resulted in any funding for future education infrastructure to date.

- 4.8. Despite significant CIL funding being received by the District Councils, it mostly (with the exception of Stroud) remains unspent and the IFSs include information on how much CIL was retained at the end of the financial year. Figure 3 (below) identifies how much CIL was retained by each charging authority at the end of 2020/21. Again, more data will be known next month and these figures are expected to be significantly higher when the data is published for the end of 2021/22. As these totals continue to grow it would be reasonable to seek clarification regarding their intended use and any associated emerging governance arrangements.

**Figure 3 – CIL retained at the end of 2020/21**

	Cheltenham	Gloucester	Tewkesbury	Stroud	Cotswold
<b>CIL Retained</b>	£259,898	£64,237	£1,230,884	£483,288	£200,361

- 4.9. **Section 106** – Up until the introduction of the CIL charging mechanism, Section 106 agreements were the primary route for agreeing development obligations from new developments. The implementation of this alternative route (CIL) for developers to provide some of their planning obligations has had a hugely significant impact on GCC's ability to secure developer contributions. GCC is not a CIL charging authority and therefore cannot direct how the CIL funding is allocated. This is negatively impacting how GCC can access funding to mitigate the impact of new developments. Figure 4 (below) has been taken from GCC's latest IFS (December 2021). It has been provided within this report as it highlights the significant decline in the number and value of S106 agreements signed by GCC before and subsequent to the introduction of CIL (which, as stated above, had various dates of implementation from District to District – with 4 of the 5 LPAs implementing CIL charging in 2019). Again, the latest 2021/22 data will be published next month.

**Figure 4 – Number and value of S106 planning obligations GCC entered from 2015/16 – 2020/21**

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
<b>Number of Agreements Signed</b>	43	43	40	16	18	11
<b>Total Value Negotiated</b>	£20,053,455	£11,000,000	£23,934,880	£18,527,500	£9,576,200	£2,700,912

- 4.10. Over the six f/year period outlined in Figure 4, the number of agreements signed has reduced by almost 75%, with the financial contributions GCC



received massively reduced by almost 86%. This is having a severe impact on the ability for GCC to fund the impacts of new development and the associated required infrastructure.

- 4.11. Figure 5 (below) compares the number of S106 agreements agreed by all charging authorities across the county. It is difficult to draw any meaningful conclusions when comparing the number of agreements signed by each authority due to the small sample size. It is, however, interesting to note that total number of agreements signed across the county is fairly consistent, despite the number agreed by each authority fluctuating across the two f/years. There could be many different factors impacting this relationship. One factor may be the number of major planning applications approved. The 2021/22 data will be published next month.

**Figure 5 - Number of S106 agreements agreed by all local authorities**

Local Authority	Number of agreements			Value of agreements		
	2019/20	2020/21	% Change	2019/20	2020/21	% Change
County Council	18	11	-39%	£9,576,200	£2,700,912	-72%
Cheltenham	2	3	50%	£266,660	-	
Gloucester City	3	5	67%	£2,399,872	£265,676	-89%
Tewkesbury	4	6	50%	£1,453,948	£167,781	-88%
Stroud	6	9	50%	-	£33,110	
Cotswold	7	6	-14%	£3,925,446	£127,478	-97%
Forest of Dean	6	3	-50%	£511,675	£1,012,587	98%
<b>Total</b>	<b>46</b>	<b>43</b>	<b>-7%</b>	<b>£18,133,801</b>	<b>£4,307,544</b>	<b>-76%</b>

- 4.12. Clearly of relevance is the value of the number of agreements signed. Although not a complete data set, the financial value agreed within the agreements is significantly less in 2020/21 when compared to the previous f/year. Almost all CIL charging authorities have reported a significant decline in the value of the S106 agreements signed at a time when the value of CIL contributions has increased – indicating the ‘switch’ to the use of CIL over S106 agreements. The Forest of Dean is the only non-CIL charging authority and, unsurprisingly, is the only one to report an increase in the value of agreements signed.
- 4.13. Overall, it is very difficult to directly compare S106 and CIL as the application of the two funding systems differs due to the different trigger points and calculation methodologies applied by each of the five LPAs in question. What is clear, however, is that the introduction of CIL has had a significantly negative impact on the scale of development contributions agreed and received by GCC. It remains the case that GCC has not received a penny of CIL from CBC, CDC, GCiC nor TBC since its implementation. This is an increasingly serious issue which needs to be acted upon by the LPAs in question as a matter of urgency. It is therefore encouraging that the JSP authorities have already started to actively review this situation and the associated governance arrangements.
- 4.14. Under CIL GCC has significantly less influence in relation to the essential link between proposed development sites and the required mitigation measures. However, under S106 arrangements the link between the development site and the mitigation measure is clearly understood, including the financial requirements needed for mitigating the impact of the new development on existing services. It has worked very successfully in Gloucestershire over many decades.

