

Advisory Panel - Places To Follow Report

Date: Wednesday, 11th March, 2009
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

9. **Update on Joint Working for Minerals and Waste Planning Policy** (Pages 1 - 32)

To receive a report updating Members on the progress that has been made on establishing a joint planning unit for minerals and waste planning policy.

Please contact Julie North on 01625 504221 or 01625 504224
E-Mail: julie.north@cheshireeast.gov.uk with any apologies or requests for further
information or to give notice of a question to be asked by a member of the public

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CHESHIRE EAST COUNCIL

Places Advisory Panel

Date of meeting: 11 March 2009
Report of: John Nicholson Places Director
Title: Update on Joint Working for Minerals and Waste Planning Policy

1.0 Purpose of Report

- 1.1 The principle of joint working for mineral and waste planning policy has previously been agreed by both Cheshire East and Cheshire West and Chester Councils. The purpose of this report is to update Members on the progress that has been made on establishing a joint planning unit for minerals and waste planning policy. This report is accompanied at Appendix 1 by the task list of considerations for shared services and at Appendix 2 by a detailed task list of these considerations in relation to joint working for minerals and waste policy.

2.0 Decision Required

- That the content of the report be noted;
- That the views of the Places Advisory Panel be sought on the task list in appendix 2 and fed through to Pricewaterhouse Coopers (PWC);
- It is noted that Governance arrangements are still being developed for shared services, but that concern is expressed regarding the ability of the proposed Governance arrangements and its ability to meet the rigorous planning policy development requirements. Should alternative organisational arrangements be required to ensure delivery of minerals and waste planning policy, then a strong form of alternative Governance be supported;
- The Panel continue to support the work of the officer working group in developing the joint working arrangements for minerals and waste policy.

3.0 Financial Implications for Transition Costs

- 3.1 The recommendations within this report have no additional financial implications for transitional costs.

4.0 Financial Implications 2009/10 and beyond

- 4.1 It is understood that the disaggregation of the County revenue budgets and the aggregation of the District revenue budgets has been built into the Medium Term Financial Strategy, incorporating the savings

assumed within the LGR business case from the sharing of services with Cheshire West & Chester (CWAC). The realisation of the amount depends upon achieving the design of the services by the due date.

5.0 Legal Implications

- 5.1 A Joint Programme Development Team (JPDT), has now been established to help the 44 proposed shared services become establish. The team comprised of both East and West representatives tasked with developing the necessary arrangements for the sharing of services across Cheshire from Vesting Day. The team has met on a number of occasions and has acknowledged that services considered in scope for sharing on either a long-term or temporary basis require guidance on what needs to be done before Vesting Day. Pricewaterhouse Coopers is enabling this. A number of guidance templates have been or are in the process of being prepared which can be used to help establish the legal, governance and working arrangements of the delivery of shared services as well as the Inter Authority Agreements.
- 5.2 The task list which has been prepared by the JPDT has to be completed before vesting day, Appendix 1 of this report identifies the task list. The completed tasklists are being co-ordinated by PWC, who acting as project lead will then provide a submission of all shared service details to the relevant Cabinet and Executive meetings. Appendix 2 sets out the options; decisions made by the Cheshire East Cabinet (3.03.09) and officer recommendations so far in bringing about the shared service.

6.0 Risk Assessment

- 6.1 A draft risk assessment has been undertaken and is available in appendix 3 of this report.

7.0 Decisions/discussions to date

- 7.1 At a meeting of the Cabinet on 17 December 2008 Members resolved that joint working on minerals and waste planning policy was an appropriate way forward and confirmed that the Portfolio Holder should authorise the Director (or his nominee(s)) to enter into interim arrangements under the Local Authority (Goods and Services) Act 1970 to support and enable officers to facilitate joint working (officer working group) on minerals and waste planning policy and that progress on joint working be reported regularly to the Local Development Framework task group. It was also resolved that further consideration should be given to the form of any joint working. Support for officers to continue to facilitate joint working on minerals and waste policy was also given from Cheshire West and Chester in December 2009.

- 7.2 A report on shared services prepared by the Borough Treasurer and Head of Assets was taken to the Cabinet of Cheshire East on 3 March 2009 and a similar report was taken to the Executive of Cheshire West and Chester Council (CWACC) on 4 March 2009. The CWACC Executive report was not available at the time of drafting this report but recommendations will be reported verbally at the meeting. Cabinet noted the supplementary list of services (which included minerals and waste planning policy) that have been provisionally considered for sharing by the JPDT in addition to those already agreed. In addition the Cabinet noted the proposed governance framework between the two Councils for shared services and the structure of the Inter-Authority Agreement that will support it as well as endorsing the proposed approach to dealing with staffing. The implications for minerals and waste policy of these decisions are discussed in more detail below and within Appendix 2.
- 7.3 Evaluation of the options and the most appropriate means for joint working on minerals and waste policy has continued to be sought from other Authorities already involved in joint working and advice has also been sought from PWC. The task list (appendix 2) has been used as a discussion tool in developing the joint working arrangements for minerals and waste policy. The key points from the task list and key issues outstanding are discussed briefly below.

Work Areas of the Joint Planning Unit

- 7.4 It is proposed that the joint planning unit shall provide a minerals and waste planning policy service for Cheshire West and Chester and Cheshire East Councils. It shall fulfil government requirements to plan and manage for both minerals and waste. It shall work at national, regional, sub regional and local levels to guide future development. Section 1 of the Task List at Appendix 2 of this report sets out in detail the proposed work areas. This list has been agreed by the Officer Working Group.

