Local Plan Engagement Strategy

29 September 2015

Contents

1. Introduction

1.1 Engagement is a structured process of communication between the District Council, which prepares the Local Plan, and a wide range of interest parties, including local residents and businesses, infrastructure providers, statutory bodies, interest groups, a range of public bodies including neighbouring councils, and landowners and developers. It involves a wide range of different activities including, but not limited to, formal consultation.

1.2 All Local Planning Authorities are required by Section 18 of the Planning and Compulsory Purchase Act to publish a 'Statement of Community Involvement' (SCI). This Engagement Strategy extends and develops the broad principles set out in the Council's SCI (adopted by Cabinet 18 June 2015) to explain how engagement activities form part of the overall process of preparing the Local Plan.

1.3 The Local Plan is being prepared in accordance with principles of full transparency. Work on the Local Plan is overseen by a cross-party advisory committee of 10 District Councillors representing all parts of the District. A full audit trail of the process, including all reports, agendas, minutes and audio recordings of the proceedings are available on the Council's website at www.uttlesford.gov.uk/ppwg.

Legal and Regulatory Framework

1.3 Planning is commonly described as a 'quasi-judicial' process. This means that it is heavily regulated by legal and statutory requirements. Failure to comply with correct procedure can mean that Local Plans can be subject to challenge through the courts.

1.4 In order to avoid clogging up the court system, draft Local Plans must undergo 'Examination in Public', presided over by a Planning Inspector, who will then send a report to the Local Planning Authorities which sets out recommendations in terms of whether the draft Local Plan complies with all the requirements. The Planning Inspectorate therefore plays a vital role in terms of quality control.

1.4 The principal mechanisms of the quasi-judicial process in relation to engagement in the preparation of Local Plans are the Planning and Compulsory Purchase Act 2004, the Localism Act 2011, and the Local Planning Regulations 2012.

1.5 The Planning and Compulsory Purchase Act 2004 forms the legislation upon which the National Planning Policy Framework rests. Part 2, Section 18 of the 2004 Act includes a requirement for Local Planning Authorities to prepare a 'Statement of Community Involvement'.

1.5 The [Town and Country Planning (Local Planning) (England) Regulations 2012](#) are one of a number of 'statutory instruments' relating to planning. The Regulations build on the statutory framework in the 2004 Act in relation to the preparation and adoption by local planning authorities of development plan documents (which are called "local plans" in the Regulations as this term is more readily understood) and supplementary planning documents.

1.6 Part 6 of the [Localism Act 2011](#) includes a [Duty to Co-Operate](#) between Local Planning Authorities, County Councils, and other prescribed bodies, in matters relating to sustainable development which would have a significant impact on at least two areas. The legislation includes the requirement that when preparing a Local Plan, Local Planning Authorities should *"engage constructively, actively, and on an ongoing basis"* with these bodies.

1.7 Together, the legislation and the statutory instruments mean that Local Planning Authorities have to be very careful about how they go about engaging with a wide range of stakeholders.

Programme Management

1.8 The process of preparing a Local Plan is complex, requiring co-ordination of many specialist inputs from across a broad range of disciplines within the requirements of the National Planning Policy Framework (NPPF). The Local Plan [Work Programme and Risk Assessment](#) illustrates the range of activities which need to be undertaken.

1.9 Engagement activities form part of the Local Plan work programme, and need to be planned and scheduled alongside technical work and other activities to ensure that good progress with the Local Plan can be maintained. Poorly structured engagement can result in significant delays to the Local Plan.

1.10 Uttlesford District Council has a very small team working on the Local Plan and the limited resources of the team need to be carefully managed to ensure that inputs to the plan-making process obtained through engagement activity can be made in an efficient and effective way, allowing time for progress to be made on the whole range of plan-making work.

The role of District Councillors

1.11 The District Council is a fully elected body of [39 District Councillors (Members) representing 22 Wards](#) across the District. Council elections are held every 5 years, the most recent being in May 2015.

1.12 District Councillors Members have been elected to take often challenging and politically difficult decisions on behalf of their constituents for the duration of their term in office. The role of elected Members is therefore crucial in terms of raising any comments from constituents with Officers working on the Local Plan. It is neither practical nor necessary for the Council to conduct public consultations on all aspects of work on the Local Plan. Instead, public consultations need to be limited and targeted at key moments in the plan-making process.

1.14 District Councillors should channel feedback or issues raised by constituents at any point during the plan-making process. Officers can then consider these issues and how best they can be addressed through the Local Plan process. Residents may contact their local Ward Member directly. The individual contact details of all Councillors are on the Council's website at www.uttlesford.gov.uk/councillors.

1.15 In the context of the Local Plan, District Councillors should not be regarded as simply a conduit for the views of their constituents. District Councillors have a vital leadership role to play to produce a robust Local Plan that has buy in from all parties. The key challenge is to listen to the views and aspirations of constituents and balance this with professional advice of their planning staff in order to plan for, and meet, the development needs of the area.

1.16 The Work Programme and Risk Assessment notes the political risks of failure of District Councillors to grasp the challenges of the Local Plan. It is important that all Members make an effort to understand the national requirements set out in the National Planning Policy Framework (NPPF) and the implications of their decisions and their public statements.

Conclusion: Structured Engagement

1.17 Reflecting the complexity of the Local Plan production process, the Engagement Strategy is based on the principle of 'structured engagement'. This means that engagement will be focused at the appropriate time and using appropriate communication channels for different groups of stakeholders.

1.18 Structured engagement is necessary for a number of reasons.

1.19   Firstly, given the intrinsic complexity of the process of preparing Local Plans, it is hard for interested parties to understand the whole of the process without a sustained effort over many months[1]. This means that the Council must take great care not to confuse stakeholders with messages which assume familiarity with national policy requirements and the Local Plan process. At the same time it is important that those who want to, are able to follow the process in detail. Structured engagement will enable the various interested parties to engage in the process at a level commensurate with their interests.

