

# **BRIDGEND LOCAL DEVELOPMENT PLAN**

## **SUBMITTED DELIVERY AGREEMENT**

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**(As Submitted to the Welsh Assembly Government)**

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## **SUMMARY**

### **This document aims to:**

Show that Bridgend County Borough Council is meeting the legal requirements for the delivery of its new Local Development Plan.

Set out the local planning authority's strategy for community involvement and its links to other community involvement initiatives.

Identify in general terms which local community groups and other bodies need to be consulted.

Show how local people, community groups, and other bodies can be involved in a timely and accessible manner.

Show that the methods to be used to involve local people, community groups, and other bodies are suitable for the different stages of the Local Development Plan and for particular communities.

Show that the local planning authority can resource and manage the process effectively.

Show how the results of community involvement are to be fed into the preparation of the Local Development Plan and Supplementary Planning Guidance.

Set out the mechanisms for reviewing the relevant procedures.



## **1. INTRODUCTION**

### **1.1 The Existing Development Plan Framework**

- 1.1.1 The existing development plan for the County Borough is the Bridgend Unitary Development Plan (UDP), which was adopted by the Council on the 12th May 2005; the plan period of which currently extends 2016. The adopted UDP covers the entire administrative area of the County Borough. It provides up to date and relevant policies and proposals for the development and use of land in the public interest, having regard to the overarching principle of promoting sustainability.

### **1.2 The Local Development Plan**

- 1.2.1 The statutory commencement of Part 6 (Wales) of the Planning and Compulsory Purchase Act 2004 means that local planning authorities in Wales must prepare new development plans for their areas. The plans will be known as 'Local Development Plans', and when they are adopted they will supersede existing development plans, including the current UDP for Bridgend.
- 1.2.2 LDPs should, therefore, be prepared as soon as possible to replace existing development plans, and the process should be capable of completion within 4 years. This will ensure that consultees and stakeholders stay engaged in the process, and that fewer contextual changes should throw the Plan off course.
- 1.2.3 In producing the LDP the Council will need to take account of other strategies and plans it produces, particularly the Community Strategy. It must also be in line with national and regional plans and strategies such as the Wales Spatial Plan, Planning Policy Wales (March 2002), Ministerial Interim Planning Policy Statements (MIPPS) Technical Advice Notes (TANs), Minerals Planning Policy Wales (MPPW), Minerals Technical Advice Notes (MTANs) and Regional Waste Plans<sup>1</sup>, whilst also reflecting local circumstances.
- 1.2.4 On the 7th December 2005, Bridgend County Borough Council formally resolved to commence work on the preparation of its Local Development Plan (LDP). The new LDP is intended to be clear, transparent, concise, accessible to the public, and easy to review in the future. As the Plan will not repeat national planning policy, it will focus on those issues which are specifically relevant to the plan area, that is, the County Borough. The LDP will cover the entire County Borough and will extend to 2021.
- 1.2.5 The format of the plan is an important early consideration when developing the LDP. The proposed draft format of the LDP is as follows:
- Introduction;
  - Strategy (vision, strategic issues, key policies and monitoring targets etc);
  - Area-wide policies for development;
  - Major allocations of land;
  - Specific policies and proposals for key areas of change and protection;
  - Succinct reasoned justification to explain policies and to guide their implementation; and
  - Proposals map on a geographical base.

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<sup>1</sup> The Planning and Compulsory Purchase Act 2004, Section 62(5)



### **1.3. The Delivery Agreement**

- 1.3.1 The 2004 Act requires the Council to prepare a Delivery Agreement (DA) for the LDP which sets out the process to be undertaken in, and the timetable for, preparing the plan. This must be formally approved by the Council and agreed by the Welsh Assembly Government (WAG).
- 1.3.2 This document is the Delivery Agreement for the Bridgend LDP and includes:
- the timetable for preparing and adopting the Plan;
  - the resources that the Council will commit to the Plan;
  - the Community Involvement Scheme (CIS), which proposes how the Council will engage stakeholders (including the public) in preparing, reviewing and amending the LDP; and
  - the method by which the Council intends to deal with feedback from the consultation process.
- 1.3.3 It is essential that the Council adheres to the process set out in the Delivery Agreement as this will form part of the “soundness test” which the Inspector will apply to the LDP during the Independent Examination<sup>2</sup>. A “sound” plan is one which is considered to have been prepared with “good judgement and is able to be trusted”<sup>3</sup>. Further information on the criteria for assessing the Soundness of LDPs is contained within LDP Wales.

