

Date: 15/06/2020
Subject: **OTH110 Local Plan Peer Reviews**
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1 Proposal

1.1 Uttlesford District Council has invited EELGA to undertake two peer reviews.

1.2 The first review provided advice to the Council on the Inspectors' letter on the Stage 1 hearings into the submitted Local Plan. The Council decided on 30th April 2020 to withdraw the plan.

1.3 The second review – the subject of this proposal - is to provide advice to assist the Council in preparation of a Project Initiation Document for a new Local Plan, identify the support necessary and evidence required for the new Local Plan making process and inform a strategy and operational development plan for the Local Planning Authority (LPA) as a whole.

1.4 In May 2019, a new Council was elected with stated aims to:

‘Fix the Local Plan so it is evidence-led, puts infrastructure before new homes, is controlled by local communities and not developers, and provides homes that are affordable for local people,

Make sure the scale of development closely relates to the identified housing need, and that the Local Plan satisfies the Planning Inspectorate,

Under the Local Plan new housing will be built in the locations that the evidence shows is the most sustainable.’

1.5 The new Council has subsequently adopted a Corporate Plan with a vision of ‘Making Uttlesford the best place to live, work and play,’ and four strategic objectives namely:

Putting residents first,

Active place-maker for our towns and villages,

Progressive custodian of our rural environment,

Championing our district.

1.6 The Council is therefore concerned to ensure that its role as the LPA is fit for the purpose of serving current and future generations by preparing a timely and sound Local Plan in accordance with its obligations, making defensible planning decisions, and also realising its Corporate Plan vision and strategic objectives.

1.7 The review will be conducted through a phased programme of work packages (WP) tailored to support the Council's current and continuing local plan making activities.

2 WP 1: Local Plan Project Initiation Document (PID)

2.1 This work package is designed to help the LPA make the best possible operational start and lay the foundations for the drafting of the new Local Plan. It will engage the Local Plan officer team and third parties:

- a review of the plan making context
- an audit of and action plan for those elements of the withdrawn Local Plan that could be carried forward and updated for the new Local Plan
- an audit of and action plan for elements required for the new Local Plan, notably those identified in the above review of the plan making context
- reflections on and lessons to be learned from the previous PID, Local Development Scheme and Statement of Community Involvement.

2.2 The work package will provide advice – informed by findings from the above tasks and best practice – to the Local Plan officer team in preparing a new Project Initiation Document.

3 WP 2: Local Plan Making

3.1 This work package is designed to provide the context for and inform development of a vision and strategic objectives for the new Local Plan. It will also identify the support (including project management arrangements) required by the LPA to prepare a sound Local Plan in a timely manner and how such support can be elicited and used. This work package will be undertaken in two phases:

3.2 Phase 1: To engage all Members and senior Local Plan officers to develop their understanding of:

- i) Local Plan contexts: national, sub regional and local including reflections on and lessons to be learned from the withdrawn Local Plan
- ii) Local Plan purposes: what it is, who it is for and the scope and extent of the value * it can protect and create
- iii) Local Plan vision and strategic objectives: what success could look like and hence the value to be protected and created
- iv) Local Plan making process: the procedural stages and route map

3.3 Phase 2: To engage Local Plan senior officers and relevant Members in identifying:

- i) Local Plan lessons: Reflections on the withdrawn Local Plan and lessons to be learned in respect of co-producers, procedures, and governance arrangements
- ii) Local Plan co – producers: Who needs to contribute towards the preparation of the Local Plan and how?
- iii) Local Plan making steps and procedures: What are the plan making procedural options for the Local Development Scheme and Statement of Community Involvement?
- iv) Local Plan making engagement models: What are most appropriate and effective models, practices, and reporting arrangements?

v) Local Plan making governance arrangements: How can these arrangements work best in practice?

** In this review we define sources of value as:*

Public value: The value the public sector can create from the Local Plan includes:

- a) Plan making for land allocations to meet the OAN and requirements for supporting infrastructure, services, and facilities*
- b) Place making that brings together the above elements and more into a greater whole*
- c) Plan delivery that combines policies with legal mechanisms and funding for our zero- carbon future, a net gain in natural capital and protection and conservation of the built heritage.*

Private value: The private sector creates value from the Local Plan by promoting sustainable sites for housing allocations and their subsequent development. The gross development value of such sites is substantial over the lifetime of a Local Plan.