Timescale for the development

- 7.5 The projected end date for the shared service needs to be considered. At the moment the shared services are sub divided into two categories, those that are intended to be services shared in the short to medium term (to approx 2011) and those long term shared services. The Local Development Scheme for Cheshire East envisages its core strategy being adopted by April 2012, it also envisaged a Minerals Development Plan Document being prepared and adopted by September 2013. These dates fall outside of the short to medium term range. The policy unit was originally proposed to work strategically on minerals and waste issues allowing for the various sub regional apportionments to be implemented at the appropriate scale. The original JIT requested

that the shared service be developed long term, the officer working group also envisages services being provided long term.

Host Authority

- 7.6 The proposed Lead Authority for the joint minerals and waste planning unit are being prepared by the JPDT and PWC. The details of these proposals were contained in the report to the Cheshire East Cabinet on 3 March 2009. JPDT are recommending that the Lead Authority for the joint minerals and waste policy unit should be Cheshire West and Chester. This was noted by the Cheshire East Cabinet on 3 March 2009. The officer working group concur with this recommendation.

Governance Options

- 7.7 Previous reports to Cheshire East have considered the Governance options available in bringing about joint working. In essence Governance ranges from the strongest decision-making capabilities in the form of Committee taking executive decisions to the looser in the form of a working group.
- 7.8 In the report to Cabinet of 3 March 2009 it was identified that the basic Governance model proposed for shared services would be through a Joint Committee, the stronger of the two options. It is intended that the Joint Committee would fulfil a proxy portfolio holder role on behalf of the two councils. The Joint Committee would be supported by a Joint Officer Board. The Joint Officer Board would report to the Joint Committee essentially mirroring the relationship between portfolio holder and Director within the individual organisations. Cabinet on the 3 March noted the proposed arrangements.
- 7.9 The Governance is being introduced to try and ensure there is equal operational input into the services from each Council as well as providing a slim lined service. Some of the shared services will also have individual bespoke arrangements where required. During discussions with PWC it has been indicated that the Joint committee is likely to meet on a limited basis, maybe only two or three times a year. In relation to minerals and waste planning policy, there is significant concern that the proposed Joint Committee will meet too infrequently for the work programme of the joint minerals and waste planning unit to be achieved, that is to say for the milestones set out in the respective Local Development Schemes (LDS) to be met. Therefore, although in principle the proposed arrangements for the stronger governance structure of a Joint Committee can be supported further discussions need to take place with JPDT and PWC to ensure that systems are put in place to ensure that effective and timely planning policy decision making can take place.
- 7.10 Given the potential issues in relation to the frequency of the meetings of the proposed Joint Committee for shared services it is the officers

view that some form of alternative arrangements may also be required to be put in place to ensure flexibility in scheduling meetings; to allow decisions to be made on a more frequent basis; to allow for the LDS timetables to be met; as well as allowing for a knowledge base to be built up with relevant Councillors and Officers of the two Authorities, Appendix 3 and 4 provide some details. The Panels views are sought on the proposed Governance arrangements required to bring about effective and timely decision making for minerals and waste.

Staffing

- 7.11 The existing Minerals and Waste Development Framework team within the County Council consists of 5.8 Full Time Equivalents (FTE) including one FTE vacancy. Following disaggregation of staff within the existing Waste and Planning Service, staff within the Minerals and Waste team have predominately been allocated West. This supports the proposal that Cheshire West and Chester are the Host Authority for the joint planning unit. It is proposed by the JPDT that in the short term (prior to a review of staffing arrangements prior to 1 April 2010) that there should be the secondment of non-host staff back into the shared service on vesting day. This would bring staff allocated East within the team back into the joint planning unit therefore retaining the skill set of the current team. For those services being shared on a long term basis there may well be advantage in the future in moving towards a full transfer model to ensure convergence of terms and conditions.

Reporting Procedures and Delegation

- 7.12 In compiling the check list the need to decide on the reporting procedures for document production and the scheme of delegation for decisions needs further consideration. This needs to take into account the scheme of delegation that currently exist and/or are being prepared within the two Authorities and whether there needs to be a hierarchy of delegation. This issue is currently being discussed by officers in the joint working group and with PWC. Further information on this issue can be found in sections 13-15 of the Task List at Appendix 2 of this report.

Next Steps

- 7.13 Work will need to continue on the completion of information within the Task list and templates being provided for shared services. The completed checklists will then form a submission of all shared service details to be considered by the relevant Cabinet and Executive meetings prior to vesting day. This work will be project managed by PWC. The Borough Treasurer and Head of Assets also indicates that there will be a further report going to Cabinet on 24 March to address outstanding issues requiring approval to commence shared services. In the meantime further work will be taking place on the Inter Authority Agreements and Service Level Agreements will be prepared.

8.0 Reasons for Recommendation

- 8.1 Following support to progress joint working on minerals and waste planning policy, work has been ongoing to set up the operational arrangements for a joint unit. An overview of the information gathered and proposed resolution of a number of the aspects in relation to joint working have been made and included in the check list at Appendix 2 of this report. Cabinet and Executive have met and will continue to meet to finalise arrangements necessary for Day One sharing of services. The purpose of this report is to seek support for the work carried out so far in establishing the joint unit and to seek any views that the Panel may have on items contained within Appendix 2.