### **1.4 The Timetable**

- 1.4.1 This sets out how the Council will manage the programme of plan preparation. It identifies the key stages of the process and where possible sets down definitive dates. Where it is not possible to be so prescriptive, particularly in the later stages beyond LDP Deposit, indicative dates are given. The detailed timetable and flowchart of the process appear at Appendices 1 and 2 respectively.

### **1.5 Resources**

- 1.5.1 The resources that the Council is able to devote to LDP preparation are clearly set out. 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 as required, and details of the substantive budgets that will be available.

### **1.6 Internal Project Management**

- 1.6.1 The Delivery Agreement sets out the project management structure which the Council has put in place in order that the LDP process is properly managed throughout and proper political ownership is taken of the Plan.

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<sup>2</sup> Local Development Plans Wales, page 27, para. 4.35, Welsh Assembly Government December 2005

<sup>3</sup> A Guide to the Examination of Local Development Plans (2006), The Planning Inspectorate 2006

## **1.7 The Community Involvement Scheme (CIS)**

- 1.7.1 The Government's intention in changing the planning system is to make it faster, more responsive to change, and to improve community involvement in the plan preparation process. The Delivery Agreement sets out how this will be achieved through the Community Involvement Scheme.
- 1.7.2 The CIS sets out how the Council intends to engage with residents, service users, stakeholders and its partners in a meaningful and cost effective way at each stage of the LDP process.
- 1.7.3 An initial list of those Specific and General Consultation Bodies and interested parties who will be consulted during the preparation of the LDP is contained in Appendix 4 . This list will be added to as appropriate throughout the LDP process.

## **1.8 Feedback from the Consultation Process**

- 1.8.1 The Council is committed to seeking 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. It will consider all of the feedback from the consultation process at each stage of the plan process. At the same time, however, it will expect that all parties will engage constructively in the process of LDP preparation, with the mutual objective of producing a Plan which will be 'sound' and robust.

## **1.9 Monitoring the Delivery Agreement**

- 1.9.1 Monitoring of the Delivery Agreement will be an essential part of the process. It will assess whether the plan preparation schedule is being met, and if not what needs to be done to remedy the situation. As a result, should the Council identify a need to review the DA, agreement will be sought from the Welsh Assembly Government<sup>4</sup>

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<sup>4</sup> Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (Reg.9(2))



## **2. THE CONTEXT**

### **2.1 Statutory Framework**

2.1.1 The following primary and secondary legislation is now in force in Wales

- The Planning and Compulsory Purchase Act 2004.
- The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005. [SI 2005/2839 (W.203)]
- The Planning and Compulsory Purchase Act 2004 (Commencement No 4 and Consequential, Transitional and Savings Provisions) (Wales) Order 2005. [SI 2005/2722 (W.193)]
- The Planning and Compulsory Purchase Act 2004 (Commencement No.6, Transitional Provisions and Savings) Order 2005. [SI 2005/2847]

### **2.2 Welsh Assembly Government Guidance**

2.2.1 Policy guidance is contained in the Wales Spatial Plan, Planning Policy Wales (2002), Ministerial Interim Planning Policy Statements (MIPPS), Technical Advice Notes (TANs), Minerals Planning Policy Wales (MPPW) and Minerals Technical Advice Notes (MTANs). However, guidance on the preparation of LDPs is set out in Local Development Plans Wales (2005) (LDPW). The Welsh Assembly Government has also published, or are in the process of publishing

- a LDP Manual (2006),
- Planning Your Community (2006) which is a public guide to LDPs and
- Planning Policy Wales Companion Guide (2006) which provides a comprehensive package of policy and procedural advice to those involved in the LDP process.

