



Medway Core Strategy Examination 2012

Background Paper

The Plan Preparation Process



THE PLAN PREPARATION PROCESS

1. Introduction

- 1.1 This is one of a short series of background papers prepared by Medway Council to inform the independent examination into the Medway Core Strategy 2012.
- 1.2 The papers simply draw together elements of the ‘evidence base’ so that information about a topic can be seen in one place. They do not contain any new information but it is hoped that they will assist all participants during the examination. Where appropriate, links are provided to source documents.
- 1.3 The series of papers cover the following topics:
- Conformity
 - Cross Boundary Issues
 - The Thames Gateway
 - Spatial Strategy
 - The Plan Preparation Process
 - The Basis for Housing and Employment Growth Targets
 - Deliverability
 - Land Allocations and Development Management DPD.
- 1.4 This paper summarises the process followed in preparing the Core Strategy. In particular it details the steps taken to ensure continuous community engagement and that plan preparation responded positively to the sustainability appraisal process. It should be read alongside other documents provided as part of the submission process for the Core Strategy, including:
- The PAS Legal Compliance Self Assessment
 - The PAS Soundness Self Assessment
 - The Regulation 30 (d) and (e) Statements; and
 - The Conformity Background Paper
- The Regulation 30 (d) Statement in particular is very long and it is hoped that the shorter description provided here will assist in setting the context.

2. The Principles of Plan Making

- 2.1 The *spatial planning* system “exists to deliver positive social, economic and environmental outcomes, and requires planners to collaborate actively with the wide range of stakeholders and agencies that help to shape local areas and deliver local services¹”.
- 2.2 It “therefore, both offers, and requires, the development of a stronger leadership role for local authorities and elected members, built on

¹ Para 1.5 PPS12

<http://www.communities.gov.uk/documents/planningandbuilding/doc/pps12.doc>

collaboration through LSPs and accountable delivery through LAAs. The government intends that spatial planning objectives for local areas, as set out in the LDF, should be aligned not only with national and regional plans, but also with the shared local priorities set out in Sustainable Community Strategies where these are consistent with national and regional policy².

- 2.3 Continuous community engagement is intended to be at the heart of the plan preparation process and this is fully supported by Medway Council. PPS12 (paragraph 4.20) states that involvement should be:
- **Appropriate** to the level of planning
 - **From the outset** – leading to a sense of ownership of local policy decisions
 - **Continuous** – part of ongoing programme, not a one off event, with clearly articulated opportunities for continuing involvement
 - **Transparent and accessible** – using methods appropriate to the communities concerned; and
 - **Planned** – as an integral part of the process for plan making.
- 2.4 This process should be articulated in a Statement of Community Involvement (SCI) and the approach set out there must be followed.
- 2.5 In addition to the procedural requirement for the production of a Core Strategy there are clear legal requirements as summarised below.
- 2.6 Under the Planning and Compulsory Purchase Act 2004 S 20(5)(a) the plan must be:
- Prepared in accordance with the Local Development Scheme and in compliance with the Statement of Community Involvement and the Regulations³
 - Have been subject to sustainability appraisal
 - Have had regard to national policy;
 - In general conformity with the Regional Spatial Strategy; and
 - Have had regard to any sustainable community strategy for its area.
- 2.7 In terms of the tests of soundness, it must also be:
- Justified – founded on a robust and credible evidence base; and the most appropriate strategy when considered against the reasonable alternatives
 - Effective – deliverable, flexible and able to be monitored
 - Consistent with national policy.

² Para 1.6 PPS12

³ <http://www.communities.gov.uk/documents/planningandbuilding/doc/pps12.doc>

Town and Country Planning (Local Development) (England) Regulations 2004 as amended

3. The Medway Approach

Public Engagement

- 3.1 Formal preparation of the Core Strategy began in December 2008. A substantial database of persons and organisations interested in the LDF had already been compiled and all were written to, to inform them that the process was beginning. The notification letter was accompanied by an explanatory leaflet “How to get Involved” and this was also distributed more widely through libraries, contact points and so on.
- 3.2 Interested parties were asked to register their interest and, preferably, to do so using an online portal (Limehouse). However it was also made clear that all other usual methods of communication were permitted. Subsequently all parties were contacted directly at each key stage in the process.
- 3.3 This launch coincided with the publication of a scoping report for the Sustainability Appraisal. This was web published (as were all subsequent documents) so that other stakeholders in addition to the statutory consultees could comment if they wished.
- 3.4 At the same time a dedicated ‘LDF’ page was established on the Council’s website and thereafter updated on a regular basis.
- 3.5 During this initial period a variety of engagement techniques were employed and used, as appropriate. They included:
 - Workshops with the general public, members and key stakeholders
 - Presentations by senior staff to local organisations, including residents groups and amenity organisations
 - Public exhibitions in shopping centres and community halls, to generate awareness and facilitate 1:1 discussions
 - Progress meetings with the main statutory organisations and others as required
 - Press releases, editorial briefings and entries in the Council’s magazine *Medway Matters*
 - Public notices or advertisements in the leading local newspaper.
- 3.6 Throughout the process staff were always available to deal with ad hoc enquiries and increase awareness. This was done wither on a face-to-face basis or through a dedicated email address.

Member Engagement

- 3.7 In order to ensure that elected members were actively engaged throughout, the following arrangements were put in place:

- A dedicated LDF Advisory Group (formally a Cabinet working group), made up of the Portfolio Holder, the chair of the Planning Committee, the chair of the relevant Overview & Scrutiny committee and the planning spokespersons from each of the minority parties. This has met at monthly or six weekly intervals throughout the process
- All reports to Cabinet being first referred to the Overview & Scrutiny Committee for 'pre decision scrutiny'
- Regular reports to Cabinet, but particularly at each key stage (see below)
- Regular reports and presentations to the Rural Liaison Committee, which has representatives from all parish councils as well as Medway councillors on it
- The Submission Draft Core Strategy being referred to full Council – with a unanimous resolution to approve submission
- Particularly during the earlier stages a number of member workshops were held that were open to all members of the Council to attend.