For further information:

Portfolio Holder: Councillor David Brown
Officer: Anne Mosquera, Acting Strategic Manager – Planning, Cheshire
County Council Tel No: 01244 973802
Email: anne.mosquera@cheshire.gov.uk

Background Documents:

JPDT checklist
Cabinet report of Cheshire East Council 3 March 2009.

Documents are available for inspection at: Westfields. Middlewich Road,
Sandbach

Appendix 1

Shared Services Task List

Task	Description
Governance	
Agree Charging Mechanism	Identify specific charging mechanism for the service and get agreement by both authorities.
Identify Governance	Document the required governance mechanisms, including governance bodies and processes
Agree Governance	Determine specific staff to fulfil governance roles and gain agreement for the governance mechanisms.
Establish Governance	Initiate the governance bodies and processes so that they are operational
People	
Develop Organisation Structure	Document the proposed organisation structure for Vesting Day.
Size Organisation	Determine the grades and number of FTE required, taking into account the budget.
Agree Temporary Staffing	Identify vacancies, contractors or agency staff and agree an approach.
Undertake training	Identify any specific training requirements and deliver the training.
Locations	
Establish Locations	Identify key locations and gain agreement that these will be made available to staff.
Technology	
Establish Technology	Document any key technology requirements (applications and infrastructure) and ensure that any changes are implemented.
Performance	
Document Performance	Document key performance metrics and targets and any standards that will be used in the service.
Agree Service Levels	Document the service level agreement between the service and the authorities and get this agreed.
Processes	
Identify Processes	Document key operational processes that the service will perform
Document Reporting Processes	Document management reporting processes required to provide assurance of the service performance to both authorities
Document Handovers/Interfaces	Document handover points where responsibility transfers into and out of the service, e.g. how requests received from non-shared services will be handled and when responsibility will be handed back to the non-shared service.
Finance	
Agree assets and Liabilities	Document, if appropriate, specific assets transfers or mechanisms to deal with assets and liabilities.
Agree Contracts	Document, if appropriate all contracts and where responsibility for these contracts should lie.
Transfer assets, liabilities and contracts	Ensure all assets, liabilities and contracts are transferred in accordance to the agreement.

Appendix 2

Shared Service Checklist and Recommendations

Shared Service checklist			
Ref No.	Item	Commentary	Discussions / decisions and recommendation made
Work areas			
1		<p>Introduction The Cheshire Joint Minerals and Waste Planning Unit (CJM&WPU) shall provide a minerals and waste planning policy service for Cheshire West & Chester and Cheshire East Council. It shall fulfil government requirements to plan and manage for both minerals and waste. It shall work at the national, regional, sub regional and local levels to guide future development.</p> <p>Vision To deliver a high quality, cost effective service to ensure the effective management of minerals and waste within Cheshire West and Chester and Cheshire East.</p> <p>Theme 1: Policy, Strategy and Guidance</p> <p>Objectives To advise and formulate policies, strategies and guidance relating to minerals and waste planning and to ensure its sustainable management.</p> <p>Procedures</p> <ul style="list-style-type: none"> • Input and provide comments on local, regional and national policies, strategies and guidance as it affects minerals resource and waste management; • Formulation of minerals and waste planning policy and the identification of strategic sites where appropriate for inclusion within the relevant Core Strategies of the Local Development 	<p>The Officer Working Group recommends the list as the basis for the Units work. There may well be some minor amendments but key work areas will relate to planning policy development and formulation.</p> <p>Decision to be made: Note the content of the list.</p>

		<p>Frameworks of both Cheshire West and Chester and Cheshire East, in line with relevant MPGs/PPGs/PPS and other national and regional guidance;</p> <ul style="list-style-type: none"> • Formulation of joint minerals and waste planning policy pan Cheshire and the identification of sites where appropriate for inclusion within the Local Development Frameworks, in line with relevant MPGs/PPGs/PPS and national, Regional and local guidance; • Formulate other Development Plan Documents and Supplementary Planning Documents on minerals and waste issues where appropriate; • Provide the an adequate evidence base for the required work; • Formulate safeguarding for mineral resources and waste management where appropriate; • Contribute minerals and waste input to corporate strategies, such as the Corporate Plan; Sustainable Community Strategy; Waste Strategy; PFI and liaise with the Local Strategic Partnerships; <p>Theme 2: Regulation, Monitoring and Review</p> <p>Objectives To regulate, advise, monitor and review minerals and waste planning policy to ensure an effective iterative process to policy review and development.</p> <p>Procedures</p> <ul style="list-style-type: none"> • Monitor the implementation of minerals and waste planning policy pan Cheshire and its effectiveness including statutory requirements for the Annual Monitoring report and Sustainability Appraisal Monitoring ; • Provide development control advice; including advising on pre-application enquiries and input to site development briefs as required; 	
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		<ul style="list-style-type: none"> • Advise on Environmental Impact Assessments of minerals, waste development proposals where necessary; <p>Theme 3: Represent the Constituent Authorities</p> <p>Objectives To represent the best interests of both Cheshire West & Chester and Cheshire East Authorities in respect of strategic minerals and waste policy at the national, regional and sub regional level and local level.</p> <p>Procedures</p> <ul style="list-style-type: none"> • To contribute to and input into the joint working with groups at regional and sub regional levels such as RAWP; RTAB; NW Planning Policy Group; • To contribute to and input into the Municipal Waste Strategies and PFI Waste Projects as regard their relationship to planning policy; • To contribute to and input into the Northwest Regional strategy 2010 and beyond; • To provide input to national policy development on minerals and waste; • To liaise with adjoining and cross border planning authorities outside the NW in relation to minerals and waste issues e.g. North Wales and the Potteries. <p>Theme 4: Land Holdings</p> <p>Objectives To advise on the management of local authority owned land where there is an interest in relation to minerals and waste</p>	
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		<p>Procedures</p> <ul style="list-style-type: none"> Working with property management to review the record of authority owned/managed assets in relation to minerals and waste management; Liaise and provide advice as necessary with property management within Cheshire West & Chester and Cheshire East. <p>Theme 5: Communications</p> <p>Objective To communicate clearly the aspects of minerals and waste strategy</p> <p>Procedures</p> <ul style="list-style-type: none"> To advise and provide training to elected members on minerals and waste matters; To provide advice and guidance to stakeholders on minerals and waste matters; To provide clear and real time information electronically on the web. 	
Timeframe			
1B	Timeframe for the shared service	<p>Timeframes for the existing proposed shared services fall into two categories; short to medium term (to approx 2011) and long term.</p> <p>The existing shared service arrangement was proposed to be carried out long term to</p> <ul style="list-style-type: none"> Ensure that effective plan policy could be developed; Allow for the various sub regional apportionments to be implemented at an appropriate scale; To allow for consistent policy approach when determining applications particularly crucial when designations within both subject plans cross the new Authority boundaries, current permissions cross boundaries. That the plan policy could be effectively monitored; <p>The two LDS now adopted for the Authorities envisages the Core Strategies being developed and</p>	<p>The original JIT request for joint working related to the provision of the service long term.</p> <p>Officer Working Group recommend that the shared service be undertaken in the long term.</p>

