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Welsh Government  
Consultation – summary of responses

**Proposals relating to Strategic Planning Panel Regulations, composition and financial matters**

January 2016

**Overview**

This document provides a summary of the responses received by the Welsh Government to the Proposals relating to Strategic Planning Panel Regulations; composition and financial matters – consultation which ran between 10 August and 2 November 2015.

**Audience**

Businesses, consultants, local planning authorities, government agencies and other public sector bodies, professional bodies, interest groups, the voluntary sector, representative bodies and individuals who represent protected groups and have an interest in the planning system.

**Action Required**

For information only

**Further Information**

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**Additional Copies**

This document can be accessed from the Welsh Government website at:  
<http://gov.wales/consultations/planning/proposals-relating-to-strategic-planning-panels-regulations/?status=closed&lang=en>

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## **1. Introduction**

- 1.1 A consultation on proposals relating to Strategic Planning Panel Regulations; composition and financial matters was launched on 10 August 2015 and was open for responses for 12 weeks until 2 November 2015.
- 1.2 This summary report details the responses to the consultation.

## **2. What was the consultation about?**

- 2.1 The consultation sought views on proposals for the composition and financial matters relating to Strategic Planning Panels. The Planning (Wales) Act 2015 amends Part 6 of the Planning and Compulsory Purchase Act 2004 and introduces Strategic Development Plans (SDPs) which are to be produced by a Strategic Planning Panel (Panel). A Panel is to be a public body and only has one function – plan making. It will have corporate body status and will be formed of both local planning authority (LPA) members and nominated members from social, economic and environmental groups. Only the LPA members will have voting rights.

### *Strategic Development Plans*

- 2.2 An SDP is a development plan dealing with issues including housing, employment, transport, infrastructure, minerals and waste which cut across a number of local planning authorities. Addressing these issues in the SDP will ensure that they are planned for in an integrated and consistent way. These are issues which local authorities have found difficult to address at the local level when preparing Local Development Plans (LDPs). Housing provision for LDPs will be set at this level and may include the identification of strategic allocations for uses over certain thresholds.

### *Strategic Planning Panels*

- 2.3 The Panel is a plan making body only and does not make decisions on planning applications. The Panel will be required to make decisions on governance arrangements of the Panel such as nominating members, agreeing standing orders, finance, appointment of technical staff etc. The Panel will also be required to make decisions on the production of the SDP, including whether an SDP is ready for independent examination. The Panel does not require agreement from the constituent LPAs.

### **3. Why are we proposing change?**

3.1 The proposals reflect our policy commitment to increase female representation of LPA members on Panels. The proposals also outline what should constitute qualifying expenditure for the purposes of the financial arrangements relating to a Panel.

### **4. What were the main changes proposed?**

#### **4.1 Proposals - Composition of Strategic Planning Panels:**

- A requirement to increase female representation by setting a minimum 40% female and 40% male local authority members; The remaining 20% means that the composition of each SPP can reflect local circumstances.
- A requirement for local authorities to work together to achieve this composition requirement;
- Circumstances which permit an exception to the composition requirement where meeting the 40% requirement is unachievable,
- Intervention power to enable the Welsh Ministers to issue a direction to any LPAs if they are not complying with composition requirements;
- A reporting mechanism to ensure the Welsh Ministers are notified of the failure to comply with the composition requirements;
- Suspension of voting rights of LPA members of an LPA which fails to comply with composition requirements.

4.2 Separate establishment regulations for each Panel will set the number of local authority members for each constituent authority. It is then for each LPA to appoint the member(s). The eligible members within a local authority are those who represent an electoral ward in the Panel area and any elected mayor, elected executive member and in the case of National Park Authorities any member of that authority or joint board.

#### **4.3 Proposals - Financial Matters:**

- A definition of qualifying expenditure, including what is to be funded by the constituent local authorities and what is not to be included. Provision to the effect that eligible activities may be funded by constituent LPA payments as long as they are justified as necessary for the functions of the Panel.

4.4 The Strategic Planning Panels are to be funded by the constituent local planning authorities; the work relating to SDPs gives rise to a redistribution of the LDP work and consequently there should be no additional costs. The issues that are currently addressed in a LDP will continue to be dealt with, but the strategic planning issues such as housing numbers, employment, transport, gypsy and traveller accommodation needs and minerals and waste will be dealt with once across a wider area. This would result in sharing of technical expertise, reduced costs and a collaborative approach to addressing larger than local issues. The proposed introduction of SDPs would reduce the duplication of work, for example, rather than each local planning authority commissioning work on minerals and waste, this would be addressed once on a wider area in the SDP. It will therefore result in significant cost savings for LPAs when preparing the LDP evidence base. Therefore this assessment focuses on the composition elements of the proposals and not the financial matters.

## **5. Next Steps**

5.1 This Consultation Summary Report is published alongside The Strategic Planning (Composition of Panels and Qualifying Expenditure)(Wales) Regulations 2016.

## **6. Details of Responses**

6.1 All responses have been considered fully in preparing The Strategic Planning (Composition of Panels and Qualifying Expenditure)(Wales) Regulations 2016.

6.2 The consultees were drawn from the core stakeholders consultation list held by the Planning Directorate and stakeholders from Fairer Futures and Equalities teams within the Welsh Government. These stakeholders included all local planning authorities in Wales, together with relevant public bodies, businesses, special interest groups, professional bodies and other interest groups (and were listed with the consultation package "Consultation list"). The consultation documentation was made available on the Welsh Government consultation website on 10 August 2015 until 2 November 2015.

