



# Uttlesford District Council

Chief Executive: Dawn French

## Local Plan Leadership Group

**Date:** Wednesday, 29th July, 2020

**Time:** 7.00 pm

**Venue:** Zoom - <https://zoom.us/>

**Chair:** Councillor A Storah

**Members:** Councillors G Bagnall, M Caton, R Freeman, P Lees, M Lemon, B Light, S Merifield, R Pavitt, N Reeve, M Sutton and M Tayler

**Non-voting**

**Member:** Councillor J Evans

### **Public Participation**

At the start of the meeting there will be an opportunity for members of the public to ask questions and make statements subject to having given notice by 2pm the day before the meeting. Each speaker will have 5 minutes to make their statement. Please write to [committee@uttlesford.gov.uk](mailto:committee@uttlesford.gov.uk) to register your intention to speak with Democratic Services.

Public speakers will be offered the opportunity for an officer to read out their questions or statement at the meeting, or to attend the meeting over Zoom to read out their questions or statement themselves.

Members of the public who would like to listen to the meeting live can do so [here](#). The broadcast will be made available as soon as the meeting begins.

## **AGENDA PART 1**

### **1 Apologies for absence and declarations of interest**

To receive any apologies and declarations of interest.

### **2 Draft Terms of Reference**

4 - 6

To consider the Draft Terms of Reference for the Local Plan Leadership group.

**3 Community Engagement on the Local Plan** 7 - 12

To receive the report on Community Engagement on the Local Plan.

**4 Quarterly Local Plan response to government** 13 - 15

To receive the quarterly Local Plan response to government.

## REMOTE MEETINGS AND THE PUBLIC

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The agenda is split into two parts. Most of the business is dealt with in Part I which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

Agenda and Minutes are available in alternative formats and/or languages. For more information please call 01799 510510.

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# Agenda Item 2

**Committee:** Local Plan Leadership Group

**Date:**

**Title:** Draft Terms of Reference

Wednesday, 29  
July 2020

**Report Author:** Stephen Miles, Planning Policy Team Leader  
smiles@uttlesford.gov.uk

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## Summary

1. Included with this report are draft Terms of Reference for the Local Plan Leadership Group (LPLG).

## Recommendations

2. To discuss and comment on the draft terms of reference.

## Financial Implications

3. None.

## Background Papers

4. None.

## Impact

- 5.

Communication/Consultation	LPLG is being consulted on the draft Terms of Reference.
Community Safety	N/a
Equalities	N/a
Health and Safety	N/a
Human Rights/Legal Implications	N/a
Sustainability	N/a
Ward-specific impacts	N/a
Workforce/Workplace	N/a

## Situation

6. As a working group of Cabinet it is for Cabinet to agree the Terms of Reference for the Local Plan Leadership Group.
7. Cllr Storah, with input from officers, has created the Draft Terms of Reference appended to this report. As the Chair, Cllr Storah will be elaborating about the draft Terms of Reference and the way he sees this group working.

### Risk Analysis

8.

Risk	Likelihood	Impact	Mitigating actions
Pressure for matters to be discussed in public	4 – there will be pressure for matters to be discussed in public	3 – the EELGA Peer Review Team have indicated that all meetings being held in public will limit open discussion and tip the Council's hand to Local Plan objectors (e.g. promoters of rejected sites)	The Draft Terms of Reference indicate that meetings can be held in private.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

## **LOCAL PLAN LEADERSHIP GROUP DRAFT TERMS OF REFERENCE**

- To assist the Council in the preparation of a local plan which meets the agreed development needs of the district during the course of the plan period in the most appropriate manner;
- To make recommendations to Cabinet as to the preparation of the draft Uttlesford Local Plan 2020 – 2040, and related planning policy documents, in the light of both documents submitted by officers to the Leadership Group for consideration and any other matters as the Group sees fit;
- To enable members of the public to address the Group for a maximum of 5 minutes and to provide a copy of their statement, subject to having registered to speak in advance;
- Meetings shall generally be held in public but may be held in private if the Group considers that to be either desirable or necessary in the interests of commercial confidentiality or there were matters arising which could otherwise be prejudicial to the interests of the Council if discussed in public;
- To meet as frequently as necessary in order to enable the preparation of the plan to proceed in accordance with the current timetable;
- To make recommendations to officers as to any particular items the Group would like to see addressed at the next, or a forthcoming, meeting.

<b>Committee:</b>	Local Plan Leadership Group	<b>Date:</b>	
<b>Title:</b>	Community Engagement on the Local Plan		Wednesday, 29 July 2020
<b>Report Author:</b>	Sarah Nicholas, Garden Communities Senior Planner		
	snicholas@uttlesford.gov.uk		

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## Summary

1. The Council, in its Corporate Plan has made a commitment to ‘put residents first’. With the result being that *“residents will know their views have been listened to; they will feel they have the opportunity to influence the decision making; they will understand why decisions have been made even if they disagree with them. They will report increased levels of trust and confidence in the way the council conducts its business and manages its resources”*.
2. By having good engagement when preparing the Local Plan there will be better decision making with improved legitimacy, where the community is fully involved and development is aligned with the needs of today’s and future communities.
3. The [Statement of Community Involvement](#) (SCI) will be updated.
4. The SCI will be supported by a Community Engagement Strategy which will set out in more detail than the SCI the methods of engagement, how they can be tailored to each consultation stage, the needs of each section of the community and other consultees.
5. The purpose of this report is to discuss the design of the Engagement Strategy and get member feedback on the proposals in this report.