		delivered, for the East by April 2012 and in the West by May 2011. The East also envisaged a Minerals Policies and Allocations document being prepared by September 2013, (although a new joint timetable will need to be drafted). The timeframes fall outside of the short to medium term range.	
Governance			
2	Lead Authority (see also appendix 3 Risk Assessment)	The decision on lead authority has been put to Cabinet in the East (3 March) and has been put to Executive in the West. JPDT are recommending that Cheshire West and Chester should be the lead authority. Reasons for the CWAC lead recommendation relates to risk of skill loss.	JPDT recommend Cheshire West and Chester should be the host authority. Recommendation ratified by Cheshire East Cabinet 3.3.09 Officer Working Group recommend: That Cheshire West & Chester should be the host authority.
3	Charging mechanism	It is a requirement that we specify a specific charging mechanism for the Service and get agreement by both authorities. PWC recommend that that the charging mechanism should relate to the West / East split of 49% 51%. Given work will relate to core strategies for both Authorities as well as joint DPDs, and national, regional consultation there is likely to be an equitable split of work between authorities.	PWC recommend that the charging mechanism should be 49 / 51 % split West / East (CWAC/CE). Officer Working Group recommend PWC split, 49%/51% West/East split.

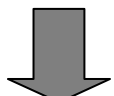

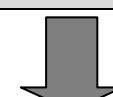
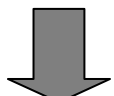

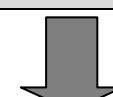
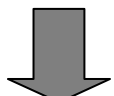