2.2.2 A Guide to the Examination of Local Development Plans (2006) has also been published by the Planning Inspectorate.

### **2.3 The Welsh Language Act 1993**

2.3.1 In preparing the LDP, the Council will publish proposals and consult with the public in English and Welsh in accordance with its approved Welsh Language Scheme whenever it is practicable to do so, and make provisions for representations and communications to be carried out in both languages. This may not always be possible, however, due to the technical nature of some documents.<sup>5</sup>

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<sup>5</sup> Local Development Plans Wales, page 32, para. 4.58, Welsh Assembly Government, December 2005



## **2.4. The Race Relations (Amendment) Act 2000**

- 2.4.1 In preparing the LDP the Council will comply with the general duty in the above Act to promote race equality.<sup>6</sup> It will, therefore, have due regard to the need to eliminate unlawful racial discrimination, and it will seek to promote equality of opportunity and good relations between persons of different racial groups in accordance with the Council's 'Equalities Agenda'.

## **2.5 Disability Discrimination Acts 1995 and 2005**

- 2.5.1. In preparing the LDP the Council will comply with the general duty in the Disability Discrimination Act 2005 to promote disability equality. It will, therefore, have a due regard to the need to promote equality of opportunity between disabled persons and other persons; to eliminate unlawful discrimination and harassment of disabled persons; promote positive attitudes towards disabled persons; encourage participation of disabled persons in public life; and take steps to take account of disabled persons disabilities. This will include full consideration of the access and communication needs of disabled people to ensure they can access relevant information and participate in consultation.

## **2.6 Supplementary Planning Guidance (SPG)**

- 2.6.1 The LDP will contain sufficient policies and proposals to provide the basis for deciding planning applications, and, where appropriate, for determining conditions to be attached to planning permissions. Supplementary Planning Guidance (SPG) will also be utilised as a means of setting out more detailed thematic or site-specific guidance on the way in which LDP policies will be applied.<sup>7</sup> SPG will not form part of the development plan, but it will be clearly cross-referenced to the relevant LDP policies and proposals which it supplements, and will be consistent with the Plan.<sup>8</sup> SPG may be taken into account as a material consideration in the determination of planning applications.
- 2.6.2 SPG will assist in terms of the Plan's flexibility. It may take the form of site specific guidance such as masterplans, design guides or area development briefs, or take more thematic form such as guidance on extensions to dwellings, shopfronts and car parking standards.<sup>9</sup>
- 2.6.3 The Council will establish what SPG to produce based on key priorities which are crucial to the implementation of the LDP and the current Development Plan. One of the tasks at the pre-deposit stage will be for the Council, in consultation with other key stakeholders, to produce a draft SPG programme. This programme will identify what SPGs will be produced and when and will be subject to consultation and Council agreement.

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<sup>6</sup> Local Development Plans Wales, page 22, para. 4.18, Welsh Assembly Government, December 2005

<sup>7</sup> Local Development Plans Wales, page 33, para. 5.1, Welsh Assembly Government, December 2005

<sup>8</sup> Local Development Plans Wales, page 33, para. 5.2, Welsh Assembly Government, December 2005

<sup>9</sup> Local Development Plans Wales, page 33, para. 5.2, Welsh Assembly Government, December 2005



