

# MID WALES CORPORATE JOINT COMMITTEE

**Report Title: Report from the Chief Executive Officer of the Corporate Joint Committee**

**Date of Meeting: 31<sup>st</sup> July 2023**

<b>Purpose of Report</b>	To approve the recommendations set out in the report with regards the progression of delivery of work in the Sub Committees of the Mid Wales Corporate Joint Committee.
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## 1. Introduction

Further to a workshop taking place in June 2023 with Members and Officers of the Mid Wales CJC, it was agreed that the CEO of the CJC would submit a report with recommendations for approval with regards to the delivery of work in the following sub-committees of the CJC -

- Strategic Development Planning
- Regional Transport Planning
- Economic Wellbeing

## 2. Background

The Mid Wales CJC was established in April 2021 by statutory instruments made under the Local Government and Elections Act 2021.

In the meeting of the CJC on 25<sup>th</sup> January 2022, it was agreed that to enable the CJC to undertake its Statutory Duties, the following three sub-committees be established:

- Sub Committee for the Regional Transport Planning
- Sub Committee for the Economic Well-being (the Mid Wales Growth Deal)
- Sub Committee for the Strategic Development Planning

In addition, an Audit and Governance Committee, a Standards Committee and a Scrutiny and Overview Committee are to be established.

In the meeting of the CJC on the 4<sup>th</sup> July 2022 the appointment of Co-Optees to the Sub-Committees on the Mid Wales CJC were approved together with the Terms of Reference for each of the Sub-Committees as set out in section 5 of the Constitution.

To date the only Sub Committee that has met is the Strategic Development Planning which consists of Members and Officers from Ceredigion and Powys County Council and Bannau Brycheiniog Park Authority.

### **3. Strategic Development Planning**

Part 6 of the Planning and Compulsory Purchase Act 2004 applies to the Mid Wales CJC and requires the CJC to exercise its function of preparing a Strategic Development Plan (SDP). An SDP is a 20-year plan that takes approximately 5-6 years to develop and adopt. An SDP will outline the regions strategic priorities and create a planning framework to accommodate growth, focusing on Climate Change, Green Infrastructure, Flooding, Housing, Employment, Transport and a range of other key issues and themes. Guidance for SDP preparation is available in the form of an SDP manual. The manual outlines a similar procedure to that of LDP preparation with a number of key stages informed by public consultation.

Given the varying regional plan preparation stages at present, 3 SDP subgroup meetings have been held, whereby options and budget papers have been presented and a lead authority (Ceredigion) agreed. With recommendations from the subgroup reflecting the need to undertake significant preparatory work and a dedicated resource allowed for to begin this.

It is important to note that at present Ceredigion LDP and Bannau Brycheiniog LDP do not have a formal drop-dead date as were adopted prior to the 2015 Planning (Wales) Act. However, Powys LDP is time expired and will cease to be a plan in 2026. There is conflicting advice at a local and national officer and ministerial level as to the implications of drop-dead dates. With Legal opinion sought in the South West Wales SDP region suggesting that plans would continue to carry material weight beyond expiry date provided the plan was still relevant and in accordance with wider national policy.

LDP's and SDPs can be resource intensive and costly to produce, thus given the scale of our region and commitments of some partners i.e., BBNPA being a wider part of 3 SDP regions. It is important to consider what is realistically achievable and what would deliver the most benefit to the region. It has been agreed that an SDP is the most sensible approach with an opportunity to ensure a 'rural proofed' regional plan can be delivered that meets the needs and requirements of this unique central heartland of Wales.

To progress an SDP, it is recommended that the CJC seek clarification at a ministerial level on the implications of Powys moving to progress an SDP rather than their replacement plan. Powys are currently preparing their LDP and are approximately 6 months behind schedule, Regional recruitment difficulties and requisite budgetary constraints mean progressing both plans simultaneously is unworkable.

Pre-preparatory work on the SDP would center on developing a budget, aligning timetables across the 3 areas, including the Regional Transport Plan (RTP) and the Economic Wellbeing Plan, identifying key priorities, establishing a regional settlement hierarchy. Mapping regional skills, and identifying other authority leads who can assist as well as addressing IT needs across the region. With a view to preparing and submitting a Delivery Agreement for ministerial sign off in 2024.

#### **4. Regional Transport Planning**

Section 108(1)(a) and (2A)(a) of Part 2 of the Transport Act 2004(4) requires the CJC to develop transport policies and establish a regional transport plan for its area, of which Ceredigion and Powys councils form the plan area.

The CJC must **develop policies** for the promotion and encouragement of safe, integrated, efficient and economic transport to, from and within its area, which will implement the Regional Transport Plan.

Once the plan and its policies have been agreed each highway authority (Ceredigion and Powys Council's) will need to write a delivery plan for polices that have been developed.

The Welsh Government issued Regional Transport Guidance on the 13<sup>th</sup> July 2023, it is somewhat preceptive in setting out what the CJC will be expected to cover, and they do not want included, which is somewhat surprising given that the plan belongs to the CJC and needs to set out the regional context of the strategic transport network.