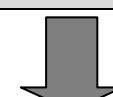
4	Governance arrangements (see appendix 4 and item 12)	<p>Introduction</p> <p>Governance arrangements are an item which have been taken through the Cheshire East and Cheshire West and Chester Cabinet and or Executive . For shared services they are looking to provide a slim lined service implementing a Joint Committee which would have delegated powers to oversee the delivery of almost all Pan Cheshire services. They see this as helping to implement cost savings. The Joint committee would be supported by a Joint Officer Board. Their role will be to support the committee. It is understood that the Joint Committee will meet very infrequently possibly only two or three times a year.</p> <p>While the Committee and Officer Board can be supported there are concerns about that ability of the Governance procedure to meet the deadlines of the process driven planning system. In this instance the further discussions need to take place to ensure that the suggested system can meet policy formation requirements.</p> <p>Governance options for minerals and waste planning policy</p> <p>There are considered to be a range of governance structures that could be adopted from the strongest decision-making capabilities in the form of Committee/Board taking executive decisions to the less formal /looser arrangement of a working group, see appendix 4. However, given the nature of planning policy making and likelihood of contentious and difficult issues arising the use of the stronger structure (such as a joint committee) might be more appropriate for reconciling conflicts and resolving the way forward.</p> <p>There are considerable areas of the entire pan Cheshire shared service arrangements where formal decisions have yet to be made, where additional guidance is being sought and templates produced, given this the following may act as a way forward :</p> <ol style="list-style-type: none"> 1. that further discussions take place with JPDT / PWC to see if the proposed Governance structure of a Joint Committee and Joint Officer Board allows for timely policy development. That if the structure is seen to be defective that a strong form of governance for the development of minerals and waste policy be developed to run alongside the proposed system; 	<p>The East Cabinet report indicated that Governance arrangements for shared services be undertaken through a Joint Committee and a Joint Officer Board. Cheshire East Cabinet noted the decision.</p> <p>The Officer Working Group recommend : That further discussions take place to see if the Committee and Board are able to meet the requirements of policy formulation and that if this is not possible that a strong form of Governance is put in place to lead the minerals and waste policy formulation.</p> <p>Panels views are sought on the Governance structures for future minerals and waste</p>
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		<p>2. That should an alternative system be required that this could be developed along the lines of the following</p> <p>A key aspect of the Joint Committee / Joint Officer Board approach is the necessity of the joint unit in disseminating information and looking strategically at the issues. Members of both groups are crucial to the success of the work in acting as champions.</p> <p>Joint Committee</p> <p>Members of the Joint Committee could include:</p> <ul style="list-style-type: none"> • Portfolio Holder of Cheshire West & Chester Herbert Manley; • Portfolio Holder for Cheshire East David Brown; • X no members of the LDF panel CWAC • X no members of the LDF panel /Places Panel CE <p>To be developed in line with political proportionality, substitutes Members should be clearly identified.</p> <p>(There are some difficulties in fully identifying committee representation as panels and steering groups are in some degree of flux. The principle of the group's makeup could be as outlined above).</p> <p>Joint Officer Board</p> <p>Members of the Board could include:</p> <ul style="list-style-type: none"> • Spatial Planning Manger CWAC & CE • Team Manager* – Cheshire Joint Minerals and Waste Planning Unit (TBC) • Team Manager CE* –Local Development Framework (TBC) • Team Manager CWAC* - Local Development Framework (TBC) • Team Manage CWAC and equivalent in the CEast- Waste Management & Street Scene, Senior Manager Waste Strategy (Helen De Lemos) 	<p>planning policy.</p>
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		(substitute Members should be clearly identified)																
		Team members are likely to be drawn from staff at tiers 4 and 5. Depending upon document / subject under review some membership may vary, those staff identified by an * are likely to be constant members of the steering group.																
		<table><tr><th>Authority</th><th>Governance structure</th><th>Decision making ability</th><th>Work area</th></tr><tr><td>CW&C & CE</td><td>Committee and Full Council</td><td>Full decision making as per Council</td><td>Approval and adoption of documents to be the responsibility of the constituent Authorities. This will be at the pre submission and adoption stages. (given the new regs)</td></tr><tr><td>CW&C & CE</td><td>Joint Committee (M&W)</td><td>Delegated authority to represent their authorities</td><td>Joint Committee to act as Executive with responsibility for all approvals of the joint minerals and joint waste documents and accompanying documents up to pre submission and adoption when documents will need to be granted approval through the constituent authorities. Potentially proposed to meet every 8 weeks or on an as required basis.</td></tr></table>				Authority	Governance structure	Decision making ability	Work area	CW&C & CE	Committee and Full Council	Full decision making as per Council	Approval and adoption of documents to be the responsibility of the constituent Authorities. This will be at the pre submission and adoption stages. (given the new regs)	CW&C & CE	Joint Committee (M&W)	Delegated authority to represent their authorities	Joint Committee to act as Executive with responsibility for all approvals of the joint minerals and joint waste documents and accompanying documents up to pre submission and adoption when documents will need to be granted approval through the constituent authorities. Potentially proposed to meet every 8 weeks or on an as required basis.	
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		CW&C & CE	Joint Officer Board	Delegated officer decisions.	<p>Officer working group made up from the constituent authorities, who will provide the internal champions for the work of the unit and advise on /provide steer for the work of the unit.</p> <p>Potentially proposed to meet every two months or on an as required basis.</p>	
		CW&C (host authority)	Cheshire Joint Minerals and & Waste Planning Unit	Delegated officer decision making TBC	Unit responsible for preparing the work, servicing the Joint Committee and Joint Officer Board.	

People						
5		The organisational strucutre of the Service is taken from the host Authority.				
	Organisational structure for vesting day CWAC including the Minerals and Waste Planning team.	Tier 3	Alan Slater Head of Strategic Housing and Planning			The structures in both of the Authorities complement each other. The East assumes that Minerals and Waste planning policy will take place as a shared service. Further work will be required once the CWACC structures are formalised. CWAC staff appointed down to tier 4, with tier 5 expected by late March.
			<div><div></div><div></div><div></div></div>			
		Tier 4	Jeremy Owens Senior Manager Spatial Planning			
		Tier 5	LDF Programme Manager	Growth Point	Minerals and Waste Planning Manager	
		Tier 6	LDF/ Spatial Planning Team	Growth Point Team	Minerals and Waste Planning Team	

	Structure in Cheshire East	<table> <tr> <td>Tier 3</td><td colspan="3"> Andrew Farrow Head of Planning and Policy </td></tr> <tr> <td></td><td colspan="3">  </td></tr> <tr> <td>Tier 4</td><td colspan="3"> Strategic Planning Manager </td></tr> <tr> <td></td><td>  </td><td>  </td><td></td></tr> <tr> <td>Tier 5</td><td> LDF Manager </td><td colspan="2"> Spatial Planning Manager </td></tr> </table>	Tier 3	Andrew Farrow Head of Planning and Policy							Tier 4	Strategic Planning Manager							Tier 5	LDF Manager	Spatial Planning Manager														
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6	Existing Size organisation for the Minerals and Waste Development Framework Team Cheshire County Council	<table> <tr> <th>Grade</th><th>Title</th><th>FTE</th><th>West / East</th></tr> <tr> <td>12</td><td>Minerals and Waste Development Framework Manager</td><td>0.6</td><td>West</td></tr> <tr> <td>11</td><td>Project leader</td><td>0.6</td><td>West</td></tr> <tr> <td>10</td><td>Principal Planning Officer</td><td>0.6</td><td>West</td></tr> <tr> <td>10</td><td>Principal Planning Officer</td><td>1</td><td>Vacant</td></tr> <tr> <td>6</td><td>Career Grade Planners</td><td>2</td><td>East and West</td></tr> <tr> <td>4</td><td>Planning Assistant</td><td>1</td><td>West</td></tr> <tr> <td colspan="2">Total FTE (including vacancy)</td><td>4.8 (5.8)</td><td></td></tr> </table>	Grade	Title	FTE	West / East	12	Minerals and Waste Development Framework Manager	0.6	West	11	Project leader	0.6	West	10	Principal Planning Officer	0.6	West	10	Principal Planning Officer	1	Vacant	6	Career Grade Planners	2	East and West	4	Planning Assistant	1	West	Total FTE (including vacancy)		4.8 (5.8)		The structure for CWAC minerals and waste planning team needs to be confirmed. Further work will then be required to identify the shared units structure.
Grade	Title	FTE	West / East																																
12	Minerals and Waste Development Framework Manager	0.6	West																																
11	Project leader	0.6	West																																
10	Principal Planning Officer	0.6	West																																
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6	Career Grade Planners	2	East and West																																
4	Planning Assistant	1	West																																
Total FTE (including vacancy)		4.8 (5.8)																																	