1.20   Secondly, as noted above engagement activities have to be integrated into an overall Local Plan work programme, to ensure that good progress on the Local Plan can be maintained.

1.21   Finally, as noted above, the Local Plan will be prepared within the context of a national legal and regulatory framework. It is therefore important to ensure that clear records can be kept of all the engagement activity that has taken place, and how this has been used to shape and improve the emerging Local Plan.

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[1] To go some way to addressing this challenge, the Council has prepared a Local Plan Update, which provides a succinct progress update and summary of work being undertaken by the District Council.

2.   Public Consultation

2.1   Public consultation is the process of publishing a document for consultation and then receiving written comments on that document. The written aspect of consultation is central part of the legal and regulatory requirements to ensure transparency in the system of plan-making.

2.2   Public meetings and events are not in themselves part of a consultation, but are informational awareness raising events designed to assist people to make informed comments in writing through the consultation. Comments made at public meetings carry no weight in the planning system. It is therefore essential that consultees submit comments in writing.

The Purpose of Consultation

2.3   The main purpose of public consultation is to obtain information which can be interpreted in planning terms as set out in the National Planning Policy Framework or NPPF and fed into the emerging Local Plan to improve the quality of the plan. Personal views and opinions not backed up by evidence are very hard to interpret in this way. The Council's difficult job is to balance the evidence, both positive and negative, to come to a view as to an appropriate strategy for the whole district.

2.4   In cases where alternative options are available which are reasonable when assessed against the NPPF requirements, then there is scope for the Council to take account of strongly held local views in coming to a decision on the location of development. However it may be the case that the evidence points strongly towards options which are unpopular. The Risk Assessment (PPWG 13 July) drew attention to the political risks for District Councillors and this is a scenario which is commonly faced by local planning authorities across the country. This is one reason why progress on Local Plans across the country has been slow[2].

2.5   Public misunderstanding of the purpose of consultation can result in a local people feeling disengaged and disillusioned with the Council. It is therefore important that the role of consultation is properly communicated, and that the Council makes clear how comments received through the consultation have been addressed.

2.6   Comments from local residents can be very helpful because they can flag up important issues which can be further investigated and assessed in planning terms and evidence assembled to assess and come to a considered view on the issues raised. The process of interpretation of the comments received
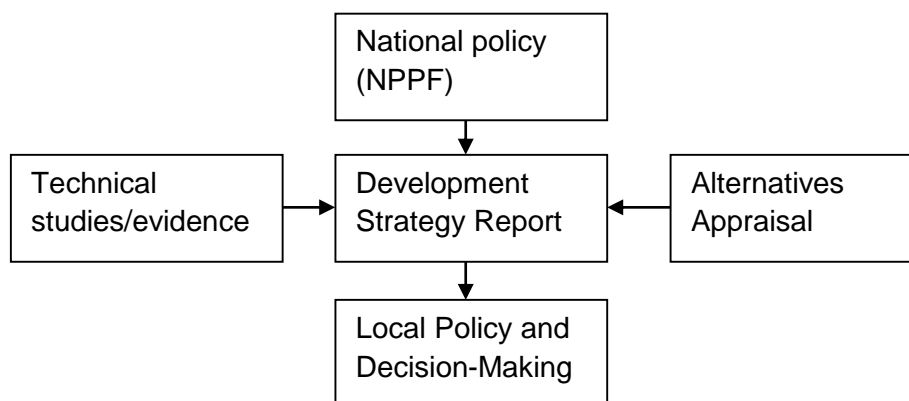
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[2] As set out in Appendix A to the Work Plan and Risk Assessment (PPWG 13 July 2015), only 27% of Local Planning Authorities had a Local Plan found sound following Examination in Public between the introduction of the NPPF in March 2012 and the end of May 2015.

enables them to be presented to the Planning Inspector at Examination in Public, who is then required to assess them in relation to the requirements of the National Planning Policy Framework.

Targeted Consultations

2.7   Public consultation will be targeted at the development strategy for the emerging Local Plan, which is where the social, economic, and environmental aspects of the plan will be considered in the round.

2.8   A report on Options Stage Methodology (PPWG, 13 July 2015, item 6) drew attention to the distinction between technical work and the decision-making process. Figure 1 below is taken from that report and shows that technical studies and evidence feed into the decision-making process but are separate from it.

Figure 1: The Decision-Making Process

2.9   Technical studies do not make policy decisions, and therefore are not subject to public consultation, as explained in the methodology report. There are other practical reasons for not consulting on technical studies, including their sheer volume and complexity.

2.10   Because of the detailed nature of technical studies and the need to understand how they relate to the Local Plan process, Local Planning Authorities typically use a steering group of District Councillors such as the Planning Policy Working Group at Uttlesford to scrutinise technical work. Public consultation lacks this deliberative framework, understanding of context, and capacity for in-depth examination provided by the Working Group forum, where necessary supported by external experts.

2.11   The Working Group also scrutinises work on the development strategy (shown at the centre of the diagram in Figure 1). The development strategy provides the foundations of the policy decisions and is where the technical evidence is

considered in the round taking account of the social, economic, and environmental implications, and a balanced set of recommendations made.

2.12 Green Belt Assessment and the Strategic Housing Land Availability Assessment (SHLAA) are two examples of technical studies which illustrate the approach to consultation.

2.13 Paragraph 83 of the National Planning Policy Framework states that *"once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan"*. In undertaking a Green Belt Assessment, the Green Belt area for the Local Planning Authority area is mapped and subdivided into parcels or segments so that each one can be assessed against the purposes of Green Belts set out in the NPPF. 'Exceptional circumstances' are not defined in the NPPF, because it is the task of each Local Planning Authority to decide whether such circumstances exist in the context of the emerging development strategy. The Green Belt Assessment cannot make that judgement. The test of 'exceptional circumstances' will be applied in the subsequent development strategy report, once all the evidence has been assembled. The development strategy report will therefore provide a document capable of meaningful public consultation, providing the necessary context in terms of how a decision was made.