6.3 In total, 25 consultation responses were received.

<b>Type of organisation</b>	<b>Numbers responded</b>
Businesses	3
Local Planning Authorities	14*
Government Agency/Other Public Sector	2
Professional Bodies / Interest Groups	5
Voluntary Sector	0
Other	1
<b>TOTAL</b>	<b>25</b>

\*One response was a combined response from the 3 National Park Authorities

6.4 **Appendix A** includes a list of all respondents. Copies of the individual consultation responses are available on request.

6.5 A statistical overview of responses is available in Annex B.

## **7. Summary of the Key Themes / Issues**

- 7.1 The respondents were mostly in support of the proposed changes. The majority of respondents support the inclusion of a 40% minimum percentage for both women and men on Panels and indicated how this could help to deliver greater diversity and more representative decision making bringing a range of perspectives. Those that did not agree felt that targets in guidance should be used and that the use of a quota could be seen as placing a greater emphasis on achieving a gender balance rather than having the right members with the right knowledge, experience and ability on the Panel.
- 7.2 Many recognised that in order to deliver this change in a timely manner a quota is required. Respondents recognised the work across the Welsh Government and the need to increase the number of women in local government.

## 8. Statistical Breakdown and Overview of the Responses to Each Question

8.1 A summary of the key findings under each consultation question is set out below. This section provides a detailed summary and analysis of the key themes generated for each question followed by the Welsh Government's response.

**Q1. Are you aware of any further evidence that would support the approach proposed, in particular evidence on appointments from local authorities to similar public bodies?**

Question 1	Yes	Yes but with further comment	No	DNA
Business	0	0	3	0
LPA	2	1	8	3
Govt. Agency/Other Public Sector	0	0	0	2
Professional Body/Interest Group	1	0	2	2
Voluntary Sector	0	0	0	0
Other	0	1	0	0
<b>Total Responses:</b>	<b>3</b>	<b>2</b>	<b>13</b>	<b>7</b>

### Statistical Review

12% Agree; 8% Agree but with further comment; 52% Disagree and 28% did not answer.

### Overview

The majority of the respondents were not aware of any further evidence that would support the proposed approach. Those remaining provided examples of similar current practice in business and local authorities, reports and research on this topic.

### Welsh Government Response

The evidence submitted was reviewed during the development of the regulations which provided further background to increasing gender equality in public bodies, giving international and national examples.

**Q2. Do you know of further evidence around the number of female local planning authority appointments to public bodies?**

Question 2	Yes	Yes but with further comment	No	DNA
<b>Business</b>	0	0	3	0
<b>LPA</b>	0	1	10	3
<b>Govt. Agency/Other Public Sector</b>	0	0	0	2
<b>Professional Body/Interest Group</b>	0	0	3	2
<b>Voluntary Sector</b>	0	0	0	0
<b>Other</b>	0	0	0	1
<b>Total Responses:</b>	<b>0</b>	<b>1</b>	<b>16</b>	<b>8</b>

**Statistical Review**

0% Agree; 4% Agree but with further comment; 64% Disagree and 32% did not answer.

**Overview**

Majority of respondents were not aware of further evidence. The following papers/ research/ information were submitted:

- The Welsh Local Government Association notes the Welsh Government call for evidence “Increasing the representation of women and other under represented groups on Public Sector Boards” and the possibility of a situation where public sector boards could be adhering to different quotas. Timely to consider whether it would be more appropriate to take a more holistic approach to increasing female representation.
- Vale of Glamorgan Council – Planning committee 21 members 7 women and 14 men, Cabinet member for regeneration is female.
- Rhondda Cynon Taf County Borough Council – One of the highest levels of female councillors in Wales at almost 40%.

**Welsh Government Response**

The evidence submitted was reviewed during the development of the regulations which gave further background to increasing gender equality in public bodies.

**Q3. Do you support the inclusion of a minimum percentage for both women and men on Panels?**

Question 3	Yes	Yes but with further comment	No	DNA
<b>Business</b>	1	0	1	1
<b>LPA</b>	3	10	0	1
<b>Govt Agency/Other Public Sector</b>	0	0	0	2
<b>Professional Body/Interest Group</b>	1	1	1	2
<b>Voluntary Sector</b>	0	0	0	0
<b>Other</b>	0	1	0	0
<b>Total Responses:</b>	<b>5</b>	<b>12</b>	<b>2</b>	<b>6</b>

**Statistical Review**

20% Agree; 48% Agree but with further comment; 8% Disagree and 24% did not answer.

**Overview**

Majority of respondents support the inclusion of a minimum percentage. Those respondents that **agreed** with the proposal raised the following points:

- Welcome the commitment and use of quota and the leadership shown by the Minister.
- Will encourage more women to take up positions on the Panel.
- Greater diversity leads to better governance and decision making.
- Percentage should be for guidance purposes and not a requirement, ensuring all reasonable endeavours are used.
- Minimum quotas may not be the most appropriate way forward at this time.
- No guarantee the target could be met.
- Should not place an undue burden on women.
- Quota should not be at the expense of appointing members with the appropriate skills, knowledge and experience.
- Occupation of panel members could influence decision making and needs more control.
- Consideration should be given to other equal opportunity issues such as age, race, religion, sexual orientation etc. to ensure the Panel reflects the society it serves.
- Questions why it is a minimum percentage, rather than a target.

- Support as long as it does not affect the overall numbers and cause a democratic deficit from individual LPAs.
- Practical consequences of changes from elections etc. and number of female councillors.
- Will help bring a range of perspectives, views and backgrounds to the Panels, make them more representative increasing their status and legitimacy to their decisions.
- Reasonable means of working towards the aims of the Equality Act 2010 whilst not disadvantaging particular groups.

Those respondents that **disagreed** with the proposal raised the following points:

- Should be a target not a quota.
- Questions why there is a percentage for men due to historical trends.