		<p>The existing M&WDF team consists of 5.8 FTE (7 post; 6 staff) including one vacant post which has not been filled due to LGR.</p> <p>The decision has /or is in the process of being made that all shared service staff outside of the host Authority will be seconded into the team/host authority.</p>	
7	Temporary staffing	There are no temporary staffing / contract staff issues.	No decision required
8	Training	This aspect is predominantly for new teams where they are to undertake a new function and to assess what training requirements they may have. The team is an existing team which already deals with planning policy for minerals and waste, if present staff continue to be employed within the group there are unlikely to be any major training requirements other than the required Continued Professional Development. Some additional team training will be required on the work software packages being implemented by the two Authorities within the Development Management and LDF work areas, links to the SCS and LAA will also be required (See item 10). CPD training should carry on as required by the professional bodies, for example 50 hours over 2 years for RTP1.	No decision required
Locations			
9	Location	The M&WDF team are currently housed at Backford Hall, Chester. It is proposed that for the short term that the team remain at Backford Hall, with the intent of the team being co-located with the LDF spatial planning team in the West.	Officer Working Group recommends that the team be located at Backford Hall for the short term.
Technology			
10	Establish technology	<p>Policy</p> <ul style="list-style-type: none"> • Limehouse software has been identified and purchased in CWAC to facilitate joint working on policy; • The decision has yet to be made on what software will be used to produce policy documents in Cheshire East. Limehouse or Swift software are both being considered. <p>Development Management</p>	<p>No formal decision required, information to be noted</p> <p>Access to both the LDF and DM databases will be required. Access also</p>

		<ul style="list-style-type: none"> • CWAC will be using CAPs; • CE will be using Anite (which is understood to be part of Swift software group). <p>Additional media / web training may be required.</p> <p>The existing information on Issues and Options for the Minerals Development Framework has been collated on excel; access and word.</p>	to the corporate GIS system and systems being set up for SCS and LAA.
Performance			
11	Document performance	<p>Document key performance targets and standards that will be used in the service (but will also depend upon work areas in item 1 of this report):</p> <ul style="list-style-type: none"> • Milestones identified as part of the LDS process for both CWAC & CE; • Input into the Annual Monitoring Report submission to GO by end of December • Number of formal consultation responses responded to within the required timescale ; • Number of delegated reports / officer recommendations made; • Number of strategic meetings attended. • % of minerals and waste development control advice provided within 21 working days; 	Still under review.
12	Agree service levels	The Service level agreement between the service and the authorities needs to be agreed. This is likely to take the form of a template which is still being prepared by PWC. The SLA is likely to look at aspects such as staffing; payment; etc. It may need to build upon the aspects outlined in appendix 5 of this report.	Clarification still being sought on this aspect.

Process																												
13	Identify process and document reporting process	<div>The following table tries to break down the work expected of the unit and the process by which it might be delivered</div> <table><tr><th>No.</th><th>Work area</th><th>Interdependencies</th><th>Timescales F fixed V variable O ongoing A as & when</th><th>Document reporting process</th></tr><tr><td>1</td><td>Input and provide comments on local, regional, national polices, strategies and guidance</td><td>e.g. planning policy statements; minerals and waste guidance; national strategies.</td><td>F A O</td><td>Reporting is likely to vary depending upon the nature of the strategy; documents; guidance being commented upon. See questions.</td></tr><tr><td>2</td><td>LDF Input into respective documents including core strategy</td><td>LDS & SCI CE LDS & SCI CWAC</td><td>F O</td><td>Joint committee and steering group and respective authorities procedures</td></tr><tr><td>3</td><td>LDF joint DPD</td><td>LDS SCI</td><td>F O</td><td>Joint committee and steering group and respective authorities procedures</td></tr><tr><td>4</td><td>Supplementary</td><td>LDS</td><td>To be</td><td>Joint Committee and</td></tr></table>	No.	Work area	Interdependencies	Timescales F fixed V variable O ongoing A as & when	Document reporting process	1	Input and provide comments on local, regional, national polices, strategies and guidance	e.g. planning policy statements; minerals and waste guidance; national strategies.	F A O	Reporting is likely to vary depending upon the nature of the strategy; documents; guidance being commented upon. See questions.	2	LDF Input into respective documents including core strategy	LDS & SCI CE LDS & SCI CWAC	F O	Joint committee and steering group and respective authorities procedures	3	LDF joint DPD	LDS SCI	F O	Joint committee and steering group and respective authorities procedures	4	Supplementary	LDS	To be	Joint Committee and	<div>Officer Working Group have recommended amendments to the table, these have been carried out.</div> <div>Advice currently being sought from PWC. Further work will be required on this aspect, taking into account existing / emerging schemes of delegation.</div>
No.	Work area	Interdependencies	Timescales F fixed V variable O ongoing A as & when	Document reporting process																								
1	Input and provide comments on local, regional, national polices, strategies and guidance	e.g. planning policy statements; minerals and waste guidance; national strategies.	F A O	Reporting is likely to vary depending upon the nature of the strategy; documents; guidance being commented upon. See questions.																								
2	LDF Input into respective documents including core strategy	LDS & SCI CE LDS & SCI CWAC	F O	Joint committee and steering group and respective authorities procedures																								
3	LDF joint DPD	LDS SCI	F O	Joint committee and steering group and respective authorities procedures																								
4	Supplementary	LDS	To be	Joint Committee and																								