2.14 The SHLAA is a technical study which applies standard criteria to assessment of land submitted to the Council by landowners for assessment and then consideration through the Local Plan process. The SHLAA itself is a very large database of information. The SHLAA itself does not make decisions about which sites to allocate as part of the Local Plan. The decision as to which sites to allocate will rely on the development strategy report, which will consider the balance of social, economic, and environmental factors, and take account of a wide range of evidence, including transport assessment and infrastructure planning, which are beyond the scope of the SHLAA. Again, for this reason, Local Planning Authorities do not consult on their SHLAAs because this would mean that the vital strategic context would be lost.

2.15 Both Green Belt Assessment and SHLAAs can be very emotive and misunderstood topics amongst local residents, particularly if they have not closely followed the overall plan-making process. The representative role of District Councillors is particularly important in terms of providing well informed scrutiny of such studies on behalf of local people.
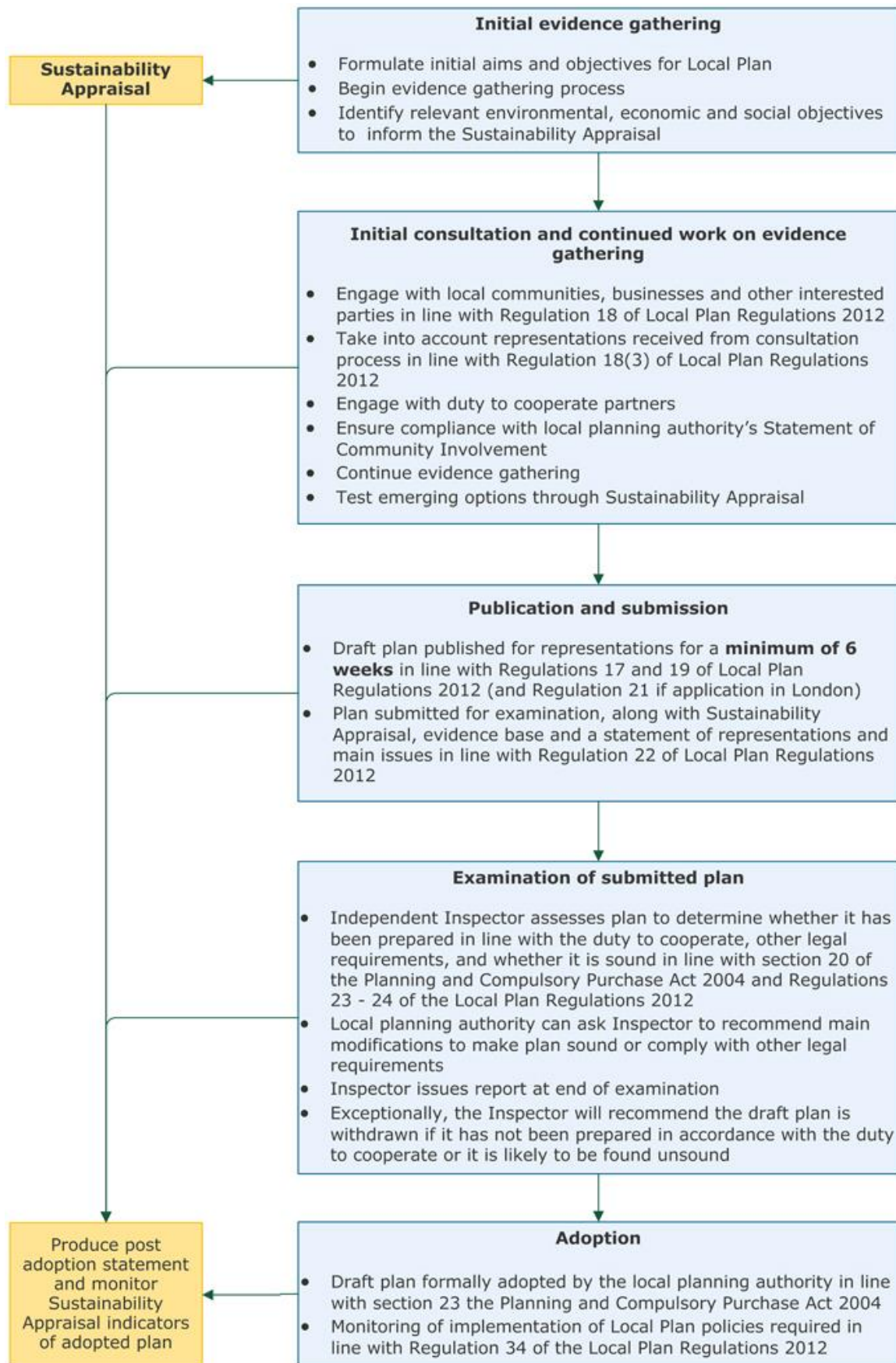
The Number and Timing of Public Consultations

2.16 The Local Planning Regulations 2012 (see paragraph 1.5 above) set out the procedure which must be followed by local planning authorities in relation to the preparation of Local Plans, including as to consultation with interested

persons and bodies and the documents which must be made available at each stage.

2.18   The local planning regulations require a minimum of two consultations before a Local Plan is submitted to the Planning Inspectorate for Examination in Public. Regulation 18: Preparation of a local plan requires that a public consultation should be held during the preparation of the Local Plan. This relates to the second box in the diagram from the Planning Practice Guidance in Figure 2 below. The Council will hold an Issues and Options consultation under regulation 18.