### **Welsh Government Response**

The majority of respondents support the inclusion of a minimum percentage for both men and women on Panels. It is proposed to progress the regulations with a quota based composition requirement. Many of the responses reflect the rationale for the policy i.e. to deliver greater diversity and more representative decision making bringing a range of perspectives. Some felt that the percentage should be in guidance rather than a statutory target however it was acknowledged by a number of respondents that a statutory approach is the best way to deliver the policy objective in a timely manner.

Training and guidance will be provided by the Welsh Government to develop skills in strategic planning. The procedure for appointing members to the Panel is a matter for each constituent LPA; all members appointed including those with other protected characteristic will be appointed using local authority appointment policies.

**Q4. Do you agree with the percentage being set at 40%, if not why not?  
Do you consider an alternative percentage to be more appropriate and if so why?**

<b>Question 4</b>	<b>Yes</b>	<b>Yes but with further comment</b>	<b>No</b>	<b>DNA</b>
<b>Business</b>	1	0	1	1
<b>LPA</b>	4	7	1	2
<b>Govt Agency/Other Public Sector</b>	0	0	0	2
<b>Professional Body/Interest Group</b>	1	1	1	2
<b>Voluntary Sector</b>	0	0	0	0
<b>Other</b>	0	1	0	0
<b>Total Responses:</b>	<b>6</b>	<b>9</b>	<b>3</b>	<b>7</b>

#### **Statistical Review**

24% Agree; 36% Agree but with further comment; 12% Disagree and 28% did not answer.

#### **Overview**

The majority of the respondents agree with the percentage being set at 40%. Those respondents that **agreed** with the proposal raised the following points:

- 40% should only be in guidance, targets and not quotas.
- 40% is reasonable and realistic.
- An acceptable aspiration target, should model number of female planning committee members.
- Modelling shows this is achievable.
- Justification appears to be sound.
- Should be a stepped target towards 40% to allow the other initiatives in local government to bear fruit.
- Agree with percentage but request implementation over first 3 years of SPP to ensure flexibility.
- Range could be used between 30 and 40% to give added flexibility.
- Could place a greater emphasis on achieving the gender balance rather than Councillors with the right knowledge, experience and ability.
- A method of assessing the competences of members needs to be found.
- Questions why target does not apply to all members on the Panel.
- Question why the make up of a panel does not reflect other protected characteristic groups.

- Targets are a positive step, they must be practical, it does not appear all areas will be able to reach the targets as there aren't enough female councillors.

Those respondents that **disagreed** with the proposal raised the following points:

- Quota should not override the need for getting the right members with the ability to contribute positively and meaningfully.
- Could be too ambitious, targets should be challenging but have to be realistic, alternative approaches should be considered.
- There are not enough women in local politics, percentage could be too ambitious, step change required in local authorities.

### **Welsh Government Response**

The majority of respondents support the inclusion of a minimum percentage being set at 40% on Panels. It is therefore proposed to progress the regulations with a quota based composition requirement. Many of the responses reflect the rationale for the policy i.e. to deliver greater diversity and more reflective decision making bringing a range of perspectives. Some felt that the percentage should be in guidance rather than a statutory target however it was acknowledged by a number of respondents that a statutory approach is the best way to deliver the policy objective in a timely manner.

Delivering the policy through a quota at the establishment of the Panel will achieve the policy objective. It is not proposed to phase the implementation of a quota. Phasing will only delay the delivery of the policy, prolonging the process which is not necessary as the evidence shows this can currently be achieved.

The procedure for appointing members to the Panel is a matter for each constituent LPA; all members including those with other protected characteristics will be appointed using local authority appointment policies.

It is not proposed to apply the quota to all members as it is for the Panel to appoint the nominated members and the Welsh Government will have no control over this. These regulations sit alongside wider Welsh Government work to increase female representation in local government.

**Q5. Do you consider LPAs can work collaboratively to identify an appropriate balance of members or should a more prescriptive approach be used?**

<b>Question 5</b>	<b>Yes</b>	<b>Yes but with further comment</b>	<b>No</b>	<b>DNA</b>
<b>Business</b>	2	0	0	1
<b>LPA</b>	6	7	0	1
<b>Govt Agency/Other Public Sector</b>	0	1	0	1
<b>Professional Body/Interest Group</b>	1	2	0	2
<b>Voluntary Sector</b>	0	0	0	0
<b>Other</b>	0	1	0	0
<b>Total Responses:</b>	<b>9</b>	<b>11</b>	<b>0</b>	<b>5</b>

### **Statistical Review**

36% Agree; 44% Agree but with further comment; 0% Disagree and 20% did not answer.

### **Overview**

The majority of respondents agree that LPAs can work collaboratively. Those respondents that **agreed** with the proposal raised the following points:

- LPAs can work collaboratively, there are past examples e.g. Police Authorities
- Not politically balanced, this could result in changes to nominations if this were also to be applied.
- Welsh Ministers reserve powers should be the last resort.
- Training should be provided for potential candidates.
- Further guidance requested on e.g. number of members on the Panel, the skills required, the selection process etc. May be appropriate for a prescriptive framework to be set out within which LPAs can negotiate.
- The use of voluntary governance codes and targets would help to ensure collaboration.
- A phased approach to delivery would give flexibility in achieving the target if circumstances show it is not achievable in the first instance.
- Could place a greater emphasis on achieving the gender balance rather than Councillors with the right knowledge, experience and ability. Ensure reasonable endeavours are used.
- Prescription would be counterproductive.

- Need to work collaboratively to produce the plan so this is a good starting point.
- It is not prescriptive as the remaining 20% gives flexibility and would not impact on recruiting an appropriate balance of members.
- Members should be appointed on their potential contribution not just their gender.
- Useful if training and capacity building is provided to ensure there is no risk of perception of members being chosen for gender only.
- Gwynedd and Anglesey are an example of working jointly and agreed on the membership of the Joint Planning Committee to decisions at key stages in the Joint LDP.