1. We DO want the RTPs to be firmly focused on achieving modal shift.
2. We DO NOT want overly long documents written solely by consultants.
3. We DO want evidence of clear outcome-focused thinking.
4. We DO want you to use innovative approaches and technology in both developing and implementing the RTP.
5. We DO want you to draw on existing analysis and plans, including the work of the Transport for Wales (TfW) Geospatial and Strategic

**Transport Analysis unit (G-STAT).**

- 6. We DO want you to work together as a CJC to produce the RTP.**
- 7. We DO want you to follow the five ways of working set out in the Well-being of Future Generations (Wales) Act 2015.**
- 8. We DO want you to use creative ways to engage people to achieve modal shift.**
- 9. We DO want you to include disincentives for car use as well as incentives for more sustainable travel.**
- 10. We DO want the Strategic Development Plans and the Regional Transport Plans to be developed together.**

The guidance sets out an expected timeline for the key Milestones for the preparation, engagement, and approval of the plan.

- 31<sup>st</sup> October 2023 – CJCs to submit Implementation Plan to Welsh Government.
- 29<sup>th</sup> February 2024 – CJCs to submit RTP Case for Change including SMART objectives to Welsh Government
- 29<sup>th</sup> May 2024 – CJCs to submit initial draft RTP, IWBA and RTDP to Welsh Government BEFORE public consultation
- 31<sup>st</sup> October 2024 – CJCs to submit final draft RTP, IWBA and RTDP to Welsh Government
- 29<sup>th</sup> March 2025 – CJCs to submit final RTP, IWBA and RTDP to Welsh Government
- 30<sup>th</sup> June 2025 – Welsh Government decision on approval of RTPs

This timeline is extremely challenging and therefore until the CJC has had the opportunity to fully consider the resources required to undertake all the tasks to achieve successful delivery of the plan, it would be unwise to sign up to the suggested timeline at this point in time. Whilst the Welsh Government have published the RTP guidance together with other transport related documents, it still hasn't published the new WelTAG guidance which is the necessary process that the CJC is expected to follow to establish our "case for change", one of the first stages of the plan. Also, the "Rural Pathway"; or the Freight and Logistic Plan, which are supporting policy documents has as yet to be published and are needed to understand and ensure the case for change takes account of them.

RTP process that need to be undertaken: -

Case for Change

Implementation Plan

Review of existing Joint Regional Local Transport Plan

Stakeholder Engagement Plan
WelTAG Lite Report
Monitoring and Evaluation Plan
Undertake two Gateway reviews of the plan process against the implementation plan
RTP Main Document -formal consultation
Integrated Sustainability Appraisal and scoping report
Submission of final RTP

The Deputy Minister for Climate Change statement issued on the 13<sup>th</sup> July, states that “RTPs *and new Strategic Development Plans will be co-developed by CJs to ensure a more joined up approach to land-use and transport planning*”. Whilst there is a need to consider both plans the timing of their delivery will make a “co-development” under the published timeline seem unrealistic, because the two processes will follow different timelines.

The statement also states, “*I have also appointed Cllrs Hunt and Medi to lead a 'Place Based Development Advisory Group'. They will be tasked with examining ways of working between transport, land use planning and development and making recommendations about how those areas can better integrate to achieve shared objectives*” The RTP guidance doesn’t identify how this advisory group will influence the production of our plan and I would suggest this provides further risk to achieving a defined timeline at this stage without further information. However, in commencement of planning the Implementation plan may resolve this point.

The work of the RTP would benefit from the CJC identifying what its regional objectives are, so that we can identify the opportunities to achieve better outcomes, before work commences on the preparation of the RTP.

Whilst delivery of a joint regional transport plan is not something new for the two local authorities, what has changed is the boundary of the new plan. It will no longer include southern area of Gwynedd council therefore, the three local authorities currently involved in the TraCC Mid Wales Transportation forum, will need to consider whether this resource is still required to continue and whether with the development of the new RTP by the CJC requires a different approach going forward, and the continued operation of TraCC is a duplication.

Whilst no formal evaluation of costs associated with the RTP guidance has been undertaken at this point in time it is estimated that resources in the region of £200k will be required.

## 5. Economic Wellbeing

As laid down in legislation, and subsequent regulations, the Mid Wales CJC has been granted the economic well-being function, as defined in Section 76 of The Local Government and Elections (Wales) Act 2021.

This is defined as “...may do anything which it considers is likely to promote or improve the economic well-being of its area.”

The economic well-being function may be exercised in relation to or for the benefit of:

- (a) the whole or any part of the corporate joint committee's area.
- (b) all or any person's resident or present in its area.

The economic well-being function includes power to do anything in relation to, or for the benefit of, any person or area situated outside the corporate joint committee's area, including areas outside Wales, if the corporate joint committee considers that it is likely to promote or improve the economic well-being of its area.

The above are subject to any prohibition, restriction or other limitation on the exercise of the economic well-being function as may be provided for in joint committee regulations or regulations under section 83.

There is no formal guidance issued by Welsh Government in respect of the Economic Wellbeing function (as is for the SDP and RTP). The function granted is defined as a “concurrent power,” in that the CJC and Constituent Councils (Ceredigion and Powys) have the same rights to exercise the powers in their respective areas and those rights are not diminished by either parties exercising them.