## **2.7 Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) and 'Appropriate Assessment' (AA)**

- 2.7.1. The 2004 Act requires authorities to prepare their LDPs '....with the objective of contributing to the achievement of sustainable development'.<sup>10</sup> The Act therefore requires an authority to carry out an appraisal of the sustainability of its LDP, and to prepare a report of the findings as an integral part of the process of Plan preparation.<sup>11</sup>
- 2.7.2. Authorities must also comply with the the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 (the SEA Regulations) which implements the European Union Directive 2001/42/EC on the *assessment of the effects of certain plans and programmes on the environment* (commonly known as the Strategic Environmental Assessment (or SEA) Directive).<sup>12</sup> Hence, the environmental effects of a plan, including alternatives proposed, need to be considered as early in the LDP preparation process as possible.<sup>13</sup>
- 2.7.3 The Welsh Assembly Government considers that it is possible to satisfy both the requirements of SA and SEA through a fully integrated appraisal process throughout the preparation of the LDP.<sup>14</sup> Inspectors will have a duty to test whether the plan and its policies have been subjected to SA (including SEA) when assessing the 'soundness' of the Plan at its Examination.<sup>15</sup>
- 2.7.4. Accordingly, the Council has appointed Messrs. Baker Associates as its independent appraisers to carry out the SA and SEA of the Plan. The appraisal will be carried out in stages, reflecting the requirements of the SEA Directive as well as best practice in SA, and according to the programme and consultation stages for the LDP.
- It will explain the process to be followed in undertaking the SA/SEA of the LDP, setting out the sustainability framework to be used and the preparation programme, and will identify baseline information.
  - It will set out a review of the 'baseline' position having regard to a range of environmental, economic and social issues to be established for use in the appraisal.
- 2.7.5. In view of the implications of the European Court of Justice's Judgement on the application of Article 6 (3) & (4) of the *Habitats Directive (92/43/EEC)*<sup>16</sup> to Land Use Plans, and the fact that there are three sites (SACs / cSACs / pSACs) of European significance to nature conservation in the County Borough, the requirement to prepare an *Appropriate Assessment* has also been added to the remit of Messrs Baker Associates.
- 2.7.6 It is envisaged that the initial *SA/SEA/AA Scoping Report* will be prepared simultaneously with this Delivery Agreement and the 'designated Consultation

<sup>10</sup> The Planning and Compulsory Purchase Act 2004, Section 39(2)

<sup>11</sup> The Planning and Compulsory Purchase Act 2004, Section 62(6)

<sup>12</sup> Directive 2001/42/EC etc. OJ L 197 21.7.2001 Section (10), Page 31

<sup>13</sup> Local Development Plans Wales, page 14, para. 3.3.,Welsh Assembly Government, December 2005

<sup>14</sup> Local Development Plan Manual, Section 2.3.1, page 17, ARUP/WAG, February 2006

<sup>15</sup> Local Development Plans Wales, page 27, para. 4.35 (P2)

<sup>16</sup> The opinion of Advocate General Kokotta in case C-6/047: Commission of the European Communities v Kingdom of Great Britain and Northern Ireland

Bodies' for the SEA<sup>17</sup> of 'plans and programmes' in Wales (as well as being formally consulted on the Scoping Report under SEA regulation 12(6)) will be invited to be sitting members of the LDP Key Stakeholder Forum (refer to Appendix 3) a consultative body which will inform the LDP (see below).

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<sup>17</sup> A Practical Guide to the Strategic Environmental Assessment Directive WAG (et al) page 17, para. 3.6 (September 2005)