Additional points raised included the following:

- Needs to have a more democratic method – public vote.

### **Welsh Government Response**

The majority of the respondents felt that local planning authorities can work together to deliver the policy. The regulations will provide the framework for local planning authorities to achieve the composition requirements. The proposed intervention powers for the Welsh Ministers are acknowledged to be there as a last resort.

Training and guidance will be provided to develop skills in strategic planning. The procedure for appointing members to the Panel is a matter for each constituent LPA. All members including those with other protected characteristics will be appointed using local authority appointment policies.

**Q6. If the gender balance requirement was not complied with how could this be addressed?**

<b>Question 6</b>	<b>Yes</b>	<b>Yes but with further comment</b>	<b>No</b>	<b>DNA</b>
<b>Business</b>	0	0	0	3
<b>LPA</b>	0	2	0	12
<b>Govt Agency/Other Public Sector</b>	0	0	0	2
<b>Professional Body/Interest Group</b>	0	2	0	3
<b>Voluntary Sector</b>	0	0	0	0
<b>Other</b>	0	1	0	0
<b>Total Responses:</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>20</b>

#### **Statistical Review**

0% Agree; 20% Agree but with further comment; 0% Disagree and 80% did not answer.

#### **Overview**

The majority of respondents did not answer this question. Those respondents that **agreed** with the proposal raised the following points:

- Welsh Government should support Local Authorities to ensure there is an adequate pool of female members through training mentoring networking etc.
- Lead in time should be provided, phased implementation, coincide with local elections 2017.
- An annual report on composition of the Panels should be submitted in line with financial monitoring, should set out reasons for non-compliance and how it is to be addressed. Should be within a set timescale to address the situation. Noted the impact of the democratic process in delivering this.
- Should not delay or put the development plan at risk.
- Voluntary approach will only go so far, positive approach is required to ensure change.
- Early discussions should take place before intervention.
- Further clarity required on exceptions.

Additional points raised included the following:

- Welsh Government could issue a direction as a last resort.
- An annual report on composition of the Panels should be submitted in line with financial monitoring, should set out reasons for non-compliance and how it is to be addressed. Should be within a set timescale to address the situation.
- May be genuine reasons why female councillors are not able to take part.
- First evolution of Panels might be more appropriate to consider voluntary approaches and evaluate this prior to ministerial intervention,
- Long term cultural change required.
- Paper to be submitted to Welsh Government on how members are suitably qualified, then further negotiations/ discussions.
- Gender balance should be a secondary consideration to competence.
- Sanctions.
- Not enough women in politics.
- Agree it should only be the LPA members.
- Ministerial powers should be used in exceptional circumstances.
- Support should be given where membership is not balanced if a valid justification for this is given.
- More information required on the size of Panels, may be appropriate to allow flexibility on size of Panels to allow appointment of additional members to meet the requirements rather than excluding members on basis of gender.

### **Welsh Government Response**

The regulations will provide the framework for local planning authorities to achieve the composition requirements, the proposed intervention powers for the Welsh Ministers are acknowledged to be there as a last resort. This sits alongside wider Welsh Government work to increase female representation in Local Government.

Delivering the policy through a quota on the establishment of the Panel will deliver the policy objective. It is not proposed to phase the implementation of a quota. Phasing will only delay the delivery of the policy, prolonging the process which is not necessary as the evidence shows this can currently be achieved.

The regulations will contain a provision to ensure the Panel report on compliance with the composition requirements. This will ensure monitoring of the delivery of the policy and would provide reasons for non compliance, providing the details for the Welsh Ministers to consider using their intervention powers.

**Q7. Do you think that Welsh Ministers should be able to intervene on failure to comply by making LPA member appointments to panels?**

Question 7	Yes	Yes but with further comment	No	DNA
<b>Business</b>	2	1	0	0
<b>LPA</b>	1	5	7	1
<b>Govt Agency/Other Public Sector</b>	0	0	1	1
<b>Professional Body/Interest Group</b>	0	3	0	2
<b>Voluntary Sector</b>	0	0	0	0
<b>Other</b>	0	1	0	0
<b>Total Responses:</b>	<b>3</b>	<b>10</b>	<b>8</b>	<b>4</b>

**Statistical Review**

12% Agree; 40% Agree but with further comment; 32% Disagree and 16% did not answer.

**Overview**

The majority of respondents agree with Ministers being able to intervene. Those respondents that **agreed** with the proposal raised the following points:

- Welsh Ministers know very little about local politics and personalities.
- Intervention by Welsh Ministers is to be the last resort, after support has been provided.
- Reporting is seen as an appropriate mechanism.
- Legislative approach more effective than voluntary.
- Should ensure there is an equal and proportional representation from each LPA.
- Only in cases where it is considered local planning authorities have not justified the selection of the Panel and clearly not representative of the community it serves.
- If Welsh Ministers appoint the members they appoint must have the necessary competences.
- Explanation should include measures to redress this balance during elections, with particular commitments to increase the number of women standing e.g. having all female lists.
- Critical there should not be delays in the development of the plan intervention is important and Welsh Ministers seem best placed to fulfil this role.

Those respondents that **disagreed** with the proposal raised the following points:

- Not appropriate for Welsh Ministers to make appointments, it is for Local Authorities to work together.
- Members to have an interest in planning rather than just making up a quota.
- May be reasons members are not willing or able to take part, or if the balance does not exist in the first place.
- Intervention would represent coercion of members to simply make up a quota.
- Not reasonable to force anyone to be a member, could be counter productive.
- Training and support should be given.

