

BRIDGEND LDP SUBMITTED DELIVERY AGREEMENT

SUPPORTING COMMENTARY OF THE COUNCIL

1. This supporting Commentary, accompanies the Delivery Agreement submitted to the Welsh Assembly Government. It is intended to identify how WAG's assessment criteria (LDP Manual Annex B – June 2006) have been addressed by the Council in the preparation of the Delivery Agreement.
2. The Commentary comprises two sections. The first addresses the assessment criteria applicable to the Timetable for the LDP, the second addresses those criteria applicable to the Community Involvement Scheme for the LDP. For ease of reference in each case, the relevant criterion specified in Annex B to the LDP Manual is quoted in italics followed by the Council's response.

3. **Timetable**

- *Is it easy for the public to understand?*

YES. Questions 1 and 3 on the Representations Form used during the consultation on the Draft Delivery Agreement (DDA) specifically address this question. The general response from both the LDP Key Stakeholder Forum and the representations received on the DDA consultation confirm that the Timetable did clearly define all the main stages of the LDP process. Notwithstanding this, in response to some representations, the Council has amended Diagram 2 of the DDA to offer further clarity regarding the input of Sustainability Appraisal and Strategic Environmental Assessment to the LDP process.

- *Are the main LDP process components covered?*

YES. Question 3 on the Representation Form on the DDA also addressed this question. The general response from the LDP Key Stakeholder Forum and the representations received to the DDA consultation were favourable on this point. In response to representations received from the Assembly Government on the DDA the Council has amended the Timetable to: -

1. accommodate information on the "site register / candidate sites / site selection criteria" as a further sub-stage at 'Stage 3' of the process;
2. amend Appendix 1 to refer to the "pre-deposit" proposals document";
3. Insert a new paragraph explaining "how petitions will be dealt with";
and
4. amend Table 1 and Appendix 1 of the DDA to clarify the formal statutory consultation periods for the LDP.

Also, in response to WAG's representations and those received from the Planning Inspectorate, the Timetable and Glossary of Terms have been amended to address specific concerns raised, and to offer greater clarity.

- *Have the impacts of LA processes for approval (e.g. Cabinet cycles) been incorporated.*

YES. Appendices 1 and 2 of the DDA clearly show the timescales envisaged, and which Council bodies (Steering Group, Key Stakeholder Forum, the Council itself and Officers) and other organisations and individuals will be involved at each stage of LDP Preparation. Although Cabinet and Council cycles may be changed at 6 monthly intervals or annually throughout the 4 year process of LDP preparation, the risk analysis for the LDP process confirms that the Council considers the proposed Timetable to be “realistic, robust, and achievable”. It provides for monitoring any deviation from the approved timetable, and makes a reasonable allowance for slippage of up to 3 months without the need to formally amend the Delivery Agreement.

- *How will the Planning Committee be involved?*

The project management of the LDP process is clearly set out in Section 3 of the DDA. The Council itself will be the decision-making body, rather than a Committee, at every Stage of Plan preparation. Cabinet representation is secured through the Chairmanship of the LDP Steering Group whose function is undertaken by the Council's standing Cross Cutting Policy Forum. As the Planning and Development Committee of the Council comprises full Council membership, the involvement of all elected members is secured throughout the LDP process.

- *Is there sufficient time for involving the community at the right stages?*

YES. Questions 2 and 6 on the Representation Form on the DDA addressed this issue. Whilst there was a generally mixed response to these operations from both the Key Stakeholder Forum and in the representations received, the Council has recognised that there is a need to be “flexible and generous with regard to periods of consultation”. Also, Local Community Groups can be involved in the review and development of the evidence base to supplement the Council's data gathering on a wide timescale up until the deposit of the LDP. The Council has also clarified the formal Statutory consultation periods at each stage of the Timetable to offer further certainty and transparency of purpose to the process.

- *Have the SA tasks been identified and included?*

YES. Section 2.7 of the DDA, Diagrams 1 and 2 and Appendices 1 and 2 clearly set out how SA / SEA and ‘Appropriate Assessment’, as a fully integrated appraisal process, will influence plan preparation up to and including assessing the soundness of the Plan at its Examination. Independent appraisers have already been appointed by the Council to carry out the assessment and an initial Draft Scoping Report of the Sustainability Appraisal process has been widely consulted upon simultaneously with the DDA. The findings of that process will be reported to the LDP Steering Group along with any changes to the document as recommended by the Consultants.