			Planning Documents		determined	respective authority procedures	
		5	Contractual arrangements relating to evidence base	LDS	A	Officer delegation	
		6	Safeguarding of minerals and waste	Core Strategies and LDS	F	Joint committee and steering group and respective authorities procedures	
		7	Input into corporate strategies; SCS; Waste Strategy; waste PFI; LSP etc	Generally individual authority work feeding directly into the documents.	O V F	Direct to relevant corporate strategy groups	
		8	Provide training to elected members	Committee services ; LDS scehdule	O A	NA	
		9	Advice and guidance to stakeholders	LDS and LDF work	As and when	NA	
		10	Minerals and Waste policy monitoring	Individual authority AMR	O	To Joint Committee for information. Possibly 6 monthly.	
		11	AMR input	AMR CWAC & CE	F	Through respective Council arrangements	
		12	DM advice	Eg Planning applications	A	Delegated officer comments	
		13	Input into joint working groups	RAWP; RTAB; NW officer grp etc	O A	Delegated officer	

		14	Input into municipal waste strategies PFI	Waste strategies	F O	Delegated officer	
		15	Contribute to NW regional strategies	4NW; CWEA etc	F A	Delegated officer comments, for formal stages Joint committee approval.	
		16	National policy development	Waste and mineral related CLG	F A	Delegated officer comments, ratification by Joint committee for certain stages	
		17	Liaison with adjoining and cross boarder authorities	Waste and mineral related aspects	F O A	Delegated officer	
		18	LDF neighbouring authorities	Waste and mineral related documentation such as CS; DPD, SPG.	A	Delegated officer comments, for formal stages Joint committee approval.	
		19	Property management		A	Officer comments only	
14	Document reporting process	Document management reporting process required to provide assurance of the service performance to both authorities. <ul style="list-style-type: none"> • Ability to meet LDS milestones; • AMR monitoring and review; • Regular meetings held with relevant officer of the two authorities. 					
15	Document handovers/interfaces	LDS joint documents - documents will be progressed through the Joint Committee until it reaches the publication stage. At this stage the respective councils will be required to agree the documentation and again at the submission stage. At the Adoption stage they will require full council approval.					Joint Committee and Joint Officer Board need to be confirmed as well as ability to meet plan

		LDS input into individual authority documents - input into individual authority council procedures unless there are strategic issues which require the joint committee resolution.	policy requirements.
Finance			
16	Budget 2008-2009 M&WDF	TBC	Still being developed.
17	Agree assets and liabilities	The existing team has no major assets and liabilities.	No comment required.
18	Agree contracts		Templates to be provided centrally.
19	Transfer assets, liabilities and contracts	The Waste and Planning Service at present is the Chair and Technical Secretary for the North West Regional Aggregate Working Party. Discussions are underway for the Joint Team to take on the work. The contract ceases 31 March 2010.	Communities and Local Government decision required.
20	Co dependencies within the authorities (relevant to both Cheshire East and CWAC)	<ul style="list-style-type: none"> • Development Management; • Strategic planning • Local Development Frameworks • Waste strategy • Waste PFI and contracts • Local Strategic Partnerships • Sustainable Community Strategy • Research and Intelligence; • Reclamation /regeneration teams; • Input from specialist including landscape; archaeologists; economic development regeneration; climate change teams 	Note co dependencies, no formal decision to be made.

Appendix 3: Draft Risk Assessment for Joint working on Minerals and Waste Planning Policy

Risk No	Risk (Threat/Opportunity to achievement of service objective)	Gross Score (as it is if there are no measures in place to control the risk)			Existing measures to control risk (those in place and working)	Net Score (as it is now)			Actions	Cost of Actions £	Manager Responsible	Target Score (when all actions are in place)		
		Likelihood [L]	Impact [I]	Gross Score [L x I]		Likelihood [L]	Impact [I]	Net Score [L x I]				Likelihood [L]	Impact [I]	Target Score [L x I]
1	Risk may arise where one authority pulls out at a late stage	4	4	16	Initiate risk management procedures; pro forma / arrangements under the Local Authorities (Goods and Services) Act 1970, to facilitate joint working.	3	4	12	Build and keep under review a clear Memorandum of Understanding. Adopt a risk management approach that enables the full consequences of any joint agreement collapsing to be fully assessed.	TBC	TBC	3	3	9
2	Reduction in funding	4	3	12	Budget responsibilities identified.	4	3	12	As 1 above	TBC	TBC	3	3	9