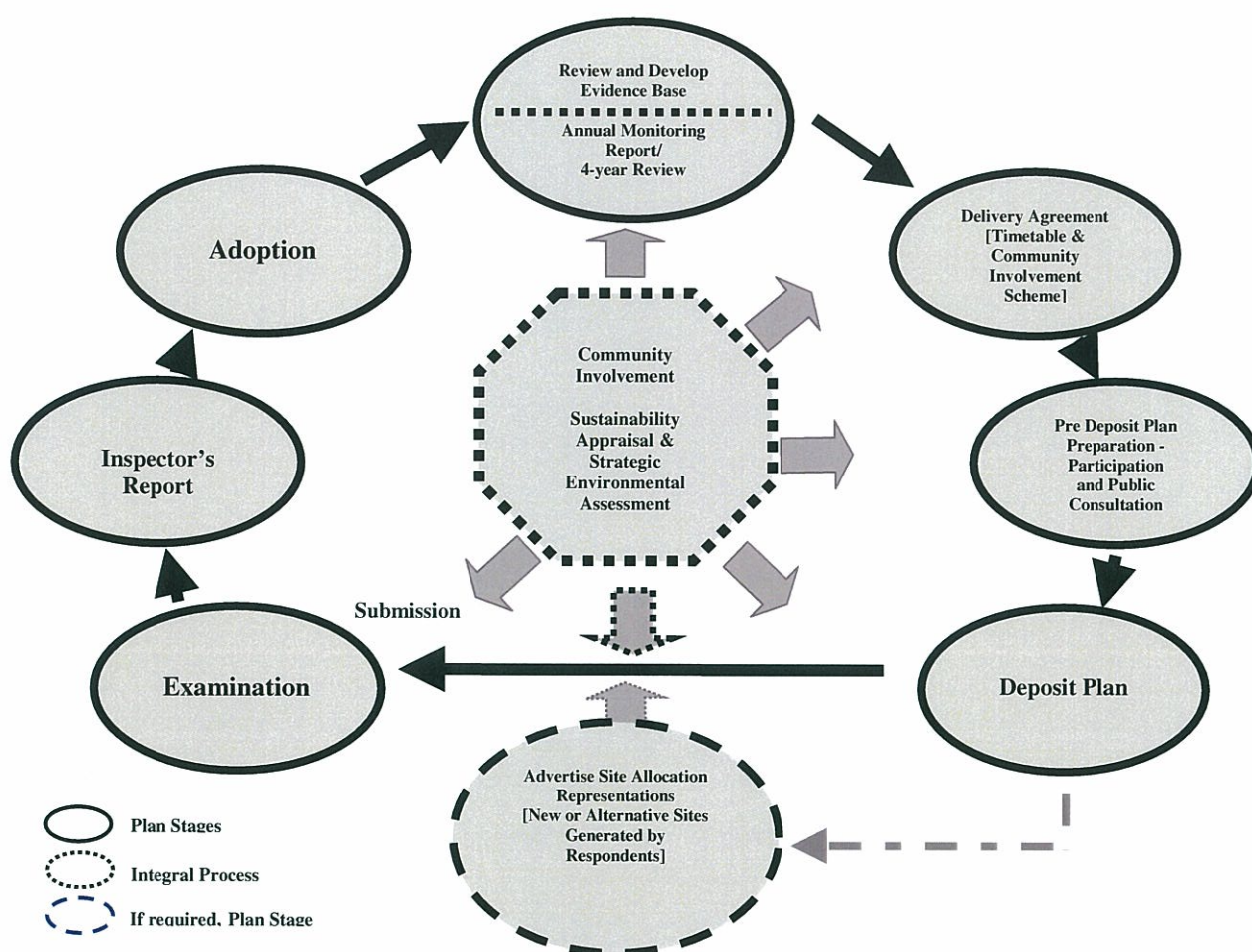
### 3. THE LOCAL DEVELOPMENT PLAN TIMETABLE

#### 3.1. Introduction

3.1.1. The Timetable details the successive stages in the preparation of the LDP, how the process of plan preparation will be 'project managed' by the Council, and the resources which it anticipates will be required at each stage.

3.1.2 As shown in **Diagram 1** the process of LDP preparation follows a cyclical process, the Key Stages of which are detailed in Appendix 1. In broad terms, the timetable for Plan preparation will have *Definitive* and *Indicative* stages, as referred to in *LDPW (2005)*.<sup>18 19</sup>

**DIAGRAM 1: LOCAL DEVELOPMENT PLAN PREPARATION PROCESS**



<sup>18</sup> Local Development Plans Wales, page 16, Welsh Assembly Government, December 2005

<sup>19</sup> Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 Reg. 8(a) [S1 2005/2839(W.203)]

### 3.2. Definitive Stages

- 3.2.1. This part of the LDP Timetable provides information up to and including the Deposit Plan stage. The progress of the Plan over this period is under the control of the Council, and every effort will be made to adhere to, and avoid deviations from, the approved timetable. Where deviations are necessary, they will be accounted for, identified, explained, and justified by the Council. Therefore, this part of the Timetable includes key dates including a definitive date for each stage of the LDP process up to Deposit stage.