2.19   Regulation 19: Publication of a local plan sets out a further requirement for Local Planning Authorities to notify the statutory consultation bodies of their intention to submit a plan. In this sense regulation 19 is not a full 'consultation', and should only be undertaken when the Council is confident that its Local Plan will be found sound. This is shown in the third box in Figure 2.

2.20   Given this limitation with Regulation 19, the Work Plan and Risk Assessment (PPWG 13 July 2015, item 4) provides for three consultations prior to submission of the Local Plan for Examination, including an additional consultation at Regulation 18, which will be known as the 'Preferred Options' consultation and will set out a draft plan. This additional consultation will then enable proper consideration of the draft plan before proceeding to regulation 19.

Figure 2: Local Plan Stages (Source: Planning Practice Guidance)

Sustainability Appraisal

Initial evidence gathering
- Formulate initial aims and objectives for Local Plan
- Begin evidence gathering process
- Identify relevant environmental, economic and social objectives to inform the Sustainability Appraisal

Initial consultation and continued work on evidence gathering
- Engage with local communities, businesses and other interested parties in line with Regulation 18 of Local Plan Regulations 2012
- Take into account representations received from consultation process in line with Regulation 18(3) of Local Plan Regulations 2012
- Engage with duty to cooperate partners
- Ensure compliance with local planning authority's Statement of Community Involvement
- Continue evidence gathering
- Test emerging options through Sustainability Appraisal

Publication and submission
- Draft plan published for representations for a **minimum of 6 weeks** in line with Regulations 17 and 19 of Local Plan Regulations 2012 (and Regulation 21 if application in London)
- Plan submitted for examination, along with Sustainability Appraisal, evidence base and a statement of representations and main issues in line with Regulation 22 of Local Plan Regulations 2012

Examination of submitted plan
- Independent Inspector assesses plan to determine whether it has been prepared in line with the duty to cooperate, other legal requirements, and whether it is sound in line with section 20 of the Planning and Compulsory Purchase Act 2004 and Regulations 23 - 24 of the Local Plan Regulations 2012
- Local planning authority can ask Inspector to recommend main modifications to make plan sound or comply with other legal requirements
- Inspector issues report at end of examination
- Exceptionally, the Inspector will recommend the draft plan is withdrawn if it has not been prepared in accordance with the duty to cooperate or it is likely to be found unsound

Produce post adoption statement and monitor Sustainability Appraisal indicators of adopted plan

Adoption
- Draft plan formally adopted by the local planning authority in line with section 23 the Planning and Compulsory Purchase Act 2004
- Monitoring of implementation of Local Plan policies required in line with Regulation 34 of the Local Plan Regulations 2012

2.21   The Risk Assessment of the Local Plan work programme highlighted public consultation as a significant risk to the timeline for preparation of the plan (PPWG 13 July 2015, item 4) and therefore additional public consultations should only be introduced where there is a clear need. This consideration has grown more pressing since the recent announcement by the government that all Local Planning Authorities must produce a Local Plan by 'early 2017'.

2.24   As discussed in Section 1 above, the Local Plan process is based on structured engagement, and additional consultations on the technical process prior to the draft plan stage are likely to introduce confusion amongst many members of the public who are unlikely to have closely followed progress on the plan. It is therefore proposed that awareness-raising of these technical stages should be conducted through alternative channels including through working with the local media and through the Council's own communications channels.

2.25   The Work Plan highlighted that whilst a certain amount of work can be done prior to the Draft Plan, infrastructure providers are sometimes reluctant to invest time and money until a draft plan is available and there appears to be more certainty. This does pose the risk that significant changes may need to be made following the initial draft plan. It is therefore proposed that the Council should keep an additional public consultation in reserve as a 'contingency' measure for later stages in the plan making process.

How consultations will be publicised

2.26   Regulation 35: Availability of documents: general sets out the requirements for publicity of Local Plans. This requires that the documents should be made available for inspection at the Local Planning Authority's principal office, and published on their website.

2.27   In practice most Local Planning Authorities go much further than these basic requirements in order to raise awareness of the plan-making process and to maximise opportunities to gather evidence.

2.28   The Council will make every reasonable effort to publicise consultations to the best of its ability. However there are practical limitations to the Council's ability to reach every resident.

2.29   A number of different channels will be used to publicise consultations as follows:

- Coverage in Uttlesford Life magazine
- Email to registrants on the Local Plan database
- Press release to the Local Media

- Planning Officer and District Councillor attendance at a limited number of drop-in events
- The Citizens Panel
- Email to Town and Parish Clerks
- Posters in public places including libraries, Town and Parish Council noticeboards, and the District Council offices.
- Exposure on Council website homepage
- Other public meetings as appropriate (e.g. Parish Council forum)

2.30 The reasons for selection of these channels is set out in Section 3 below. It is hoped that District Councillors will supplement these activities with their own local efforts to raise awareness.

Level of response

2.31 A high response rate may indicate the level of contentiousness of the issues being consulted upon but is not necessarily a reflection of the Council's efforts to publicise the consultation. Consultations are not direct marketing campaigns and there is no 'average' response rate.

2.32 Table 1 below illustrates the level of responses for past consultations in Uttlesford District. This level of responses is fairly typical for a Local Planning Authority of the size of Uttlesford.

Table 1: Responses to past Local Plan consultations in Uttlesford

Consultation	Date	No of people/ groups/ organisations making comments
"Help us Plan for the future" Questionnaire	July 2006	900
Core Strategy: Policy Choices and Options for Growth	January 2007	203
Core Strategy Preferred Options	November 2007	382
Core Strategy: Further Consultation of Preferred Options	February 2010	206
Role of Settlements and Site Allocations DPD	January 2012	1602
Development Management Policies DPD	January 2012	140
Draft Local Plan	June 2012	4169
Additional Housing Numbers and Sites	November 2013	1277
Uttlesford Local Plan – Pre-Submission consultation	April 2014	1252

How comments will be handled

2.34 In the interests of transparency all comments and documents received will be published to the relevant section of the consultation documents on the Council's online consultation portal at www.uttlesford.gov.uk/lpconsult. The Council encourages consultees to register on the Consultation portal and submit comments online. Comments submitted by email to planningpolicy@uttlesford.gov.uk will receive an automated receipt. Submissions made by post will not receive a receipt.