3	Producing a joint plan may take longer to complete.	4	3	12	LDS timetable; GONW involvement from the start; Reports to relevant East & West committees/ panels.	4	3	12	Ensure an understanding of the system and its process, that an DPD document has to be sound, this needs to be achieved through tackling some of the more difficult issues and ensuring more sustainable solutions. Initial ground work may need to be devoted to building a dialogue, developing an understanding of the area (minerals or waste) and issues surrounding joint working. Training of staff and Councillors required. Investment in time and resources should help in achieving longer term solutions.	TBC	TBC	4	3	12
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4	Complex management of process required in joint working partnership	4	3	12	Initiated risk management ; involvement of Planning Advisory Service to resources for LDS production.	3	3	9	Need to ensure robust project management arrangements are in place and that they are kept under review. This should be linked to the development of strong support networks between authorities accompanied by clear and structured communication between parties.	TBC	TBC	2	3	6
5	Potential public confusion over documents geographic area, given the new Authorities remit.	3	3	9	Real time information on DPD to be included on web sites for partners. Inclusion of relevant stakeholders in SCI consultations .	3	3	9	Ensure the wider picture is understood. Provide clear information and reasoning behind the decisions. Authorities web sites and real time information on development plan documents; inclusion within the LDS & SCI. Raise public awareness of plan issues and involvement in plan process through the SCI.	TBC	TBC	3	2	6

6	Political disunity could cause conflict in decision making process and implementation of decisions.	4	4	16	Members are kept informed of decisions on joint working through the relevant panels etc.	4	3	12	Need to ensure adequate debate, achieve common ownership of the problems and full understanding of the range of solutions	TBC	TBC	3	3	9
7	Failure to provide a planning policy framework	4	3	12	Joint working is being broached in order partly to retain sufficient staff and skills base to produce effective and legally robust policy documents	4	3	12	Provide training on planning policy development and specific minerals and waste policy issues.	TBC	TBC	4	3	12
8	Team located in the East	4	4	12	Internal discussion taking place to decide where the most appropriate location would be for the team	3	3	9	Continue to work with PWC and partners			2	2	4

Appendix 4 - Potential Governance arrangements for joint working on minerals and waste planning policy

Option 1	Joint Board / committee made up from Members of partner Authorities that have delegated powers with responsibility for progressing a plan.	Used by
Advantages	<ul style="list-style-type: none"> The Board would be a powerful arrangement and would bind in authorities to shared solutions. Potentially, it could be a speedier control mechanism, e.g. during the preparation of Local Development Documents approval would be reached by both authorities (until the final stages of submission and adoption, when individual Council approval would be required). The Board could set its own timescales, rather than being tied into timetables of individual authorities. The Board could provide a powerful mechanism for securing a way forward through disunity. The formal arrangement of a Board could give strength to better working relationships 	<p>Greater Manchester</p> <p>Tees Valley</p> <p>Berkshire</p> <p>Lancashire</p>
Disadvantages	<ul style="list-style-type: none"> Initially takes longer time to set up as it would require legal arrangements and full resolutions of each Council to be established. As a strong structure, should the Board flounder through disagreement, the resultant situation could be more difficult. 	
Option 2	Working parties of elected members set up of relevant authorities to discuss items and associated issues, but decisions are made by the separate Authorities.	
Advantages	<ul style="list-style-type: none"> Could be easy and fast to set up, if formalities are not required. Discussion is potentially less constrained by a formal decision making context; the committee is used for discussion and debate, rather than formal decision making. More flexible, e.g. meeting dates could be more movable to meet key dates, rather than on a fixed formal timetable. Can be used to inform the debate, and raise the level of understanding of issues. 	<p>Merseyside</p> <p>No. of London Boroughs</p>
Disadvantages	<ul style="list-style-type: none"> The more informal the process, potentially the less credibility and stature any agreements reached may have – which might then need to be re-debated within each constituent authority. This may also make more difficult the task of integrating work on the wider Local Development Framework process of each authority. 	

Appendix 5 – Support Required from Cheshire West and Chester Council and Cheshire East Councils

To carry out duties Cheshire West and Chester Council and Cheshire East will:

- Provide adequate staffing levels of dedicated, appropriately qualified and trained staff;
- Provide legal and administrative support and support from finance officers as appropriate;
- To provide committee and member service support and training where applicable;
- Provide appropriate accommodation;
- Provide appropriate hardware and software, licences and maintenance contracts to ensure the CJM&WPU can carry out its work;
- Provide access to corporate GIS data (e.g. OS Base mapping, constraints; historic mapping and digital aerial photographs);
- Provide the facilities and staffing to carry out the necessary and statutory assessments and appraisals of emerging documents;
- Seek advice from CJM&WPU on all policy and strategy production which may impact on mineral resource and waste management facilities (existing and or safeguarded);
- Seek advice from CJM&WPU on all major planning applications which affect mineral and waste resources;
- Provide and input into relevant committee reports, before submission, which affect minerals and waste strategy;
- Provide the opportunity for CJM&WPU officers to attend relevant committee meetings and other member focus groups, as appropriate to offer advice and guidance on matters affecting the mineral and waste strategy;

- CJM&WPU officers will develop close and beneficial working relationships with Development Management and Strategic Planning / LDF of Cheshire West and Chester and Cheshire East.

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