### 3.3. Indicative Stages

- 3.3.1. This part of the Timetable provides for the Post-Deposit stages of plan preparation. The Council has less control over the progress of the Plan after the statutory Deposit stage has closed, as external factors and influences may have a significant impact. For example, the number of deposit representations made, responses from WAG, and the requirements of the independent Planning Inspector. The Council will re-assess the indicative timetable within 3 months of the close of the formal 6 week Deposit period.<sup>20</sup>

### 3.4 Internal Project Management

- 3.4.1. Paragraph 4.8 of Local Development Plans Wales advises that it is *.....vital that authorities give early consideration and adequate priority to plan preparation and handling of the process through effective leadership and project management. This will include (amongst other matters):*

- (i) *considering how long a plan will take to reach adoption and the staffing resources and budgets that are needed at various stages in the process.....*<sup>21</sup>

- 3.4.2 The Council will ensure that the LDP process will be properly managed throughout, and controlled in accordance with this Delivery Agreement; and proper political ownership is taken of the Plan. The Council has resolved to establish an **LDP Steering Group** whose functions will be undertaken by its existing **Cross Cutting Policy Forum**. The LDP Steering Group will report directly to Council in respect of decision-making in the plan preparation process. The Steering Group is politically balanced and consists of 14 Members of Bridgend County Borough Council. It is chaired by the Deputy Leader.

- 3.4.3 The LDP Steering Group will exert the appropriate level of management and control in a flexible and responsive manner throughout the plan preparation process. At the same time, political ownership of the Plan will remain both inclusive and transparent.

- 3.4.4 The LDP Steering Group will have a duty to closely scrutinise and critically evaluate the input and recommendations of the **LDP Key Stakeholder Forum** (see below) throughout plan preparation. Where appropriate, it will discuss and arbitrate on opposing viewpoints which may emerge in those recommendations with a view to reaching a consensus, where possible, on key issues of strategic and local policy and emerging Plan proposals. Another of its key functions will

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<sup>20</sup> Local Development Plans Wales, page 20, para. 4.11, Welsh Assembly Government

<sup>21</sup> Local Development Plans Wales, page 19, para. 4.8, Welsh Assembly Government, December 2005