- *Have the resources needed for each stage / task been estimated?*

YES. The resources which the Council is devoting to LDP preparation are clearly set out in the DDA. They include reference to the core staff that will be dedicated to the process, an indication of other staff and external consultants that will be utilised at each Stage as required, and details of the substantive budgets that will be available. (Please refer to Section 3.5 of the DDA and Appendix 1.)

- *Is the Planning Inspectorate aware / content?*

YES. The Planning Inspectorate's response to consultation on the DDA is produced in full within Appendix 6 of the submitted document. The Council has amended its Timetable for the LDP to accommodate a minor change which was requested by PINS, and it will continue to liaise with that organisation to reduce potential programme slippages in respect of the Examination Stage of LDP preparation.

- *Is the timetable realistic and deliverable with key milestones set to meet the 4 year target?*

YES. As stated earlier, Question 2 of the Representation Form on the DDA specifically addressed this issue, and whilst the response of both the Key Stakeholder Forum and representors was, as stated, mixed, the Council has responded to all of the concerns raised. The Key milestones identified are the Stages identified in the DDA (Appendices 1 and 2) which have been duly amended to offer further certainty and transparency of purpose to the process. Also, the whole process has been subjected to Risk Analysis in the DDA.

- *If not, what are the extenuating circumstances (e.g. local elections)*

As stated already, such matters have been fully addressed in the Risk Analysis of the LDP process in Section 5 of the DDA.

4. **Community Involvement Scheme**

- *Is the CIS easy for the public, voluntary organisations and businesses to relate to?*

YES. Questions 4, 5 and 6 on the Representation Form on the DDA addressed this issue. Whilst the responses from the LDP Key Stakeholder Forum and representors were mixed, the fact that most responses were overwhelmingly positive in respect of the principles and methods of Community Involvement (as set out in Appendix 1 and the text of the DDA) offers confirmation that it was "easy to relate to". Notwithstanding this, as stated earlier, the Council has amended its CIS in order that it will operate more flexibly in its approach to public consultation, and it has clarified the role of existing groups and forums in the consultation process.

- *Does it set out clearly the authority's approach and standards for involvement and how these link to other relevant local consultation approaches?*

YES. Section 4 of the DDA addresses the aims, principles and process of Community Involvement. The methods of engaging the community, how the Citizens Panel may be used to inform the LDP evidence base (as amended after consultation), the availability of documentation and consensus building, and the relationship with other key strategies of the Council are dealt with. In respect of the latter, Appendix 5 of the DDA shows the extent to which consultation with the local community has already taken place, and Sections 4.8 and 4.9 of the DDA commits the Council to "close co-ordination" with the process necessary for the review of its over-arching Community Strategy, and stresses the opportunities which can be shared when it consults on other strategies. The DDA also highlights the need to avoid 'consultation overload' with the community where this can be avoided. Appendix 5 of the DDA has been amended as a result of consultation on the DDA to refer to additional strategies of the Council and Communities First Action Plans and the consultation methods adopted during their preparation.

- *Does this approach meet the Assembly Government's principles?*

YES. The Council has sought to follow the advice contained in each of WAG's guidance documents relating to the CIS in Delivery Agreements for LDP preparation. As a consultee on the DDA, the Assembly Government raised two concerns pertinent to the CIS i.e. how the Council would respond to petitions, and the need to specify the formal statutory periods during plan preparation. The DDA has been amended to clarify both of these matters, and the Council therefore expects that in all other respects the approach it has taken meets WAG's principles for Community Involvement Schemes for plan preparation.

- *Are the Statutory consultation periods and consultee organisations included?*

YES. The former concern has been addressed as referred to above, following consultation with WAG, and the consultee organisations on the Plan are comprehensively set out in Appendix 4 of the DDA.

- *What has been the involvement of those affected in drawing up the CIS?*

The Representation Form used during the consultation process on the DDA was designed to encourage all responders to comment on the CIS as well as the LDP Timetable. It also sought any other comments on the DDA as a whole. Some 30 duly-made representations were received from individuals (8), specific consultation bodies (including WAG) (8), Voluntary / Community Groups (6), Public bodies (3), local partnerships (2), Councillors (2) and 1 private business. In addition, 46 organisations represented by 66 delegates attended the LDP Key Stakeholder Forum which addressed the same questions set out on the Representation Form. The responses to the consultation process are detailed in full in Appendix 6 of the Submitted Delivery Agreement along with the Council's responses to them.

