

## Planning Advisory Service – Local Plan Project Management Support

Uttlesford District Council

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### **Executive Summary – Key Findings**

- Uttlesford District Council is preparing a new Local Plan. It completed a second Regulation 18 consultation at the end of 2023 and intends to publish its Local Plan at Regulation 19 publication in July 2024.
- The Council published a revised Local Development Scheme (LDS) in October 2023. This set out an updated timescale for producing the Plan with key dates being the Regulation 19 publicity in July-September 2024 and Submission in December 2024. Achieving the timescales set out in the LDS, specifically between the end of Regulation 19 and the submission of the Local Plan, represents a significant challenge. However, given the progress that has already been made in presenting a full draft Local Plan at Regulation 18 stage, and based on the experience and resources within the Team, the timescales presented within the LDS appear achievable. The Council is aware that the LDS timescales are challenging but remains confident in being able to meet them.
- The Council has put in place a number of measures to support timely progression of the Local Plan. However, it is recommended that the Council undertakes the following activities to further minimise the risk of delay in delivering the Local Plan:
  - Undertake a review of all tasks included within the project plan so that officers are clear on workstream priorities and interdependencies to ensure workstreams can progress smoothly and without delay.
  - Update the risk register with the specific priority workstream/tasks to enable quicker identification of potential delays, allowing proactive action to be taken by the Council to keep the identified priority workstreams continuing in line with the project plan.
  - Undertake a resourcing assessment to appraise demands on the Team across the Local Plan programme, taking into account annual leave, any external Local Plan pressures and individual's skills and expertise to help inform the resourcing action plan. Identify what route the Council would take to sourcing the additional capacity required as Aecom's contract draws to a close in June 2024 and develop a resourcing action plan to avoid a reduction in capacity within the team.

## **1. Background**

The Planning Advisory Service (PAS) Local Plan Project Management support provides an assessment of the suitability and effectiveness of the Local Plan project plan, the Local Development Scheme (LDS), and the resources available to the Local Planning Authority (LPA). The objective of the assessment is to identify any risks to, and potential efficiencies for, the effective production of the Local Plan. The assessment also identifies where the Council may benefit from additional PAS support.

Uttlesford Borough Council received [a letter from the Secretary of State](#) on 19 December 2023 indicating that the Government would be intervening in the plan-making process in Uttlesford. The Secretary of State indicated that he would be using his powers under section 15(8)(b) of the 2004 Planning and Compulsory Purchase Act to direct the Council to revise its LDS.

The Council's [response to the Secretary of State](#) (24 January 2024) outlines that the Council's initial LDS was revised in July 2022 and October 2022 and that these changes to the Local Plan's timetable have enabled the Council to explore development opportunities, allow for robust evidence to be developed and the Council's spatial strategy to be improved to ensure the best outcomes for the district. The October 2023 LDS is the latest iteration of the Local Plan programme. The Council advised that the spatial strategy has now been selected providing the clarity needed to enable the Council to progress quickly from Regulation 18 consultation in October-November 2023 to Regulation 19 publication in July 2024. The Council has also identified additional resource to help ensure the Local Plan remains to programme. The Council fully acknowledges that timescales set out in the LDS are tight yet they consider they are achievable. The Council therefore has not prepared a revised LDS in response to the letter from the Secretary of State and is instead progressing to Regulation 19 planned for later this year.

A workshop was held with the Council's Director of Planning, Interim Planning Policy Manager, and newly appointed Local Plan Project Officer on 5 March 2024. This Advice Note provides a summary of the advice and recommendations provided to the LPA. It is possible that other evidence or information exists that has not been reviewed which might lead to other comments, advice or conclusions being drawn. This note is advisory only rather than a legal view, and it should be read in the context of relevant legislation, national planning policy and guidance.

## **2. Delivery of the Support and Findings**

### **Local Plan Programme**

Uttlesford District Council is currently in the process of preparing a new Local Plan and work has been underway since 2020. Having completed an Issues and Options consultation in November 2020 and a second Regulation 18 consultation in October 2023, it is now working on the Regulation 19 version of the Plan. Publicity on the Regulation 19 version of the Local Plan is programmed to commence in July 2024.