### **Welsh Government Response**

The regulations will provide the framework for local planning authorities to achieve the composition requirements. The proposed intervention powers for the Welsh Ministers are acknowledged to be there as a last resort.

The regulations will contain a provision to ensure the Panel reports on compliance with the composition requirements. This will ensure monitoring of the delivery of the policy and would provide reasons for non compliance and evidence for the Welsh Minister to consider using their intervention powers.

Training and guidance will be provided to develop skills in strategic planning.

**Q8. Are there other mechanisms to secure compliance with a gender balance requirement? If so, how would that operate?**

Question 8	Yes	Yes but with further comment	No	DNA
<b>Business</b>	0	0	1	2
<b>LPA</b>	0	1	6	7
<b>Govt Agency/Other Public Sector</b>	0	0	0	2
<b>Professional Body/Interest Group</b>	0	1	1	3
<b>Voluntary Sector</b>	0	0	0	0
<b>Other</b>	0	1	0	0
<b>Total Responses:</b>	<b>0</b>	<b>3</b>	<b>8</b>	<b>14</b>

**Statistical Review**

0% Agree; 12% Agree but with further comment; 32% Disagree and 56% did not answer.

**Overview**

The majority of respondents did not answer this question. Those respondents that **agreed** with the proposal raised the following points:

- Phasing of the target where circumstances dictate it is not possible at the outset, over 3 years to allow for changes in the Local Government election in 2017.
- Any process should not cause delay.
- This should also apply to non-voting members of the Panel.

Those respondents that **disagreed** with the proposal raised the following points:

- Welsh Government should take action against non-compliance where appropriate.
- Gender balance should be in guidance.

Additional points raised included the following:

- Having a greater pool of women in local government will increase likelihood of compliance with a quota.
- Welsh Government should continue to work with Local Authorities to increase the number of women councillors.
- Voluntary targets should be used in the first instance and assessed prior to use of quotas and intervention.

- Supportive of the information session and campaigns recently taken place with Natural Resources Wales and Design Commission for Wales.

### Welsh Government Response

Delivering the policy through a quota on the establishment of the Panel will achieve the policy objective. It is not proposed to phase the implementation of a quota. Phasing will only delay the delivery of the policy, prolonging the process which is not necessary as the evidence shows this can currently be achieved.

This sits alongside wider Welsh Government work to increase female representation in Local Government. It is not proposed to apply the quota to all members as it is for the Panel to appoint the nominated members and the Welsh Government will have no control over this.

The regulations will provide the framework for local planning authorities to achieve the composition requirements. The proposed intervention powers for the Welsh Ministers are acknowledged to be there as a last resort.

### Q9. Do you consider that gender balance could be achieved in a timely fashion without a quota requirement?

Question 9	Yes	Yes but with further comment	No	DNA
Business	0	0	1	2
LPA	0	3	7	4
Govt Agency/Other Public Sector	0	0	0	2
Professional Body/Interest Group	0	0	1	4
Voluntary Sector	0	0	0	0
Other	0	0	1	0
<b>Total Responses:</b>	<b>0</b>	<b>3</b>	<b>10</b>	<b>12</b>

### Statistical Review

0% Agree; 12% Agree but with further comment; 40% Disagree and 48% did not answer.

### Overview

The majority of respondents did not answer this question. Those respondents that **agreed** with the proposal raised the following points:

- There should be a sufficient lead in period.

- Figures in the paper show that the balance could be addressed without prescription; however a target is suitable to achieve consistency across Wales.
- Should not place an undue burden on women.

Those respondents that **disagreed** with the proposal raised the following points:

- If the approach is voluntary it is unlikely to be addressed in a timely fashion.
- Guidance should be provided on how members should be appointed.
- Unlikely that gender balance could be achieved without a quota requirement at this time.
- Quota should sit alongside voluntary arrangements, phased over the first 3 years of the Panel.
- Voluntary target/ transitional period would not carry the weight that a quota requirement carries.
- Unlikely to be achieved given the number of women who are local councillors and the historic nature of the problem.

Additional points raised included the following:

- Unlikely it would be achieved without a quota.
- Imposition of a quota should not place an undue burden.
- Should not be a quota, should be based on competencies.

### **Welsh Government Response**

Delivering the policy through a quota on the establishment of the Panel will achieve the policy objective. It is not proposed to phase the implementation of a quota. Phasing will only delay the delivery of the policy, prolonging the process which is not necessary as the evidence shows this can currently be achieved.

It was acknowledged by a number of respondents that a statutory approach is the best way to deliver the policy objective in a timely manner. These proposals will sit alongside wider Welsh Government work to increase female representation in local government.

Training and guidance will be provided by the Welsh Government to develop skills in strategic planning.

**Q10. What are the reasons, in your view, for under-representation by women in public bodies such as National Park Authorities and other similar bodies (see bodies referred to in Annex A).**

Question 10	Yes	Yes but with further comment	No	DNA
Business	0	0	0	3
LPA	0	1	0	13
Govt Agency/Other Public Sector	0	0	0	2
Professional Body/Interest Group	0	1	0	4
Voluntary Sector	0	0	0	0
Other	0	0	0	1
<b>Total Responses:</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>23</b>

### Statistical Review

0% Agree; 8% Agree but with further comment; 0% Disagree and 92% did not answer.

### Overview

The majority of respondents did not answer this question. Those respondents that **agreed** with the proposal raised the following points:

- Lack of flexible working arrangements, work life balance, disillusionment at the lack of career progression.
- Perception of a lack of opportunity at board level.
- Persistent and unconscious stereotyping of under-represented groups leading to biased perceptions of skills and aspiration.