The Commons: This is defined as cultural and natural resources accessible to all members of society including natural materials – air, water, and a habitable earth

4 WP 3: Local Planning Authority Strategy and Operational Development Plan

4.1 This work package is concerned to formulate a strategy and operational development plan to ensure the LPA is fit for the purposes of fulfilling its statutory and regulatory obligations and Corporate Plan vision and objectives.

4.2 The strategy and improvement plan (which will draw together recommendations arising from this review and other recent and current reviews) will seek to develop the LPA as one characterised by:

- i) Community leadership:* Members understand and are provided with professional support to understand and mediate in an objective manner conflicts between: Government imperatives for and local resistance to development; different community interests; market interests and community wants and meeting the needs of the present whilst providing for future generations
- ii) Strategic governance:* Members and the Senior Management Team share and keep up to date their vision for the LPA and its public, private and common value purposes; statutory and regulatory obligations and political priorities along with their understanding of the LPA's resources including funding (Council funding, external income, and grants), people, IT and discretionary budgets; the planning and infrastructure partnerships; and service delivery models.
- iii) Strategic partnerships:* Gives effective political leadership and senior management priority to working with national and sub regional partners and Government agencies to identify and address sub regional physical and service infrastructure deficits and requirements
- iv) Plan making:* The LPA has capacities and competences to formulate a vision and strategic objectives for the future of Uttlesford and turn this vision into a timely, sound Local Plan which provides for identified housing, employment, transport and infrastructure needs designed to contribute towards a zero carbon future and net gains in natural capital
- v) Place making:* The LPA has the capacities and competences to be a place making LPA which acts in partnership - with existing communities, the district's Town and Parish Councils, neighbour LPAs, developers, and service providers - to promote, negotiate and deliver quality development and places with supporting and timely infrastructure and services

vi) *Service excellence*: The LPA managers and staff share a commitment to service excellence where the LPA's activities are specified, procured, structured, resourced and managed to deliver responsive community leadership, effective strategic partnerships, sound plan making, quality place making and continuous improvement in governance, service operations, and culture. These activities are defined through service plan goals and KPIs; service practices and procedures; resource allocations; performance management and culture. The latter shall be characterised through behavioural norms; rules; and distinctive practices, for example, in team working, matrix management, openness, accountability, knowledge acquisition and transfer informing innovation and adoption of best practices.

5 Approach and Timetable

5.1 The proposed timetable comprises:

- i) Review initiation: w/c 8th June
- ii) WP 1 Local Plan Project Initiation Document (PID): w/c 8th June – 3rd July
- iii) WP 2 Local Plan Making: w/c 29th June – 31st July
- iv) WP 3 Local Planning Authority Strategy and Improvement Plan
 - desk data collection w/c 29th June
 - proposal review w/c 20th July
 - confirm review brief w/c 3rd August
 - First draft report w/c 21st September
 - Presentation 2nd October

5.2 The methodology of the review will include:

Review initiation

5.3 A discussion to be held with the peer learning review management group on the six elements of the proposed strategy (i – vi above), the review methodology (as proposed for the three work packages (WP), the management group's governance of the review and timetable leading to a formal report and final presentation.

WP 1 Local Plan Project Initiation Document (PID)

5.4 This work package is designed to ensure the new Local Plan is started on the right footing and avoids unnecessary financial costs and lost time in the plan making process. It will engage the Local Plan officer team in conducting an audit of the evidence base, semi structured one to one in confidence conversations and a group discussion about:

- a) New Local Plan making policy contexts notably the new National Planning Policy Framework, the Inspectors' letter of 10th January 2020, Inspector Clews' letter of 15th May 2020 in relation to the local plan submitted by the North Essex Authorities, the role of sub regional partnerships and requirements to plan for an updated OAN, housing targets, the Council's declaration regarding a climate and ecological emergency, a zero-carbon future, enhancement of bio-diversity and net gains in natural capital
- b) New Local Plan, key elements. The matters identified for discussion include project initiation; consultation (presenters (officers and Members), audiences, methods, evaluation, reporting, phasing), external procurement (commissioning and management), evidence-based policy making and spatial planning, proposed new Local Plan governance including all Member engagement and liaison with external parties. These include Ministry of Housing Communities and Local Government, neighbouring regional and sub regional

LPA, Essex County Council, Town and Parish Councils, statutory undertakers, landowners, and developers.

c) An audit of and action plan for those elements of the withdrawn Local Plan that could be carried forward and updated for the new Local Plan

d) An audit of and action plan for those elements of the withdrawn plan that need to be either replaced or added, notably those identified in review of the plan making context

e) Reflections on and lessons to be learned from the previous PID, Local Development Scheme and Statement of Community Involvement.