2.35 Any comments to be considered through the Local Plan process should be attributable to a named individual. The Council is committed to transparency in the plan-making process and therefore comments supplied without attribution will not be considered. Personal or defamatory comments about individuals or groups of people will not be published.

2.36 Best practice amongst Local Planning Authorities and government departments is to summarise and report the planning issues raised. Comments received from organisations will be summarised and a reference to the name of their organisation provided. Individuals will not be named in the report.

2.37 Weight is not given to the source of the comments made, except in the case of bodies which have statutory weight, including duty to co-operate bodies and organisations such as the Environment Agency, Natural England, and English Heritage.

2.38 All valid planning issues raised through consultation will be considered. However, as discussed above, public comments even when not expressed in planning terms, may still flag up issues which can be addressed in planning terms and will therefore carry weight once they have been through the Local Plan process.

2.39 It should be noted that in addressing comments made, the Council has to consider the wider definition of sustainability as set out in the National Planning Policy Framework, and that the presence of adverse impacts does not mean that a development options should automatically be rejected. This point was succinctly set out in a recent appeal decision:

> *"The Framework is clear: economic, social and environmental gains should be sought jointly and simultaneously through the planning system. It is rare for any development to have no adverse impacts and on balance many fail one of the roles. For the Framework's sustainability test to have meaning then, all of the competing considerations have to be assessed together and an overall balanced conclusion reached."*
> (Planning Inspector, Darlington, 2015)

2.40 A summary of the issues and how they will be addressed will be presented to the Planning Policy Working Group. The length of time needed to do this will vary depending on the number of comments received and how they were

submitted, as explained further below. Feedback from the consultation will then need to be considered as an input to the development strategy to ensure that a balanced conclusion can be reached.

The Resource Implications of Public Consultations

2.41   As noted in paragraph 1.10 above, Uttlesford District Council has a very small team working on the Local Plan and the limited resources of the team need to be carefully managed to ensure that inputs to the plan-making process obtained through engagement activity can be made in an efficient and effective way, allowing time for progress to be made on the whole range of plan-making work.

2.42   The first major resource issue is related to comment handling, which can be straightforward if only a couple of hundred comments are received, but can take weeks or months when thousands are received.

2.43   The process of comment handling is as follows: when comments are received, they are firstly logged so that the Council can be sure that there is a clear audit trail. Depending on the number of comments and the method by which they were submitted, this can take a very long time and can require temporary staff working under the supervision of officers. The process of logging involves typing up any paper-based comments and then inputting them into the consultation database, from where they can then be displayed on the Council's website. Then comments are summarised into the issues to avoid repetition. This process requires the knowledge of the planning officers and cannot be undertaken by non-planning temporary staff. Finally the planning officers must respond to each of the issues raised, and if necessary commission additional technical work to address the issues raised.

2.44   Public consultations also have resource implications for planning officers in terms of creating and distributing publicity materials, dealing with press enquires, and organising and/or attending consultation events. Telephone calls from members of the public who may be coming to the Local Plan process for the first time can often require significant officer time.

2.45   In summary, public consultations are very resource-hungry and need to be carefully planned to avoid lengthy delays to the plan-making process. This is why a structured approach to engagement is necessary, as set out in Section 1 above.

The Role of District Councillors in Public Consultations

2.46   As noted in section 1 above, District Councillors have a vital leadership role to play to produce a robust Local Plan that has buy in from all parties.

2.47   At times of public consultation the role of all 39 District Councillors becomes particularly critical because of their links with Town and Parish Councils and

with local residents and businesses. The time and energy of all Ward Members is a vital resource which can be a decisive factor in ensuring that consultations are a success.

2.48   District Councillors have been briefed in relation to the Local Plan process, and have also been supplied with the Local Plan Update (see Section 4 below) which can be used to help explain the Local Plan to residents and businesses. A variety of publicity materials will also be made available to all Members at consultation times.

2.49   It is hoped that Members will proactively identify opportunities for local awareness-raising at consultation times, beyond those set out in this engagement strategy, and use the materials at their disposal to engage with local people and groups. Any queries can be relayed to Officers who will follow up as appropriate.

2.50   Local Plan-making must by its nature address challenging and contentious issues. It is hoped that District Councillors will ensure that any public communications reflect awareness of the national policy and process constraints which provide the framework for plan-making. This should apply even in cases where Members personally disagree with the decisions taken.

3   Stakeholder Management Strategy

3.1   Organisations which can affect or be affected by the Local Plan are known as 'stakeholders'. The Planning Advisory Service has recommended that the Council should prepare a 'stakeholder management strategy' (Scrutiny Committee, 10 September 2015).

3.2   The phrase 'stakeholder management strategy' indicates the role that the Local Plan process has in co-ordinating and facilitating discussions and outcomes with the stakeholders, and managing the resources required to achieve the necessary outcomes. This process of ongoing dialogue needs to be formalised.

3.3   The process undertaken needs to be documented including the exchange of formal written agreements in order to give confidence that the plan will meet the tests of soundness. It will only be possible to do this fully at the submission stage of the Local Plan, as the evidence base is drawn together in support of the development strategy. This section provides guidelines as to the activity the Council proposes to undertake, which will then be expanded over time as the specific issues become clearer.

3.4   The list of stakeholders below is not exhaustive and there are many other organisations which the Council must engage with in preparing the Local Plan. However, the bodies identified below are often the most significant ones in terms of achieving soundness at Examination in Public.