Additional points raised included the following:

- Lack of a quota leaves appointments to Local Authorities who are under-represented by women.
- Perception it is a man's world, cultural problem that needs addressing.
- Traditionally women have taken responsibility for the care of family members, lack of confidence, change of cultural mind sets lack of mentors; this may change over time with social policy changes.
- Women have been under represented prior to equality legislation.
- Some possible causes are that gender balance promotion is not inherent in some political groupings, may be seen as a reward for long standing Local Authority members who are more likely to be male, Cabinet members who are more likely to be men, child care arrangement can be difficult and a deterrent, need for change is not necessarily recognised as being necessary.

- Rural nature of National Park Authorities results in general lack of diversity.
- Smaller organisations may struggle to engage women in public bodies, smaller pool of women.
- Difficult to break into male dominated areas.
- Lack of support mechanisms, a particular issue in rural areas.

### **Welsh Government Response**

These proposals sit alongside wider Welsh Government work to increase female representation in local government. The evidence submitted was reviewed during the development of the regulations. This gave further background to why there is under representation in public bodies.

### **Other Comments**

The Equalities and Human Rights Commissioner made the following comments which support the principle of the proposals:

- Welcomes the proposals set out in the consultation document along with other initiatives such as those relating to public appointments; this is a useful step towards achieving greater diversity across Wales' decision making bodies.
- They identified their publication 'How fair is Wales' 2011 which identified the major equality challenges requiring action from Welsh Government and other institutions in Wales. They also identify where decision makers are diverse the decisions they take are more likely to take account of different viewpoints leading to more responsive services and better business practice.

**Q11. Do you agree with the proposals relating to what might constitute qualifying expenditure?**

Question 11	Yes	Yes but with further comment	No	DNA
<b>Business</b>	3	0	0	0
<b>LPA</b>	2	6	2	4
<b>Govt Agency/Other Public Sector</b>	0	0	0	2
<b>Professional Body/Interest Group</b>	3	1	0	1
<b>Voluntary Sector</b>	0	0	0	0
<b>Other</b>	0	0	1	0
<b>Total Responses:</b>	<b>8</b>	<b>7</b>	<b>3</b>	<b>7</b>

**Statistical Review**

32% Agree; 28% Agree but with further comment; 12% Disagree and 28% did not answer.

**Overview**

Majority of respondents support the proposed definition of qualifying expenditure. Those respondents that **agreed** with the proposal raised the following points:

- Support in principle, raised concerns with the costs associated with SDPs and continuing production of light touch LDPs.
- Clarification is required on the costs associated with nominated members.
- Clarification is required on what constitutes a proportional basis.
- Should include software purchase and maintenance costs and costs relating to the advertising of different stages of consultation.
- To avoid unnecessary time spent undertaking such revisions Welsh Government should consider setting an appropriate trigger for such revisions (e.g. % financial variation).
- Mitigation of risks associated with roll out of SDPs in tandem with other statutory functions, the resources required and depleting resources in local authorities.
- Reasonable.
- Unclear where members expenses are covered.
- Would appear some costs remain unknown and welcome the ability for assistance from Welsh Government through loans, grants etc. at least until the full costs are better understood.

- Further clarity on the amount of funding available from the Welsh Government and how this can be accessed is required.
- Difficult to form a definitive view until actual figures are known and impact on LPA budget, with the need to produce a light touch LDP.
- Agree with the list of exclusions as they would extend the remit of Panels.
- Question how the list of exclusions has been chosen, all groups have a potential to play an important role in the process, question if these groups are to have any funding?
- If co-opted members are not to be reimbursed for their time this could potentially reduce the chance of them engaging effectively in the process. Any reduction in engagement by the private/ business sector is seen to be likely to reduce the effectiveness of the plan.

Those respondents that **disagreed** with the proposal raised the following points:

- Clarification is required on the costs associated with nominated members.
- Distinction between nominated members and co-opted members is required.
- Additional costs from SDPs should be borne by the Welsh Government. LPAs can assist with room hire etc. but not to detriment of other statutory planning functions.
- Public appointments to the Panel must be on the basis of the Nolan Principles, it is recognised that the process of nomination is to ensure certain interests are represented, note the potential for conflict of interest.
- Questions if the LPAs have to pay for their members to be involved in two plan making processes and to pay for the nominated members to participate in the plan making process. Queries how this would save a significant amount of money as outlined in the RIA.

Additional points raised included the following:

- Concern is raised about the significant resources needed to prepare the SDP alongside continuing work on LDP which would be significantly compromised.
- It is proposed that Welsh Government should consider giving priority to the preparation of the SDP over LDP reviews, in order to divert resources and ensure authorities produce LDP lights at the same stage.
- Acknowledge there may be savings in time but not if Councils are to review LDPs.

- Thought needs to be given to how the SPP will relate to other regional groups such as the City Region Board and how any conflicting ideas will be resolved.
- Clarification is required on the costs associated with nominated members.
- Costs associated with nominated members are additional for LPAs at a time of financial austerity.
- Agree the financial arrangements of a Strategic Planning Panel should be transparent and published. Note that local authorities are subject to their own internal audit procedures and that of the Auditor General.
- Suggestion that Welsh Government consider setting a percentage change to the work programme and qualifying expenditure before the requirement to submit a revised work programme to constituent LPAs and Welsh Government is required. Time could be spent on minor revisions and resubmission of information.
- SDPs (and LDPs) need to be financed properly. Trying to cut costs in this area whilst expanding its complexity is likely to lead to difficulties.
- The definition of qualifying expenditure needs further consideration including Staff costs this should include National Insurance and Employment Benefits in kind.
- Support services should be provided for by the responsible authority and should include: Auditing, Accounts, Legal, Insurance, Procurement, Translation etc. and then chargeable to the Panel and therefore should be included in the definition of financial costs.
- The definition should exclude professional fees.
- Costs associated with Social Media and Communications should also be included in the definition.
- It is agreed that the regulations should provide flexibility to allow all functions of the Panel to be funded as long as the payments can be justified.
- Clarity is sought on the costs associated with the nominated members, questions if it is only expenses for nominated members that are included.
- Noted that the costs associated with nominated members is an additional cost for LPAs at a time of financial austerity.