It is therefore for the Constituent Councils/Mid Wales CJC to determine what types of decisions, functions and or activity remain at a local level and what would be best undertaken at a regional level through the CJC.

Nationally, work is already underway by the Welsh Government to review its economic strategy, regional economic framework and it has also engaged the OECD to develop an action plan for regions in respect of economic development. An initial workshop was held with Members earlier in July 2023 – and the scope and maturity of the Mid Wales CJC was communicated clearly.

Regionally, we already have a number of partnership arrangements in respect of developing strategy, providing advice, and delivering funding:

- **Strategy and Engagement:** GMW Partnership, Economic Advisory Group (private sector), Regional Skills Partnership, Energy Advisory Board.
- **Delivery:** Mid Wales Growth Deal – with a legally constituted Joint Committee (GMW Board).
- **Hybrid arrangements – spanning regional and local:** Welsh Government Regeneration Funding, UK Shared Prosperity Fund, EU funds previously.

The key principles that are being drawn by the region in respect of the CJC are being developed as part of the development of its Corporate Plan. However, in respect of the economic wellbeing function – there is significant mapping and planning work needed to identify the scope and remit of the CJC in this space.

We can however adopt a strategic role for the CJC in this space initially. Mid Wales already has a strategic vision document (Vision for Growing Mid Wales) that was developed with stakeholders and the cross-sector GMW Partnership. It was the key document that provided the strategic context for bringing forward the Mid Wales Growth Deal and the Regional Investment Plan for the UK Shared Prosperity Fund.

The Vision for GMW is being reviewed and updated in line with the existing funding we are now delivering, and the remaining areas of intervention that we may wish to consider providing a strategic direction on regionally.

It is proposed that existing arrangements continue to update the Vision for GMW, it is consulted and refined by the GMW Partnership, then is considered formally by the CJC to adopt as the strategic vision for economic wellbeing.

It is then proposed that the economic wellbeing begins to meet informally in shadow form<sup>1</sup> to begin considering the options to develop and agree the scope and remit of the sub-committee.

The key tasks that this working group would need to resolve are:

- **Resourcing:** Identifying resource requirements and a lead officer
- **Strategy:** provide input and shape the ongoing work to update the Vision for Growing Mid Wales.
- **Action Planning:** Work with the OECD to understand and align work on the action plan to meet both the needs of Welsh Government and the needs of the Mid Wales CJC.
- **Growth Deal:** Further explore and understand the implications and practicalities of a proposed “lift and shift” of Mid Wales Growth Deal into the CJC.

## 6. Integrated Impact Assessment:

- 6.1 There is no requirement for an Integrated Impact Assessment for this report as the setting up of the CJC is underpinned by legislation and this report is to establish financial arrangements in accordance with legislation.

## 7. Workforce Impacts:

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7.1 Currently any employment within the MWCJC will be undertaken by constituent authorities and recharged back to the MWCJC taking due account of any associated taxation issues.

## **8. Legal Impacts:**

8.1 Part 5 of the Local Government and Elections (Wales) Act 2021 provides for the establishment, through regulations, of CJsCs and compliance will be had with this and other legislative obligations in the establishment of CJsCs. In particular the Mid Wales Corporate Joint Committee Regulations came into force on 1st April 2021 and set out that the CJC should be established and the timeframes for the discharging of specific functions.

## **9. Risk Management Impacts:**

9.1 Currently there are no risks identified with the recommendations in this report.

## **10. Consultation:**

10.1 There is no requirement for public consultation in respect of this report.

## **11. Reasons for Proposed Decision:**

11.1 To ensure that a way forward is agreed to commence delivery of the Statutory Functions of the Mid Wales CJC.

## **12. Recommendations**

**12.1 It is recommended that Ceredigion and Powys Council MWCJC Members approve the following with regard to progression of work with the three sub committees of the CJC.**

### **12.2 Strategic Development Planning (SDP)**

- 1. CJC to seek clarification on the legal position of the region moving to SDP work, leaving Powys in a 'no plan' period.**
- 2. CJC to support the resource requirements of pre-preparatory work in establishing the SDP and developing the Delivery Agreement.**

### **12.3 Regional Transport Planning (RTP)**

- 1. To commence the work of the CJC Transport Sub Committee and request Welsh Government to present on the Regional Transport Guidance.**

- 2. To undertake work to assess costs to undertake the RTP.**
- 3. That the existing GMW Transport Lead Officer is asked to lead on the work.**
- 4. To confirm that the southern area of Gwynedd is not included in the new regional transport plan and for the local authorities of Ceredigion and Powys to review the role and whether there is a need to retain the existing transport group TraCC.**

#### **12.4 Economic Wellbeing**

- 1. That the Mid Wales CJC resolves to receive the updated Vision for Growing Mid Wales from the GMW Partnership in the Autumn, for consideration to adopt as the strategy for this area of work.**
- 2. That the Mid Wales CJC provides the mandate for the sub-committee to begin meeting informally to begin scoping and detailing the options as outlined in the report, to report back in a plan by the next available CJC Meeting.**