The Council published a revised LDS in October 2023. This timetable was reviewed in January 2024 but did not result in changes from the October 2023 programme. The timetable set out in the LDS is as follows:

- July – September 2024 – Regulation 19 Publication
- December 2024 – Submission of the Local Plan for Independent Examination
- Early 2026 – Anticipated adoption of the Local Plan following Independent Examination

Officers indicated the Council's clear intention to submit a Local Plan under the current legal framework and therefore before the Government's deadline of the 30 June 2025. It is understood that Members are aware that after this date, Local Plans will be examined under the new plan-making regime detailed by the Levelling Up and Regeneration Act 2023.

The LDS timescales are challenging for the Council to achieve. It is noted that the programme plan is detailed, showing the duration of individual tasks and resource requirements for each task. The work programme does not include specific contingency time for the project. However, the Council noted that contingency time has been built into each of the workstreams should the individual critical path tasks not be achieved within the timescales currently anticipated. Officers felt that this was appropriate and proportionate to the workstreams.

The Council is confident in being able to meet these timescales outlined in the LDS. The planning policy team has frontloaded a considerable amount of work with the second round of Regulation 18 consulting on a full draft Plan with detailed and well-advanced evidence base documents. As a result, the Council do not envisage any fundamental changes to both the evidence base and Local Plan prior to Regulation 19 publication in July 2024 enabling the Council to progress to this stage quickly. Given the progress that has already been made in drafting Local Plan and based on the experience and resources within the Team (further details provided below), the timescales presented within the LDS appear achievable.

In line with the revised LDS, the Regulation 19 publicity is scheduled to start at the end of July 2024, with political sign off required planned for the start of July 2024 to seek authority to publish the Plan. Prior to this, the last Local Plan Panel (LPP) meeting is planned for the week commencing the 17<sup>th</sup> of June ahead of the Council and Cabinet meetings to help support the final drafting of the Plan. Officers have also organised fortnightly meetings with relevant councillors in addition to informal LPP meetings where the team share progress on the Local Plan, ensuring members are kept informed.

Following the end of the publication period the programme plan allows an eight-week period for the analysis of representations prior to the reporting of outcomes to Members. Submission will then follow at the end of December 2024. There are no elections at the Council this year, which will allow consistency of Members making decisions on the Plan, supporting their understanding and involvement as the plan progresses.

The Council manages the production of the Local Plan through a suite of documents which collectively form a useful project plan and risk register. The project plan sets out tasks, timescales and responsibilities. The Council finds this approach works and is effective for them to manage the progression of the Plan. These documents are being regularly updated following team meetings and one-to-one meetings between the Interim Planning Policy Manager and officers responsible for evidence base workstreams as work on the Local Plan progresses.

**The key identified workstreams are as follows:**

- **Evidence Base Production:** Officers indicated that all work on the evidence base has been scoped, commissioned and is underway in accordance with the Local Plan programme. Officers did not raise any issues which could result in delays to the progression of the Plan. Officers are speaking with consultants regularly and have identified a 'critical path' of when information is needed to be shared by whom and when to support both the plan and evidence base work being completed. Key evidence base pieces of work being progressed are:
  - **HELAA:** complete update by 19 April

- Settlement Facilities Study: complete by 29 March
  - Site Masterplanning: final plans to accompany plan chapters by 26 April
  - Site Selection: complete topic paper by 26 April
  - Traffic Modelling: final model outputs and report anticipated by 17 May
- Regulation 18 Consultation Response Analysis: Officers are currently focused on analysing the Regulation 18 consultation responses and this is progressing in accordance with the Council's programme. The Council received 5,000 comments and those resulting in changes to the draft plan have been highlighted for the team to action. This work is proceeding as planned and in line with the Local Plan programme. The consultation report will be completed for the end of March with accompanying appendices being completed by the end of April. The consultation analysis will be published in the submission pack of documents for June 2024 ready for political sign off on the Regulation 19 version of the Plan. No significant issues have been identified as part of this process to date.
  - Regulation 19 Draft Plan Preparation: The draft Plan for the Regulation 18 consultation was a complete draft. The team plan to amend this draft following review of the representations. Through this process, specific changes for the team to action will be identified. Officers anticipate these changes being minor. Any updates that need to be made to the Plan will be made between March and May 2024, in accordance with the Local Plan programme.
  - Member Engagement: There was strong political support for the Regulation 18 version of the Plan. It is anticipated that this will continue with proposed revisions (relating to improved detail and clarity regarding site allocations, infrastructure requirements and the removal of some proposed site allocations) to the Regulation 19 Plan anticipated to resolve some of the minor concerns Members raised on the Regulation 18 Draft Plan. Officers regularly meet with Members from across parties through the LPP. The project plan is used as a high-level summary to share the progress of the Local Plan in LPP meetings and Scrutiny Committee to ensure the wider Council is kept up to date and informed on the Plan's progress. Member engagement is factored into the Local Plan programme and is progressing as planned.