Duty to Co-Operate Bodies

3.5   Planning Practice Guidance includes a section on the Duty to Co-Operate. The duty to cooperate was created in the Localism Act 2011. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. The aim is to encourage positive, continuous partnership working on issues that go beyond a single local planning authority's area, and to respond positively to requests for co-operation.

3.6   This can be politically challenging in relation to other Local Planning Authorities, because it could involve challenging issues such as how to address unmet housing needs across a housing market area, and also for example in relation to unmet needs for gypsy and traveller sites.

3.7   Whilst the guidance is clear that the Duty to Co-Operate is not a duty to agree, such discussions would require that each Local Planning Authority should make every effort to accommodate any reasonable requests. In the event of such requests, Officers would need to advise Members on whether the requests were reasonable, in light of the evidence base available at both Local Planning Authorities.

3.8   Local Planning Authorities are required to submit to the Planning Inspectorate before Examination in Public a statement to demonstrate how they have met the requirements of the Duty, including an explanation of the outcomes of the process of co-operation.

3.9   Uttlesford District Council has a programme of regular meetings with other Local Planning Authorities. It is a member of the 'Co-Operation for Sustainable Development' group of Councils, which meets regularly at Member level to discuss matters related to cross-boundary strategic planning. A good example of recent co-operation in this regard is the Strategic Housing Market Assessment, which was prepared jointly by Uttlesford, Epping Forest, East Herts and Harlow District Councils for the M11 Housing Market Area.

3.10   At Member level the Cabinet Member for Environmental Services is the District Council's nominated person in Member-level meetings with Portfolio holders from other Local Planning Authorities. The agreed notes of such meetings will be published on the Council's website, together with any other material of relevance to the Duty to Co-Operate, at www.uttlesford.gov.uk/dtc

3.11   The nature and degree of engagement with Duty to Co-Operate bodies will depend on the emerging Local Plans of both Uttlesford District and the other Local Planning Authorities in the area.

3.12   The Planning Practice Guidance suggests that formal agreements, signed by the elected Members of local planning authorities, may be an effective way of demonstrating a commitment to effective cross-boundary strategic planning. Uttlesford District Council will seek a formal position statement from the key stakeholders, in particular at draft Plan stage then prior to the pre-submission consultation. This written audit trail will assist the Local Plan Inspector in understanding how the plan has evolved. The joint statement will need to focus on the key strategic issues, rather than peripheral matters.

3.13   The Council will follow the guidance contained in the Planning Advisory Service's 'Soundness Self-Assessment Checklist. This suggests the following questions in terms of compliance with the key requirements of the Duty:
        • Is there sufficient evidence to demonstrate that the Duty to Co-operate has been undertaken appropriately for the plan being examined?

- Is it clear who is intended to implement each part of the DPD [Development Plan Document]? Where the actions required are outside the direct control of the LPA [Local Planning Authority], is there evidence that there is the necessary commitment from the relevant organisation to the implementation of the policies?

3.14   In terms of 'possible evidence', the Checklist includes:

- A succinct Duty to Co-operate Statement which flows from the strategic issues that have been addressed jointly. A 'tick box' approach or a collection of correspondence is not sufficient, and it needs to be shown (where appropriate) if joint plan-making arrangements have been considered, what decisions were reached and why.
- The Duty to Co-operate Statement could highlight: the sharing of ideas, evidence and pooling of resources; the practical policy outcomes of co-operation; how decisions were reached and why; and evidence of having effectively co-operated to plan for issues which need other organisations to deliver on, common objectives for elements of strategy and policy; a memorandum of understanding; aligned or joint core strategies and liaison with other consultees as appropriate.

3.15   Local Planning Authorities are required to publish details of what action they have taken under the duty to co-operate in their Authority Monitoring Reports, at least once a year. This should include actions to secure the effective cooperation of others and respond constructively to requests for co-operation.

3.16   A number of additional bodies are prescribed in the Local Planning Regulations as being subject to the Duty to Co-Operate with local planning authorities, including Natural England, the Environment Agency, Historic England, Clinical Commissioning Groups, the Homes and Communities Agency, and the Transport and Highways Authorities. These bodies play a key role in delivering local aspirations, and cooperation between them and local planning authorities is vital to make Local Plans as effective as possible on strategic cross boundary matters.

Town and Parish Councils

3.17   The Council prepares a regular Local Plan Update email which is sent to all Town and Parish Clerks for distribution to Parish Councillors. This sets out progress on the Local Plan and invites contact from the Town and Parish Councils on any issues arising.

3.18   For key technical studies of relevance to Parish Councils, the District Council may invite comments on a draft of the documents. One example of this is in

relation to the Strategic Housing Land Availability Assessments for each Town and Parish Council area.

3.19   The Council has published guidance in relation to Neighbourhood Development Plans and will seek to engage with Parish Councils within the limitations of its available resources. The District Council is funding the provision of specialist consultant to provide assistance to Parish Councils who wish to prepare Neighbourhood Plans.

3.20   Parish Forum meetings are an opportunity for direct liaison between District Council Officers and Parish Councillors, and provide an opportunity for structured discussion around a range of issues including the Local Plan and Neighbourhood Planning.

Landowners and developers ('site promoters')

3.21   Deliverability of the Local Plan is an important consideration in preparing an effective plan and it is important for Local Planning Authorities to involve landowners and developers ('site promoters'). The Strategic Housing Land Availability Assessment (SHLAA) contains information submitted by landowners and developers and will be accompanied by an assessment undertaken by Officers in accordance with the SHLAA Methodology, which has been subject to consultation with landowners and developers and selected other key stakeholders (such as Town and Parish Councils) between 21 August and 4 October 2015.

3.22   For large, complex sites it may be necessary for the Council to seek further information beyond that commonly sought through the SHLAA. This may necessitate direct face-to-face meetings and requests for additional information. The notes of such meetings will be reported to the Planning Policy Working Group and published on the Council's website.