## Recommendations

6. To discuss the methods of engagement, how they can be tailored to each consultation stage, the needs of each section of the community and other consultees set out in the report below.

## Financial Implications

7. There will be financial implications for undertaking community engagement. Costs arising from the engagement and consultation on the Local Plan will be drawn from the budget for the Local Plan.

## Background Papers

8. None

**Impact**

9.

Communication/Consultation	This is the purpose of the community engagement strategy and Statement of Community Involvement
Community Safety	All engagement and consultation will take place with community safety in mind
Equalities	All engagement and consultation will be accessible to all
Health and Safety	All engagement and consultation will be risk assessed.
Human Rights/Legal Implications	All engagement and consultation will adhere to the principles and best practice presented by the LGA, Government, The Consultation Institute and Gunning Principles.
Sustainability	n/a
Ward-specific impacts	All
Workforce/Workplace	n/a

**Situation**

10. Community Engagement is being used here as the general term for talking to people and can involve a variety of activities each of which have a different purpose and function.
- a. *Participation* – people taking an active part in something which will feed into the Local Plan
  - b. *Consultation* – asking people for comments with the implication being that changes to the plan will be considered
  - c. *Empowerment* – to give people the opportunity to make changes and direct how, where and why development happens.
11. In designing an engagement strategy the issues for consideration and decision include ‘what (key consultation questions); ‘who’ (the stakeholders); ‘when’ (timescales) and ‘how’ (the consultation/engagement channels, resources and costs).



12. **What**. The local planning regulations require the Local Plan is published for comment for a minimum of two times before a Local Plan is submitted to the Planning Inspectorate for Examination in Public.
13. The preparation of a Preferred Options or Draft Local Plan (Regulation 18) requires that a public consultation should be held during its preparation.
14. The publication of the Submission Local Plan (Regulation 19) 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.
15. In preparation to any formal Regulation 18 consultation the Council will undertake additional engagement in relation to the themes, aims and objectives of the Local Plan, the issues facing the District and the options open to the Local Plan to resolve those issues.
16. It is this stage of the Plan's preparation where there are more opportunities for participatory engagement. It is an opportunity for people to inform the council of the issues and their views on the options and for these to feed into the Local Plan.
17. **Who**. For many, planning is not seen as relevant to them until a house or a change of use or an extension is proposed next door. However, it does affect everyone living, working or visiting the District. It is therefore important that the Council engages with all parts of the community.
18. The Council is under a duty to cooperate with other local planning authorities and County Councils and with other prescribed bodies such as Environment Agency, Historic England, Natural England, Highways England and other highway authorities, Civil Aviation Authority, Clinical Commissioning Group, Office of Rail Regulation and Local Enterprise Partnerships.
19. The Council will engage with
  - a. Infrastructure bodies including schools, utility suppliers, National Grid.
  - b. Town and Parish Councils and Meetings, Neighbourhood Plan groups.
  - c. Key groups such as the Energy and Climate Change working group, Youth Council and working groups forming Uttlesford's Local Strategic Partnership known as Uttlesford Futures.
  - d. Residents
  - e. Businesses
  - f. Other directorates within the Council
  - g. Other Councils

- h. Interest groups representing gypsies and travellers, those in housing need, built and natural environment groups, sport and recreation groups.
- i. Landowners and developers (site promoters).

20. **'When'**. This will be determined by the Local Development Scheme. Reflecting the complexity of the Local Plan production process, an Engagement Strategy will need to be based on the principle of 'structured engagement'. This allows parties to engage in the process at a level commensurate with their interest; it ensures that good progress on the Local Plan is maintained and it ensures that a clear record of all engagement activities can be kept.

21. The Council will adhere to the 'Four Gunning Principles', which through the courts have formed a strong legal foundation for public consultation. Three of the four<sup>1</sup> principles relate to timing.

- a. Proposals are still at a formative stage – a final decision has not yet been made or predetermined by the decision makers;
- b. There is adequate time for consideration and response – there must be sufficient opportunity for the consultees to participate in the consultation; and
- c. Conscientious consideration must be given to the consultation responses before a decision is made – decision makers should be able to provide evidence that they took consultation responses into account.

22. **'How'**. As well as being important to engage with a wide range of people it is equally important that the engagement is attractive with clear messages to encourage as many people and groups as possible to take part and shape the plan.

23. There are a wide range of engagement methods and during this time of social distancing and restrictions on public gatherings the Council will need to be especially creative. It will be necessary to select the right bundle of methods for each engagement stage.