## Resourcing

Officers consider that the size of the Planning Policy Team is sufficient to prepare the Plan. They have improved the capacity, experience and skills of the team considerably through direct consultant and Essex County Council support. The Team is currently comprised of:

- Interim Planning Policy Manager (0.8 FTE contribution to the Local Plan)
- Principal Planner from Essex County Council (0.8 FTE contribution to the Local Plan)
- Principal Transport Planner from Essex County Council (0.8 FTE contribution to the Local Plan)
- X2 Principal Planners from Aecom (0.7 FTE contribution to the Local Plan, contract set to end in June 2024)
- X2 Senior Planning Policy Officers (providing 1 FTE contribution to the Local Plan)
- X1 Senior Planning Policy Officer from Aecom (0.5 FTE contribution to the Local Plan)
- X2 Planning Policy Officers (1 and 0.8 FTE contribution to the Local Plan)
- X1 Planning Policy Officer from Aecom (0.5 FTE contribution to the Local Plan)
- X1 Ecologist (0.4 FTE contribution to the Local Plan)
- X1 Urban Design Officer (0.4 FTE contribution to the Local Plan)

While there are other demands on the Team, most officers are able to spend the majority of their time working on the production and progression of the Plan and associated evidence base documents. Within the wider Council, the Plan’s development is supported by a Communications Specialist and the Service Managers for both Development Services and Policy, Performance and Customer. Senior officers throughout the Council are engaged in the plan-making process.

The Council has prioritised the delivery of the Local Plan and is therefore able to fund required works/resources as needed to progress the Plan at pace. Therefore, the budget assigned to plan preparation is deemed by officers to be sufficient at this stage.

**Analysis of risks and recommended mitigation**

<i>Risk / Issue</i>	<i>Mitigation</i>
<p><b>1. Enhancing the project planning and risk management approaches to support Local Plan progression to ensure the Local Plan can be delivered within the tight timescales set out in the LDS</b></p> <p>The risk with the Council’s current approach to project planning is that the suite of documents forming the project plan does not clearly present the prioritisation and interdependencies between tasks required to support the progression of the Local Plan. While prioritisation of tasks and interdependencies between workstreams is currently being discussed in team meetings, this process could be incorporated into a more detailed project plan, providing clarity for both the team, consultants providing evidence base work and any external support (for example from Aecom) they have as part of the resourcing for the development for the Local Plan.</p> <p>Additionally, whilst the risk register is updated regularly, the risks identified are high level and broad in scope. Therefore, likely risks relating to the progression of the Local Plan are not being identified and addressed as part of this process. The risk register does not explore in detail specific interdependent tasks which could significantly impact the ability of the Council to achieve the timeframe outlined in the LDS. If the risk register does not include this level of detail, there is a risk that stakeholders, consultants and wider Council colleagues may not be fully aware of potential implications and challenges the Team are facing as the Local Plan progresses.</p>	<p>Detailed project planning and risk management has been undertaken but it is recommended that this is further refined to provide confidence within the Council and to external stakeholders that individual tasks, their prioritisation and interdependencies are well understood to ensure the Council can keep to the intended submission date of the Local Plan by December 2024.</p> <p>The Council should undertake a review exercise of all tasks included within the project plan so that officers are clear on workstream interdependencies and therefore which tasks need to be prioritised and occur sequentially to ensure workstreams can progress smoothly and without delay. It is understandable that all tasks are considered to be a priority for the Council in ensuring that the Local Plan is submitted as planned. However, there are core pieces of evidence and activities which are more critical to the progression of the plan and unlock the next stages of work across workstreams.</p> <p>As part of this review, consideration should be given to understanding any resultant interactions between any tasks being undertaken concurrently, for example writing topic papers and committee reports.</p> <p>Strict monitoring of progress against the programme plan should then be included as part of the Council’s risk register. This should include specific ongoing monitoring of how these identified priority tasks are proceeding, as well as monitoring the broader progress for the Regulation 19 publication and Submission. Proactive action can then be taken since the</p>