3.23   The Council also holds an Agents' Forum meeting which is an opportunity for planning agents representing site promoters to discuss issues with Council Officers.

3.24   Evidence provided by site promoters will need to be provided in the public domain so that it is capable of scrutiny at Examination in Public. Whilst the price paid for land may be commercially sensitive, in general evidence of costs and values will be needed for strategic sites to inform the assessment of viability.

Infrastructure Providers

3.25   Delivery of infrastructure is another critical requirement of an effective plan. Infrastructure providers range in size from very large (utilities companies, hospitals) to very small (GP surgeries) and so a pragmatic approach is required to ensure that sufficient information is obtained for Local Plan purposes.

3.26   One of the main challenges around engagement with infrastructure providers is that specialists in different fields all use different terminology and have different concepts and priorities in their daily workload so it can require patience to learn to 'speak different languages' and to translate the key evidence into plain English which is capable of being drawn into the planning process.

3.27   For schools and GP premises it is much easier and more efficient to deal with a single umbrella organisation familiar with Local Plan requirements. This also has the advantage of enabling advances in the iterative process of plan formulation to be communicated, and evidence to be plugged into the process at the appropriate moments.

3.28   In the case of the NHS, Local Planning Authorities engage with NHS England and the Clinical Commissioning Groups (CCGs), rather than directly with individual GP surgeries.

3.29   School planning has become more complex with the proliferation of Free Schools and Academies outside Local Authority control. This can mean that it can on occasion be necessary to communicate directly with individual schools, through their Heads or Chairs of Governors, in order to ascertain their appetite for expansion.

3.30   Essex County Council is the Highways and Transportation Authority and Highways England is responsible for the motorway network. The Council is seeking a technical consultant to support communication between the agencies and to ensure that the requirements of the Local Plan can be communicated.

3.31   Communication with infrastructure providers is a very resource-hungry activity requiring significant communication by phone and email, and occasionally requires direct meetings.

3.32   The Council will need to secure confirmation of infrastructure plans in relation to emerging development proposals in writing from infrastructure providers.

4.   Engagement Channels

4.1   The Council's general approach to public consultations of all kinds (not limited to the Local Plan) is explained on the Council's website. The website includes explanation of the various consultation and communication channels available, and these are explored in more detail in Section 3 below.

The Local Plan Update

4.2   The Local Plan Update is aimed primarily at Uttlesford District Councillors and Town and Parish Councillors. It is issued 4-5 times per year and aims to provide a succinct explanation of the work undertaken by the Planning Policy Working Group on the Local Plan. It contains background on the processes of plan formulation including national requirements, updates on technical work, and links to further information. The Local Plan Update is posted to the Council's website at www.uttlesford.gov.uk/lpupdate.

Uttlesford Life Magazine

4.3   Uttlesford Life is published by the Council on a quarterly basis and distributed to all households in the District. Previous issues are available on the Council's website at www.uttlesford.gov.uk/uttlesfordlife.

4.4   The magazine is the preferred vehicle for reaching a wide audience across the District. The magazine is a regular publication is more likely to be recognised and read local residents, rather than being mistaken for junk mail, which is the disadvantage of ad-hoc leaflet drops or other mass mailings. The magazine is considered to be a cost-effective way to communicate around Local Plan consultation times.
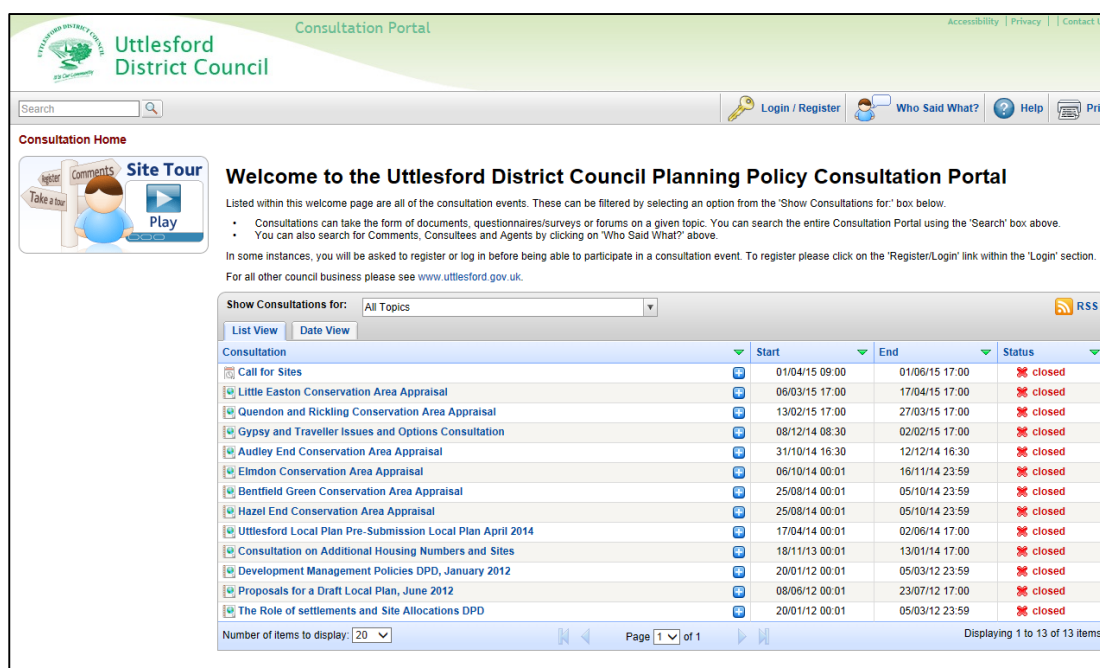
Electronic Communications

4.5   Use of email and web browsers is now widespread among all age groups. The Council uses email to communicate with Town and Parish Councils – for example the Local Plan Update is distributed to all Parish Clerks by email. In addition the Council uses a variety of social media to communicate with a wider audience. Local Plan consultations will be promoted by the use of prominent banners on the Council's homepage and planning pages.