- *Does the CIS include relevant stakeholder groups, given the nature of the authority's area?*

YES. The composition of the LDP Key Stakeholder Forum is set out in Appendix 3 of the DDA, and Appendix 4 details the full consultation database for community involvement in LDP preparation. The latter has also been augmented by the Council following consultation on the DDA. Similarly, the Council will be contacting the Bridgend Association of Voluntary Organisation (BAVO) and others (as outlined in the report to Council included in Appendix 6 to the DDA) in order to further tailor its consultation database in response to the social, economic and environmental nature of the County Borough.

- *Is it clear about the type of involvement proposed for each relevant stage and task, and do these techniques / processes appear appropriate to the task / stage?*

YES. The methods of involvement and who will be involved at each Stage of plan preparation is clearly set out in Appendix 1 of the DDA, as are the likely outcomes and reporting mechanisms for each Stage, together with the anticipated resources which will be required to fulfil each Stage of plan preparation. The methods of involvement, in particular, have been carefully chosen to suit each individual Stage of LDP preparation.

- *Does the authority demonstrate the ability to resource and manage the process?*

YES. The DDA addresses the resource and management issues in respect of both the Timetable and the Community Involvement Scheme. It addresses core staff provision, other staff and involvement of consultants as required, and details the available substantive budgets. (Please refer to Section 3.5 of the DDA and Appendix 1).

- *Are there clear roles for Members, Executive and officers?*

YES. Section 3.4 of the DDA deals with Internal Project Management. In addition Column 4 of Appendix 1 to the DDA clearly sets out the respective roles of elected Members (through the Council), the Executive (through the LDP Steering Group) and officers (including the LDP Key Stakeholders Forum and LDP Key Issue or Area-Based Groups) in the LDP process. The position is summarised in Diagram 2 of the DDA (as amended). As a result of consultation on the DDA the Council also proposes to agree Terms of Reference for the LDP Key Stakeholder Forum to augment constitutional arrangements already in place for the Council (as a whole) and its standing Cross Cutting Policy Forum (i.e. the LDP Steering Group).

- *Is there a means of establishing a representative cross-section of views.*

YES. This is the function of the LDP Key Stakeholder Forum, both spatially and by topic, at each relevant stage of Plan preparation as set out in Appendix 1 of the DDA. The Council may also use other methods /

modes of establishing cross-sectoral views e.g. it may consult the Citizens Panel (as amended in the DDA) and set up workshops and meetings during Plan preparation as also detailed in Appendix 1. General statutory consultation, of course, also fulfils an important role throughout the LDP process.

- *Is it clear what is expected from participants at each stage?*

YES. At this stage of plan preparation it is only possible to refer to these requirements in general terms. However, Sections 4.1, 4.2, and Appendix 1 of the DDA set out the principle requirements at each Stage of the LDP process.

- *Does it show how the output from community involvement in each stage / task will be communicated to participants and interested parties (feedback mechanisms)?*

YES. Section 1.8 of the DDA commits the Council to seek a consensus on relevant issues “in so far as this proves to be practicable, compatible with national planning policy and the principles of sustainable development”. Similarly, it states that the Council will consider all of the feedback from the consultation process at each Stage of the Plan process. The way it will address its reporting commitments are similarly set out in Column 6 of Appendix 1 of the DDA which details the ‘Likely Outcomes and Reporting Mechanisms’ for each Stage of the LDP process.

- *Is it clear how the output will be transparently recorded as influencing the plan and SA?*

YES. As also set out in Appendix 1 (Column 6), all documentation will be placed on the Council web-site and at the Deposit Locations throughout the LDP process. The SA and Plan preparation process are dealt with in parallel, and Diagram 2 of the DDA (as explained in the text at Section 3.4) shows that there is a clear inter-relationship between the SA / SEA process and the Plan making Process. Diagram 2 also shows how Stakeholder involvement is inter-linked to SA / SEA as a two-way process.

- *Does it indicate how the authority will monitor (and change) the CIS?*

YES. Section 6.1 of the DDA sets out how both the Timetable and CIS will be subject to monitoring, review and alteration.

5. Concluding Submission

The Council therefore respectfully submits that it has sought to meet all of the Assembly Government’s assessment criteria as detailed in the LDP Manual (Annex B refers), and has submitted its Delivery Agreement accordingly with a view to seeking WAG’s agreement for its publication.