5.5 The work package will provide advice – informed by findings from the above tasks and best practice – to the Local Plan officer team in preparing a new Project Initiation Document.

WP 2 Local Plan Making

5.6 This work package is designed to identify the support required by and available to the LPA for preparing a sound Local Plan in a timely manner. It will be undertaken in two phases.

5.7 Phase 1: To engage all Members and the Local Plan officer team through a briefing paper and questionnaire survey, one to one in confidence interviews (where requested) and on-line meetings to share and develop their understanding of:

i) Local Plan policy and partnership contexts: national, sub regional and local including reflections on and lessons to be learned from the withdrawn Local Plan

ii) Local Plan purposes: what it is, who it is for and the scope and extent of the value it can protect and create

iii) Local Plan vision and strategic objectives: expressed as what success could look like, propositions for protection and creation of value and strategic objectives to realise the vision

iv) Local Plan making process: the procedural stages and route map

5.8 Phase 2: To engage the Local Plan officer team with relevant Members in identifying (through on-line meetings as required):

i) Local Plan lessons: Reflections on the withdrawn Local Plan and lessons to be learned in respect of co-producers, procedures, and governance arrangements

ii) Local Plan co – producers, those who need and want to contribute towards the plan making process and the ways they could do this in the most efficient and effective manner

iii) Local Plan making, the plan making procedural options for the Local Development Scheme and Statement of Community Involvement

iv) Local Plan governance, the Council's proposed governance arrangements and how these can be made to be effective in practice

5.9 This work package will conclude with formulation of a vision and strategic objectives for the new Local Plan, how support towards preparing the new Local Plan can be elicited and used. The above findings together with the PID will inform preparation of the Local Development Scheme and Statement of Community Involvement

WP 3: Local Planning Authority Strategy and Operational Development Plan

5.10 This work package is concerned to formulate a strategy and operational development plan to ensure the LPA is fit for the purposes of fulfilling its legal and statutory obligations and Corporate Plan vision and objectives for plan making, development management including plan making.

5.11 The review will be informed by:

- i) A desk top review of the LPA's vision and service objectives (as value propositions) in the context of the LPA's statutory duties and responsibilities and contributions to the Council's corporate vision and objectives notably in respect of housing, economy, health, heritage, bio-diversity and the environment. The latter to be informed by the draft Corporate Plan vision, strategic themes, and high-level action points, the new Local Plan vision and strategic objectives and interviews.
- ii) A desk top review of the LPA's resources: funding (the Council funding, fee income and grants); budget allocations (corporate overheads, management, staff, IT, external consultants); and external partnerships (for plan making and strategic infrastructure funding and delivery).
- iii) A desk top review of performance management metrics and data, previous and current reviews, and Member development requirements. These to include: a bundle of returns (PS1 and 2) and KPIs; Planning Officers' Society Peer Review 2008; Planning Advisory Service Review of Major Planning Application Process; Member led review of Section 106 Agreements; Sue Chadwick's advice on response to a complaint from Saffron Walden Town Council and Planning Committee governance.
- iv) Two rounds of consultations to enable the key stakeholders to have their say about the past and present LPA, explore alternative futures and build a consensus around a strategy and improvement plan.

First round (external stakeholders)

External stakeholders will be invited to submit case studies of their experiences with the LPA and proposals for improvement. Care will be taken to ensure these cases build on evidence considered in the current reviews and matters which fall outside the remits of these reviews

First round (LPA staff)

These stakeholders will be invited through one to one in confidence semi structured interviews to confirm their understanding of the service roles and operations (community leadership, strategic governance, strategic partnerships, plan making, place making and service excellence) and generate SWOT analyses of the Council's roles as LPA by:

- showcasing innovations and achievements in the above service roles and operations
- identifying areas for and proposals to innovate and improve
- identifying opportunities for and barriers to innovation and improvement

Second round (LPA staff)

These stakeholders will be invited to on line meetings of specific stakeholder groups (for example, Members as community leaders, LPA managers, Local Plan makers, development managers / place makers), to receive a report on the key findings from the interviews, celebrate the service's achievements, consider the key issues for improvement and test options for the future development of the service.