4.6   The Council realizes that a minority of people do not use electronic communications and so some provision is made for this in the engagement strategy.

Consultation Portal

4.7   Consultations are all posted to the Council's online consultation Portal at www.uttlesford.gov.uk/lpconsult . All comments submitted to consultations are uploaded to the Portal and may be viewed without registration. Registration

enables users to submit their comments directly through the Portal. A screenshot of the portal is shown in Figure 2.

Figure 2: The Consultation Portal

The Consultation Database

4.8   The consultation database is linked to the Consultation Portal and contains the contact details of a very large number of individuals who have previously replied to consultations.

4.9   The Council's consultation database contains a large number of individuals who have previously contacted the Council in respect of past consultations or those who have registered on the database. Individuals are able to amend their personal records and contact preferences by logging into the consultation portal.

4.10   Where an email address is available then the Council's preferred contact method will be by email, unless the contact has specified that they do not wish to be contacted by email.

4.11   As part of each public consultation, the Council will email or write to all contacts on the database to notify them of the consultation and to ask them whether they wish to have their details retained on the database for notification of future consultations. If no response is received either in relation to this or to the consultation itself then no further contact will be made.

Postal and Email addresses

4.12 Consultation responses, or comments or questions about any aspect of the Local Plan can be emailed to planningpolicy@uttlesford.gov.uk or sent by post to:

Planning Policy Team
Uttlesford District Council
Council Offices
London Road
Saffron Walden
CB11 4ER

Third Party Media

4.13 There are a number of local print media outlets covering various parts of the district, as shown in the table below:

Newspaper name	Distribution Area	Distribution Model	Approx. Circulation
Walden Local	Saffron Walden and surrounding villages	Advertising	10-12,000
Saffron Walden Reporter	Saffron Walden and surrounding villages	Advertising	16-17,000
Dunmow Broadcast	Great Dunmow and surrounding villages	Advertising	12,000
Herts and Essex Observer	Saffron Walden, Great Dunmow, Stansted Mountfitchet, Elsenham, Henham	Paid subscriptions and single-copy sales	2,000

4.14 Editorial coverage in the local media can be a helpful way to get across key messages, although messages can become lost or distorted as press tends to focus on controversial or 'newsworthy' items and the important role of the Local Plan process is often ignored.

4.15 Paid-for advertising can be used to raise awareness of consultations, although adverts have the disadvantage of being expensive and limited in their exposure compared with editorial. There is no requirement in the local planning regulations for consultations to be publicised through advertisements in the press, and therefore Local Plans differ in this from the way that planning applications must be advertised.

Citizens Panel

4.16 The citizens panel is a database of residents who the council can call on when carrying out consultation exercises. The panel is representative of the people of Uttlesford and is made up of about 500 residents of different ages and backgrounds. The panel was recruited from across the district, by a professional market research company, working on behalf of the council. All

information provided at any time by members of the panel is treated in the strictest confidence and panel members are not be identified in the results, as all the findings are reported anonymously.

4.17   Panel members are sent out questionnaires to complete. The questions will be about local public services but will sometimes include other services provided by partner agencies, for example, the health service or the police. Panel members may, from time to time, be invited to take part in group discussions or workshops, but this would be optional. Further information about the Citizens Panel can be viewed at www.uttlesford.gov.uk/CitizensPanel

Leaflets and letters

4.18   Leaflets can be helpful in publicising and raising public awareness of consultations. Leaflets are limited in the amount of content they can carry and there is a trade-off between the amount of information which can be put on a leaflet and the ability of the leaflet to attract attention. Leaflets can be helpful when left in public places or distributed at meetings, but when posted through the door they can be mixed up with junk mail and discarded. As explained above, Uttlesford Life magazine is the preferred method of reaching a wide audience.

4.19   The Council possesses a list of all Council Tax payers in the district but there are data protection restrictions on the use of this list for any purposes unconnected with the purposes for which it was intended. Inserts in Council Tax envelopes are prohibited and would in any case be unlikely to coincide with the start of a consultation.

4.20   The Council's consultation database contains a large number of individuals who have previously contacted the Council in respect of past consultations. The Council will contact these individuals to notify them of the forthcoming consultation and asking them whether they wish to have their details retained on the database.

Public Meetings and Events

4.21   Public meeting and events can be a helpful way of raising awareness, and can provide an opportunity for direct contact between residents and Council representatives.

4.22   The traditional presentation format followed by questions and answers from the floor can be helpful to explain process and procedure. It would be appropriate for public meetings to be attended by

4.23   The number and location of presentations is likely to vary with the subject-matter and the areas affected. However as a standard format it is proposed that two evening presentations will be delivered as part of the awareness-raising process for each pubic consultation. Each presentation will be led by one or more senior Councillors with support from a senior officer.

4.24   The usual venues will be the Council Chamber at the District Council Offices in Saffron Walden and Foakes Hall in Great Dunmow. When necessary Forest Hall School in Stansted Mountfitchet may be used as an additional venue. All three venues have significant seating capacity. Saffron Walden is reasonably accessible from most villages in the north of the District and Great Dunmow is reasonably accessible from most villages in the south. This format is considered appropriate for Issues and Options consultation, given the generalised District-wide nature of the process at this stage.

4.25   Drop-in sessions are an alternative format and can be useful when there are detailed plans to display on exhibition boards, but are less appropriate for explanation of strategic matters and process.

4.26   Drop-in sessions tend to be spread out over the course of several hours, often during the evening or on a Saturday. The staff resource needed for drop-in sessions is considerable if anticipated visitor numbers are high, in order to ensure that visitors are able to have an opportunity for direct discussion with Council representatives. The active involvement of local Ward Members at drop-in sessions is considered critical to their success.