### **Welsh Government Response**

Defining qualifying expenditure is required to ensure the Panels can be established effectively. The suggested costs within the representations have been reviewed and incorporated where appropriate for example software costs, communications and social media. Other costs have been included such as professional fees; it will be for the Panel to decide whether such costs are paid by the Panel, this is their choice.

A Regulatory Impact Assessment was undertaken on Strategic Planning through the Planning (Wales) Act 2015 which identifies the costs savings, which includes the cost of reviewing the LDP and producing a SDP.

The Welsh Government has considered that a start up grant is necessary to cover the establishment of the Panel up until the point it is self financing, it is anticipated that this is to be around £120,000 per Panel.

The legislative framework provides flexibility to ensure all aspects of the Panel can be funded effectively; therefore a trigger to adjusting payments is not required.

**Q12. Do you support the approach proposed in relation to adjustment to payments as set out in section 3.13?**

Question 12	Yes	Yes but with further comment	No	DNA
<b>Business</b>	3	0	0	0
<b>LPA</b>	4	5	1	4
<b>Govt Agency/Other Public Sector</b>	0	0	0	2
<b>Professional Body/Interest Group</b>	1	2	0	2
<b>Voluntary Sector</b>	0	0	0	0
<b>Other</b>	0	0	1	0
<b>Total Responses:</b>	<b>8</b>	<b>7</b>	<b>2</b>	<b>8</b>

**Statistical Review**

32% Agree; 28% Agree but with further comment; 8% Disagree and 32% did not answer.

**Overview**

Majority of respondents support the proposed approach in relation to adjustments to payments. Those respondents that **agreed** with the proposal raised the following points:

- The Welsh Government should provide adequate start-up funding for the establishment of a Panel given the financial constraints currently experienced by LPAs.
- Welcome the approach.
- Should only be used in exceptional and justified circumstances.
- Timing of establishment of SPPs comes at a time of unprecedented cuts in local government.
- LPA should have the ability to consider how to best meet these costs.

- Costs need considerable consideration by LPAs to meet and redistribute costs.
- Costs should be proportional to the size of the LPA and level of representation on the Panel.
- Unclear what adjustments to payments are?
- Clarification is sought on timescales for review and defining the provision which could be used.

Those respondents that **disagreed** with the proposal raised the following points:

- Clarity is required on how much the SPP and production of the SDP will cost.
- Costs should be reviewed on an annual basis.
- LPAs are all making budget cuts, seen as unfair to LPAs to bear the cost of change made by the Welsh Government particularly if this increases cost.
- If the process is costly the Welsh Government should take these costs upon itself.
- Questions why regulations are required to adjustment payments made by the LPAs.

Additional points raised included the following:

- A small LPA has reservations about the funding required which may impede the review of the LDP in times of unprecedented financial cuts, unclear what proportional means.
- Welsh Minister powers should be used as a last resort.
- This has come at a time of unprecedented cuts in local government. LPAs should have the ability to consider how best to meet the costs associated with SPPs.
- Would welcome further support and recognition of the challenges associated with this from the Welsh Government.
- Further clarity on the level of start up funding and continuing funding to help support the preparation of SDPs.
- SDPs (and LDPs) need to be financed properly. Trying to cut costs in this area whilst expanding its complexity is likely to lead to difficulties.

### Welsh Government Response

The majority of respondents support the approach to adjustments to payments. The legislative framework provides flexibility to ensure all aspects of the Panel can be funded effectively.

The Welsh Government has considered that a start up grant is necessary to cover the establishment of the Panel up until the point it is self financing, it is anticipated that this is to be around £120,000 per Panel.

A Regulatory Impact Assessment was undertaken on Strategic Planning through the Planning (Wales) Act 2015 which identifies the costs savings, which includes the cost of reviewing the LDP and producing a SDP.

### Q13. Do you have any comments on the draft Equalities Impact Assessment that supports this consultation paper?

Question 13	Yes	Yes but with further comment	No	DNA
Business	0	0	2	1
LPA	1	0	10	3
Govt Agency/Other Public Sector	0	0	0	2
Professional Body/Interest Group	0	0	3	2
Voluntary Sector	0	0	0	0
Other	0	1	0	0
<b>Total Responses:</b>	<b>1</b>	<b>1</b>	<b>15</b>	<b>8</b>

### Statistical Review

4% Agree; 4% Agree but with further comment; 60% Disagree and 32% did not answer.

### Overview

- Length of time for the consultation period undertaken was considered to be excessive and setting a poor example.
- The Equalities Impact Report does not appear to discuss financial matters.
- Considered that equality issues should be reflected more holistically in setting up the Panels.
- It is considered that additional thought should be given to age, disability, race, sexual orientation and religion.
- Welsh Government could have considered increasing participation by groups with protected characteristics on the Panel(s).

- Consideration should be given to ensuring nominated members of Panel would represent hard to reach groups.

### **Welsh Government Response**

The consultation ran for 12 weeks which is in accordance with Welsh Government policy. This give all stakeholders time to respond.

The Equalities Impact Assessment assesses the provisions to be included in the regulations and focuses on the gender balance as the financial matters are procedural matters for the local planning authorities.

Training and guidance will be provided to develop skills in strategic planning.

The procedure for appointing members to the Panel is a matter for each constituent LPA; all members including those with other protected characteristic will be appointed using local authority appointment policies.