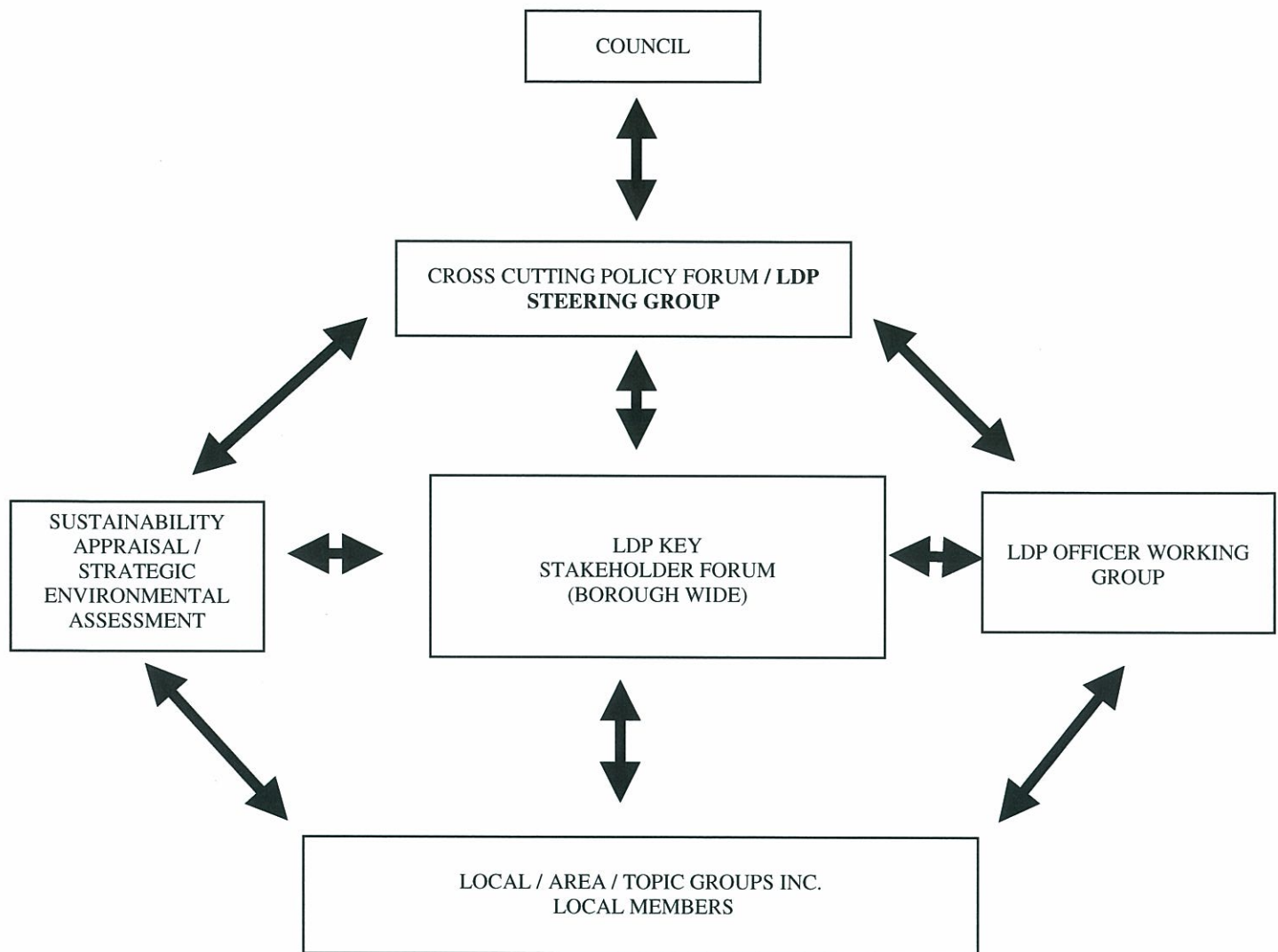


be to monitor progress on plan preparation in order that the LDP timetable is achieved, or promptly reviewed to respond to unforeseen circumstances. The LDP Steering Group will be serviced by the **LDP Officers Working Group** and will monitor and respond to the Sustainability Appraisal process throughout plan preparation.

- 3.4.5 At an early stage, the Council will establish the **LDP Key Stakeholders Forum**, the composition of which is detailed in Appendix 3. The Forum will provide a consultative body which will inform the LDP Steering Group / Cross Cutting Policy Forum and LDP Officers Working Group throughout plan preparation. Its composition reflects the need to establish a cross-section of views from different interest groups, statutory consultees, and other parties who will have a significant interest in the development process in the County Borough. Membership of the Forum consists of partnership and representative organisations as well as certain Specific Consultation Bodies. This ensures that the Forum is of a manageable and effective size. It is envisaged that Forum members will disseminate LDP information to the persons / organisations they represent to facilitate extended consultation using existing structures. If an organisation is not represented on the Forum, this does not preclude it from making direct representations to the Council.
- 3.4.6 Throughout plan preparation, the Forum will have a duty to realistically assess potential options, identify alternative options, reassess and review options in the light of representations to the Plan, and to take due account of the Sustainability Appraisal process at all Stages. Its findings will be reported to the LDP Steering Group for that body's consideration. Likewise, it will be serviced by the LDP Officer's Working Group and other Council officers when appropriate.
- 3.4.7 The Forum may also establish **LDP Key Issue or Area-Based Groups** the remit of which will be to address particular topics, areas, and issues at different stages of plan preparation. The Council will endeavour to use, where possible, existing forums, partnerships and organisations.
- 3.4.8 The intended inter-relationships and lines of accountability between the Council, the LDP Steering Group, Local Members, Officers, and the LDP Key Stakeholder Forum are summarised in DIAGRAM 2. The Diagram also shows how Sustainability Appraisal / Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) will have input at all three levels within the structure for the internal project management of LDP preparation.