24. Publicity of each engagement stage will be by a variety of means such as

- Consultation portal (automated email or letter to those without email)
- Website
- Social media
- E-newsletter
- Local newspapers (press release / advert)
- Posters/Leaflets
- Piggybacking on other UDC events

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- <sup>1</sup> The fourth principle is that there is sufficient information to give intelligent consideration – it must be available, accessible and easily interpretable for consultees to provide an informed response.

25. Engagement appropriate for the early stages of the Plan’s preparation looking at themes/issues and options as well as the later formal stages testing the initial draft strategies and polices can be selected from the following. This list can be added to and refined through preparing the strategy. Please note that some of these methods overlap for example storyboards and videos can be done using YouTube and shared on various platforms.

- a. Publication on the consultation portal
- b. Exhibitions (use of ‘You can book me<sup>2</sup>’ / Virtual Exhibitions<sup>3</sup> )
- c. Attractive and engaging website storyboard
- d. Workshops / Zoom meetings with breakout groups
- e. Online surveys
- f. Virtual post-it boards
- g. Photography competition
- h. Displays at libraries, leisure centres and parish spaces.
- i. Pop up exhibition in vacant shop / Window display in vacant shop
- j. Use of Communities Team’s ‘Drinks with Community Links’ horsebox
- k. Social Media Platforms (can be used to promote any of the above, and have integrated ability to analyse engagement)
  - i. [Facebook](#) (ability to boost posts to more people based on location and demographic)
  - ii. [YouTube](#) (showcases anything in video format)
  - iii. [Twitter](#) (microblogging website to promote links via images and short statuses)
  - iv. [Instagram](#) (Image and video showcasing)

### Discussion Points

26. The following questions are suggested to aid discussion

- a. What are members’ views on the above list of types of engagement methods? (see paragraphs on ‘How’ above)
- b. Which methods will reach people who do not usually engage with planning? (See paragraphs on ‘who’ above).
- c. Which methods are appropriate to different stages in the process? (see paragraphs on ‘what’ above)

### Risk Analysis

27.

Risk	Likelihood	Impact	Mitigating actions
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- <sup>2</sup> <https://youcanbook.me/> enables ability to control numbers by people booking a slot.
- <sup>3</sup> for examples see <https://becg.consultationonline.co.uk/> and <https://www.iceniprojects.com/bsite/>

Insufficient or the wrong form of engagement takes place	1	Poor engagement could lead to public protest; an unsound plan or judicial review.	Approve and implement an engagement strategy which sets out best practice in consultation.
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4 = Near certainty of risk occurring, catastrophic effect or failure of project.

**Committee:** Local Plan Leadership Group

**Date:**

**Title:** Quarterly Local Plan response to government

Wednesday, 29  
July 2020

**Report Author:** Stephen Miles, Planning Policy Team Leader  
smiles@uttlesford.gov.uk

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## Summary

1. This report sets out the first update to government on the Uttlesford Local Plan.

## Recommendations

2. To note and comment on the draft response to government.

## Financial Implications

3. None.

## Background Papers

4. None.

## Impact

- 5.

Communication/Consultation	LPLG is being consulted on this update.
Community Safety	N/a
Equalities	N/a
Health and Safety	N/a
Human Rights/Legal Implications	N/a
Sustainability	N/a
Ward-specific impacts	N/a
Workforce/Workplace	N/a

## Situation

6. The Council resolved on 30 April to proactively keep the government informed on progress on the Uttlesford Local Plan.
7. It is proposed that the below paragraphs are incorporated into a letter to MHCLG.
8. *The Council has retained the advice of the East of England Local Government Association Peer Review Team, who previously advised Uttlesford on the options for withdrawal of the previous Local Plan. This team will continue to provide impartial advice to the Council on a number of issues to assist with the progress of the Local Plan.*
9. *At Cabinet on 9 July, the Council agreed the governance arrangements for the new Local Plan. This involves setting up a new Local Plan Leadership Group to discuss emerging proposals for the new Local Plan. It noted the scrutiny committee's preference to examine the process before decisions are made within its current structure, rather than ask Cabinet to establish a dedicated Local Plan Scrutiny Committee. These papers can be found on the Council website [here](#). The first Local Plan Leadership Group met on 29 July 2020.*
10. *The Council is now looking to agree a Local Development Scheme and Statement of Community Involvement to set out the timetable for progress on the new Local Plan and how the Council intends to engage with and consult the community moving forward.*

## Risk Analysis

11.

Risk	Likelihood	Impact	Mitigating actions
Risk of intervention if the Local Plan is not in place by December 2023	3 – the LGA peer review team are of the view that it should take four years to get a Local Plan in place, this would take Local Plan production just beyond December 2023	4 – government intervention would significantly damage the reputation of the Council	A detailed, ambitious and realistic timetable will be drawn up to progress the Local Plan.  Quarterly updates to MHCLG will provide the government confidence that the Council is working towards a new Local Plan.

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