Key Stakeholder Engagement

- 3.8 To ensure proper engagement specific meetings were arranged with all the main statutory agencies at each key stage to both review progress and agree the way forward. These meetings supplemented the regular contact the Council and the Development Plans Team have through a range of forums and groups. For example with the Highways Agency in relation to the preparation of the Local Transport Plan, with the Environment Agency in relation to the preparation of shoreline management plans the TE2100 plan and other matters and Natural England in supporting the North Kent Environmental Planning Group and site specific engagement on Lodge Hill.

Technical Support

- 3.9 In order to ensure effective project planning of the process the following arrangements were put in place:
- Employment of a dedicated programme manager, initially on a whole time and then part time basis
 - An LDF Project Group meeting every 6 weeks and comprising the plan preparation team, the service manager and assistant director
 - An LDF Officer Liaison Group meeting at approximately two monthly intervals and comprising senior officers from all major service departments in the Council and certain outside service partners as required
 - Reports at key stages to the Directorate Management Team, the Corporate Management Team and the Extended

Corporate Management Team (directors plus assistant directors).

- 3.10 The Council also gratefully embraced assistance from the Planning Advisory Service (PAS) and the Planning Inspectorate (PINS). The PAS assistance was in the form of a number of their support modules offered to local planning authorities, including: project management, options generation and appraisal, community engagement, member training and spatial planning peer support. In the case of PINS it comprised two 'front loading' visits, one specific to Medway and one jointly with the North Kent authorities to focus on Thames Gateway issues.
- 3.11 In addition staff have carefully charted developments nationally in order to determine both best practice and potential pitfalls. This has included obtaining inspector reports into other core strategy examinations and the outcome of legal challenges, for example in relation to the sustainability appraisal and HRA processes. There have also been active discussions with other Kent authorities through the Kent Planning Policy Forum and Kent Planning Officers Group.

Stages Followed

- 3.12 Amendments made through the Planning Act 2008 and revisions to PPS12 were intended to simplify the plan preparation process – at least to a degree - and two aspects are particularly relevant. The first eliminated a statutory stage in the process. This was what was known as the Preferred Option stage. The second allowed so called Strategic Allocations to be included in core strategies. This reduced the need for separate Area Action Plans and was intended to speed up the allocation of key sites.
- 3.13 In the case of the latter the Council had intended to prepare an Area Action Plan for the proposed new settlement at Lodge Hill but following the change it amended its Local Development Scheme and has included it as a strategic allocation in the Core Strategy.
- 3.14 In the case of the former advice was received from a number of sources that it would be prudent to keep an interim stage and this was done. The Council strongly supports the principle that the plan making process should be iterative, with each preceding stage fully informing the next and full account being taken of both public engagement and sustainability appraisal process.
- 3.15 As a result the Submission Core Strategy has followed the these stages:
- Initial launch and SEA/SA Scoping
 - Issues and Options and initial sustainability assessment
 - Pre-Publication Draft Core Strategy (the discretionary stage) and interim sustainability appraisal

- Publication Draft Core Strategy and Draft Final sustainability Appraisal and HRA scoping report
- Submission Core Strategy and final sustainability appraisal and HRA

3.16 Some parties have expressed concern that the HRA was commissioned late in the process but it is considered that this could not have been done adequately earlier. To be effective it was important that the final shape and content of the Core Strategy was clear and both the Environment Agency and Natural England were proposing worthwhile refinements to policies at the Publication Draft stage. As a consequence of the approach followed these have been incorporated in the Submission version and been fully appraised through both the SEA/SA and HRA processes. This means that further addendum reports are unlikely to be required post submission as has been the case in some recent examinations.

4. Challenges

4.1 It should be apparent from this paper that the Council has sought to follow a very robust approach in preparing the Core Strategy. However it has had to deal with two particular challenges along the way.

4.2 The first challenge has been the difficulty of preparing a locally distinctive plan against a background of major changes in national policy. At times this has been quite disruptive. For example a report on the Pre-Publication Draft had to be withdrawn on the day of the meeting because the Secretary of State made his first announcement revoking regional spatial strategies that morning. Local issues have not changed to anything like the same degree but national uncertainty has caused unwanted delays in the programme and impacted negatively on the engagement process.

4.4 The second challenge has been around one aspect of the front-loading principle advocated in PPS12. That principle is fully supported by the Council but is also intended to apply to all involved in the process. Regrettably a small number of parties have either entered the process late in the day or failed to articulate the nature of the changes they would like to see to the Core Strategy. Where alternative sites for development are being put forward little evidence has been provided to allow them to be fully assessed.

4.5 The Council is, of course, quite prepared to deal with any that might feature through the examination process but considers it necessary to draw attention to the issue.

5. Conclusions

- 5.1 As has been demonstrated in this paper the approach taken in preparing the Core Strategy has been thorough and has fully embraced the principles of plan making set out in PPS12 and elsewhere.
- 5.2 Continuous and meaningful engagement have been integral to the process and a discretionary stage was added to ensure that this was the case. It has also been a truly iterative process up to and through publication. The Council wants to record its thanks to all who have assisted it along the way.
- 5.3 The result is a strategy that has broad public support and which responds positively to the challenges the area faces. At the same time this has been achieved against a backdrop of significant shifts in national policy and with more to come with the publication of the final NPPF and eventual abolition of regional strategies.