<i>Risk / Issue</i>	<i>Mitigation</i>
	<p>risk register will identify ahead of time if a priority piece of evidence base could result in a delay for the programme and ensure these prioritised tasks/workstreams can be delivered according to the project plan.</p> <p>The short period in which to analyse Regulation 19 representations and any required evidence base updates ahead of the submission date should be particular areas of focus for this progress monitoring.</p>
<p><b>2. Capacity of the team to progress the production of the Plan within the proposed timescales</b></p> <p>Maintaining the current capacity of the team is vital to ensuring the Local Plan is delivered in accordance with the LDS. However, the future resource capacity of the team is not confirmed.</p> <p>Officers consider that the size and experience of the Planning Policy Team, with the support of Aecom, is sufficient to prepare the Local Plan. Therefore, the additional support provided by Aecom will be essential to support the delivery of the Local Plan.</p> <p>However, the contracts for the four current Aecom staff who form part of the team are currently planned to end in June 2024. The Council currently does not have arrangements planned for this resource beyond June 2024. Officers indicated that they have a procurement framework in place to support this arrangement continuing or for a separate additional bought in service to be organised though this is not confirmed. However, were a new service be procured, it is important to consider that this would result in a required on-boarding process, taking time away from officers, for these colleagues to get up to speed with the Local Plan and evidence base work.</p>	<p>The Council has a strong team with the ability to call on additional support if needed. However, this position needs to be strengthened to ensure the delivery of the Local Plan in accordance with the LDS.</p> <p>The Council should identify what route it would take to sourcing the additional capacity required as Aecom’s contract draws to a close now, so that it has a clear and quickly executable resourcing action plan to meet the Regulation 19 publicity and submission deadlines. Potential actions could include sourcing temporary agency staff, utilising consultants to undertake discrete tasks, or redeploying staff from other parts of the Council (such as development management officers).</p> <p>To support this, a resourcing assessment should be undertaken to appraise demands on the Team across the Local Plan programme, specifically in preparation for the Regulation 19 publication of the Plan, and between September - December 2024 when the Team will be processing representations from Regulation 19 publicity whilst also finalising key evidence base documents and seeking to move the Plan towards Submission. The assessment should also take into account annual leave due to this period falling over the summer period, any separate pressures from non-Local Plan matters and how to utilise key skills/expertise of team members. This will help inform the Council to understand what resourcing, expertise and skill they will require from the next phase of bought in service to support the Council’s team.</p>

### **3. Local Plan Production Overview & Governance**

It is recommended that this note is shared with senior management as soon as possible, with recommended mitigations quickly actioned to ensure the timescales in the LDS are achieved. It is also recommended that the note is discussed with Members at the next meeting of the LPP planned for the end of March 2024.

### **4. Recommendations / Next Steps**

It is recommended that the Council should:

- Undertake a review exercise of all tasks included within the project plan so that officers are clear on workstream priorities and interdependencies to ensure workstreams can progress smoothly and without delay.
- Update the risk register with the specific priority workstream/tasks to enable quicker identification of potential delays, allowing proactive action to be taken by the Council to keep the identified priority workstreams continuing in line with the project plan.
- Identify what route the Council would take to sourcing the additional capacity required as Aecom's contract draws to a close in June 2024 and develop a resourcing action plan to avoid a reduction in capacity within the team.
- Undertake a resourcing assessment to appraise demands on the Team across the Local Plan programme, taking into account annual leave, any external Local Plan pressures and individuals' skills and expertise to help inform the resourcing action plan.

### **5. Follow-Up PAS support**

It is not currently recommended that PAS provides the Council with any specific additional support.