- 4.15. Based on the information provided within each IFS it is very difficult to reconcile the values of developer obligations agreed, received, allocated and spent due to the different ways the agreements have been drafted and the financial interpretations of the status on monies received by each authority. The data captured in this report does, however, provide a useful starting point for ongoing discussions with the LPAs regarding the future use and implementation of CIL.
- 4.16. For instance, GCC is currently working with the three JSP authorities (CBC, GCiC and TBC) to review the suitability of education and libraries contributions in the existing CIL system and returning them to being considered through site-specific S106 agreements paid directly to GCC. This review of the JSP CIL (which has been funded by GCC) is currently underway and is very much welcomed by GCC – albeit the review will not be completed until 2024 at the earliest. It may be that other LPAs (SDC and/or CDC) wish to follow suit. However, it must be stressed that GCC cannot force the District Councils to do this – CIL can only be implemented / collected / amended / distributed by the District Councils.
- 4.17. Finally, it should be noted that the Government has recently mooted the idea of a new ‘infrastructure levy’, which could be designed as a new mandatory charge on development, replacing CIL – possibly based on a percentage of the final gross development value above a set threshold. Local authorities could be tasked with setting the rate and threshold. It is currently unclear, if this were to be implemented, whether county councils (in two-tier local government) would be able to set / receive any future levy. The likelihood and future timing of the possible implementation of such a levy remains uncertain.

## **5. County-wide strategic planning?**

- 5.1. Gloucestershire has significant growth ambitions which will result in high levels of future development over the coming decades. There is a clear ambition for Gloucestershire to be a thriving ‘magnet county’ that attracts and retains young talent, as well as supporting all of its residents to live life to the fullest. It is highly likely that well in excess of 60,000 new houses will be built in the county over the next 15-20 years. There are exciting emerging development proposals, such as the Golden Valley Development, Tewkesbury Garden Town and a possible alternative energy park at Berkeley. All of these will require hugely significant infrastructure provision in order to facilitate sustainable developments.
- 5.2. As stated earlier in this report, the days of formal county-wide strategic planning (via structure plans) are long gone. Whilst the Government is showing no sign of a return to structure plans (and they had their critics), they did provide a statutory county-wide policy basis for LPAs to inform and guide District Councils when producing their local plans.
- 5.3. 4-5 years ago there was a county-wide conversation to explore ideas and shape the long-term future of the county via the ‘Gloucestershire 2050’ initiative. This included six major projects that could deliver various ambitions for the county by 2050. These were: super city, cyber park, regional parks, a new Lydney-Sharpness crossing, Cotswold Airport and

Cotswold Water Park. Some, but not all, of these projects are currently being progressed.

- 5.4. There was also subsequently a recently finalised Gloucestershire Statement of Common Ground (SOCG) which, at the time of writing, has been signed by 6 of the 7 local authorities and the GFirst LEP. (TBC being the exception). This outlines agreement (or otherwise) at a strategic level on topics such as climate change, housing, economy, transport, etc. It should be stated that the production of this document was a long and challenging process which took over 4 years and that the SOCG includes very broad and high level agreements.
- 5.5. GCC has become a funding partner of the emerging JSP (albeit with no LPA powers, which remain with the District Councils). GCC also ensures that the statutory 'duty to cooperate' legal requirements are adhered to – both for plans GCC produce, as well as those produced by the LPAs and adjacent authorities – as do the District Councils themselves. This ongoing active and constructive engagement between all of Gloucestershire's local authorities (and other stakeholders such as the GFirst LEP) should be continued on an ongoing basis for improved strategic planning in the future.
- 5.6. There has been talk of furthering the SOCG referred to above into a detailed county-wide strategic plan for the future planning of Gloucestershire. This clearly has merits and has been progressed elsewhere in the country. However, work on one of England's few remaining strategic plans was halted in the Summer, after the 5 LPAs in Oxfordshire failed to agree on the approach to planning for future housing needs. The 'Oxfordshire Plan 2050' work programme has now ended and the LPAs have made a transition to a focus on Local Plans. This is unfortunate, but serves to highlight some of the significant difficulties in co-authoring contentious documents such as these in two-tier local authority situations. It remains the case that GCC would be happy to continue to proactively explore the future strategic planning of the county with all six District Councils.

## **6. Summary**

- 6.1. It is clear that strategic planning in Gloucestershire has significantly changed over the decades. At present, there is an absence of strategic direction between national policy and guidance and local policy in development plans – be that at a county-wide and/or regional level.
- 6.2. This, amongst other factors, has led to conflict between GCC and most of the LPAs. This has been in relation to emerging Local Plans, the JCS / JSP and the determination of some planning applications. The extent of this has resulted in strong GCC objections and is currently peaking with the possible threat of legal action.
- 6.3. GCC has a plethora of roles / responsibilities – many of which are statutory – as well as being a key infrastructure provider in the county. However, GCC's hands are tied as it (i) is not an LPA [apart from very specific developments] and (ii) cannot become a CIL Charging Authority.

- 6.4. The severe impacts associated with the implementation of CIL in 5 of the 6 District Councils has been, and continues to be, a source of great concern to GCC. There is evidence to suggest that tens of millions of pounds of developer contributions are no longer being secured by GCC every year, with the greatest impact being on primary and secondary education provision. This will result in capacity issues at schools over the next 5 years onwards, once the demand for services from these new developments is required. At a time of ongoing financial uncertainty, such a significant 'loss' of income / funding is of great concern and is glowing red on GCC's corporate risk register.
- 6.5. The JSP authorities' ongoing review of CIL in order to review the suitability of both library and education contributions from CIL is very much welcomed. It is hoped and anticipated that the review can be completed by the JSP authorities as soon as possible and certainly no later than the currently anticipated 2024 end date.
- 6.6. The offer of further discussions regarding a county-wide approach to strategic planning remains firmly on the table. It is therefore hoped that this report should be used as a basis for future discussions between all 7 local authorities (and other stakeholders) regarding all of these vitally important issues. This should be with the key aim to ensure the most appropriate and sustainable way to strategically plan the future growth of Gloucestershire and the essential infrastructure to enable and support that growth.