Draft report and presentation

A draft report on the review process, comments received and emerging strategy, and improvement plan to be submitted to the review management group with a view to agreeing the wider presentation and reporting arrangements.

6 About the Consultants

6.1 The East of England LGA is well placed to deliver such a review and advice. Malcolm Sharp and Simon Smith, who have recently completed the Local Plan Peer Review on behalf of the Council, would carry out this assignment for you.

6.2 Malcolm has previously advised Councils on all aspects of their LPA duties, responsibilities, and performance. He is a former local authority Head of Planning, Director and Managing Director. Malcolm is a former President of the Planning Officers Society and has been awarded an MBE for services to planning in England. He will be assisted by Simon Smith who has extensive experience as a local government manager and consultant in planning policy, service development, governance, and delivery. Malcolm and Simon were co-winners of a Royal Town Planning Institute Planning Award for a community led place making and regeneration programme for a neighbourhood in Huntingdon.

7 Fee Proposal and Timetable

Scoping / Brief / Review Initiation (sub-total 1 day)

WP 1: Local Plan Project Initiation Document (PID) (sub-total 10 days)

Plan making context: research and group discussion (4 days)

Audits: Interviews (one to one) part 1, briefs for audits and analyses (2 days)

Lessons learned: Interviews (one to one) part 2 in respect of the PID, Local Development Scheme and Statement of Community Involvement (2 days)

Best practice review and advice (2 days)

WP 2: Local Plan Making (sub-total 18 days)

Phase 1: Member development (with officers)

- Understanding Local Plans: Briefing papers and where requested (one to one) discussions on planning policy, Local Plan purposes, value protection and creation, plan making and infrastructure partnerships, procedures, and delivery (6 days)

- New Local Plan: Facilitated, on-line, workshop to identify value propositions and hence formulate a new vision and strategic objectives (2 days)

Phase 2: Member and officer leadership development

- Co-producers: Discussions with officers and existing / potential co-producers to identify sources of support and co-working arrangements (4 days)

- Local Plan making: Discussions with officers on lessons learned from the submitted / withdrawn Local Plan, the vision and strategic objectives and best practice and advice on the Local Development Scheme and Statement of Community Involvement (5 days)

- Local Plan governance, the Council's proposed governance arrangements and how these can be made to be effective in practice (1 day)

WP 3: Local Planning Authority Strategy and Improvement Plan (sub-total 26 days)

The proposal for WP 3 will be reviewed to respond to the Council's requirements arising from the findings, advice and recommendations flowing from WP 1 and WP 2. As proposed, 26 days have been allocated to WP 3 comprising, desk top reviews (8 days), consultations

with external LPA stakeholders and LPA staff (10 days) and reporting / presentations for the whole review (8 days).

i) The LPA's vision and service objectives (2 days)

ii) The LPA's resources: funding, budget allocations and external partnerships (2 days)

iii) The LPA's performance management regime and Member development requirements (4 days)

Consultations

i) First round (external stakeholders) (2 days)

ii) First round (LPA staff) (8 days)

Reporting

i) Draft final report (4 days), circulation to be agreed

ii) Final report and slide decks, notes and presentations tailored for Members, staff, external stakeholders (4 days)

Initial data needs (to be supplied by the client):

Planning service plan and budget and service monitoring reports, performance management information including formal submissions and related Committee reports.

Service structure (organogram) with job titles, roles summaries and post holder contact details.

Past service reviews with briefs for and work in progress reports on current reviews.

Briefing papers on current partnerships, partner activities (recent, current, and planned) with partner contact details.

Senior Management Team and Committee reports and presentations on the submitted Local Plan from inception to submission.

Local Development Scheme (all editions with explanations to account for all revisions / updates).

Statement of Community Involvement (with a note on performance against the planned activities).

Local Plan programme management documents and risk registers.

Actual timeline for all relevant activities, notably consultations, procurement, and receipt of studies for the evidence base, production of development plan documents and formal decision making.

Notes of meetings and correspondence with the retained QC and representatives of MHCLG and PINs

Resources and support requirements

The consultants will use their own laptops as required on site

Access to meeting space and desk when based at the Council's offices

Costs

Subject to the Council's requirements under WP 3, the total cost of this proposal is £48,125 (plus VAT but exclusive of expenses)