## Annex A - Full List of Respondents by Category

	<b>Businesses</b>		<b>Local Planning Authorities</b>
1	Renewable Developments Wales Ltd	12	Blaenau Gwent County Borough Council
2	Bywyd Cymru	13	Bridgend County Borough Council
3	Persimmon Homes East Wales	14	Caerphilly County Borough Council
	<b>Government Agency/Other Public Sector</b>	15	Carmarthenshire County Council
4	Welsh Local Government Association	16	City of Cardiff
5	Community Housing Cymru Group	17	Cyngor Gwynedd
	<b>Professional Bodies / Interest Groups</b>	18	Merthyr Tydfil County Borough Council
6	Institution of Civil Engineers Wales Cymru	19	Monmouthshire County Council
7	Equalities and Human Rights Commission Wales	20	Newport City Council
8	RTPI Cymru	21	Rhondda Cynon Taf County Borough Council
9	House Builders Federation	22	Torfaen County Borough Council
10	Law Society	23	Vale of Glamorgan Council
	<b>Other</b>	24	Combined response 3 National Park Authorities (Pembrokeshire Coast NPA; Brecon Beacons NPA and Snowdonia NPA)
11	Friends of the Earth Cymru	25	Neath Port Talbot County Borough Council

## Annex B – Statistical Overview of all Responses

The table below provides an overview of all responses to the questionnaire. It is based on the tables in the section on Statistical Breakdown and Overview of the responses to each question and gives a strategic outline of the overall responses to the consultation the plans refinement exercise and their relative support for the questions posed.

Consultation Question	Agree; Agree with further comment (AFC); Disagree; Did Not Answer (DNA)	Business	Local Planning Authority	Government Agency/Other Public Sector	Professional Body/Interest Group	Voluntary Sector	Other	Total
<b>Q1.</b>	Agree	0	2	0	1	0	0	3
	AFC	0	1	0	0	0	1	2
	Disagree	3	8	0	2	0	0	13
	DNA	0	3	2	2	0	0	7
<b>Q2.</b>	Agree	0	0	0	0	0	0	0
	AFC	0	1	0	0	0	0	1
	Disagree	3	10	0	3	0	0	16
	DNA	0	3	2	2	0	1	8
<b>Q3.</b>	Agree	1	3	0	1	0	0	5
	AFC	0	10	0	1	0	1	12

Consultation Question	Agree; Agree with further comment (AFC); Disagree; Did Not Answer (DNA)	Business	Local Planning Authority	Government Agency/Other Public Sector	Professional Body/Interest Group	Voluntary Sector	Other	Total
	Disagree	1	0	0	1	0	0	2
	DNA	1	1	2	2	0	0	6
<b>Q4.</b>	Agree	1	4	0	1	0	0	6
	AFC	0	7	0	1	0	1	9
	Disagree	1	1	0	1	0	0	3
	DNA	1	2	2	2	0	0	7
<b>Q5.</b>	Agree	2	6	0	1	0	0	9
	AFC	0	7	1	2	0	1	11
	Disagree	0	0	0	0	0	0	0
	DNA	1	1	1	2	0	0	5
<b>Q6.</b>	Agree	0	0	0	0	0	0	0
	AFC	0	2	0	2	0	1	5

Consultation Question	Agree; Agree with further comment (AFC); Disagree; Did Not Answer (DNA)	Business	Local Planning Authority	Government Agency/Other Public Sector	Professional Body/Interest Group	Voluntary Sector	Other	Total
	Disagree	0	0	0	0	0	0	0
	DNA	3	12	2	3	0	0	20
<b>Q7.</b>	Agree	2	1	0	0	0	0	3
	AFC	1	5	0	3	0	1	10
	Disagree	0	7	1	0	0	0	8
	DNA	0	1	1	2	0	0	4
<b>Q8.</b>	Agree	0	0	0	0	0	0	0
	AFC	0	1	0	1	0	1	3
	Disagree	1	6	0	1	0	0	8
	DNA	2	7	2	3	0	0	14
<b>Q9.</b>	Agree	0	0	0	0	0	0	0
	AFC	0	3	0	0	0	0	3
	Disagree	1	7	0	1	0	1	10

Consultation Question	Agree; Agree with further comment (AFC); Disagree; Did Not Answer (DNA)	Business	Local Planning Authority	Government Agency/Other Public Sector	Professional Body/Interest Group	Voluntary Sector	Other	Total
	DNA	2	4	2	4	0	0	12
<b>Q10.</b>	Agree	0	0	0	0	0	0	0
	AFC	0	1	0	1	0	0	2
	Disagree	0	0	0	0	0	0	0
	DNA	3	13	2	4	0	1	23
<b>Q11.</b>	Agree	3	2	0	3	0	0	8
	AFC	0	6	0	1	0	0	7
	Disagree	0	2	0	0	0	1	3
	DNA	0	4	2	1	0	0	7
<b>Q12.</b>	Agree	3	4	0	1	0	0	8
	AFC	0	5	0	2	0	0	7
	Disagree	0	1	0	0	0	1	2
	DNA	1	3	2	2	0	0	8
<b>Q13.</b>	Agree	0	1	0	0	0	0	1

<b>Consultation Question</b>	<b>Agree; Agree with further comment (AFC); Disagree; Did Not Answer (DNA)</b>	<b>Businesses</b>	<b>Local Planning Authority</b>	<b>Government Agency/Other Public Sector</b>	<b>Professional Body/Interest Group</b>	<b>Voluntary Sector</b>	<b>Other</b>	<b>Total</b>
	AFC	0	0	0	0	0	1	1
	Disagree	2	10	0	3	0	0	15
	DNA	1	3	2	2	0	0	8