**DIAGRAM 2: INTER-RELATIONSHIPS AND LINES OF ACCOUNTABILITY**



### **3.5 Resources**

3.5.1 The Council's Development Planning Section will lead in the production and management of the LDP process, including the preparation of any consultative documents, and it will service the LDP Steering Group which is charged with the overall management of Definitive **Stages 1 – 5** of the LDP process. (Refer to TABLE 1 and Appendix 1).

3.5.2. The Development Planning Section currently comprises 11 permanent staff assisted by a student placement. On the basis of its past experience, and in accordance with approved Business Plans, it is anticipated that some 75% of the total officers' time of the Section will be dedicated to preparation of the new LDP. The Section's team comprises:

- Head of Development Planning
- Principal Planning Officers x5
- Planning Assistant
- Policy Assistant
- Senior Technicians x2

- Data Capture Officer

3.5.3 The Authority will also be able to call upon staff resources from elsewhere in the Department and from other Departments of the Council where relevant. These will include Development Control, Conservation and Environmental Policy, Housing and Community Wellbeing, Highways and Transportation, Economic Development, Regeneration, Education, Leisure, Tourism and Legal Officers. External consultants and independent appraisers will be used as appropriate.

3.5.4 In addition, the Council has budgeted £110,000 per annum to be spent on LDP preparation for the duration of the Plan process. Experience of the previous UDP work suggests that this will be a sufficient resource to take the plan through to adoption. In addition, the staffing and general administration costs associated with LDP preparation have separate and discrete budgets.

### 3.6. Key Stages Timetable

3.6.1 Based on the project management process and the availability of the resources outlined above, the Council has established a Key Stages Timetable for the preparation of the LDP which is summarised in TABLE 1 below, illustrated in the flowchart at Appendix 2 and set out in detail in the first 3 columns of the Local Development Plan Preparation Process schedule at Appendix 1. The Council is confident it can achieve the definitive stages stipulated therein (Stages 1 – 5 inc.) to accord with the requirements of its Community Involvement Scheme (CIS).

**TABLE 1: SUMMARY TIMETABLE OF KEY STAGES**

Stage 1	Review and Develop Evidence Base for LDP	April 2006 – June 2009
Stage 2	Delivery Agreement <i>Consultation Period</i>	April 2006 – January 2007 <i>August 2006 – September 2006</i>
Stage 3	Pre-Deposit LDP Participation & Consultation <i>Consultation Period</i>	October 2006 – June 2008 <i>October 2007 – December 2007</i>
Stage 4	Deposit LDP and Feedback <i>Consultation Period</i>	April 2008 – May 2009 <i>October 2008 – December 2008</i>
Stage 5	Advertisement of 'Alternative Sites' <i>Consultation Period</i>	April 2009 – June 2009 <i>April 2009 – June 2009</i>
Stage 6	Submission and Examination	July 2009 – July 2010
Stage 7	Inspectors Report	July 2010 – September 2010
Stage 8	Adoption	July 2010 – October 2010
Stage 9	Annual Monitoring Report and Review of LDP	October 2010 onwards

3.6.2 The First Annual Monitoring Report of the adopted LDP should be prepared for submission to WAG by the 31<sup>st</sup> October 2011.



## **4. THE COMMUNITY INVOLVEMENT SCHEME (CIS)**

### **4.1. Aims of the CIS**

- 4.1.1 A main objective of the new system of Local Development Plans is to improve the quality of stakeholder and community involvement in plan-making. Early and continued community involvement should help in addressing contentious issues, and assist in resolving conflicts throughout plan preparation. It can also help in identifying common ground, and shared goals.
- 4.1.2 By engaging people and organisations in planning the future of Bridgend, the CIS will, therefore, seek to:
- (a) detail how the LDP will be prepared, developed, monitored and reviewed in partnership with the community and other stakeholders in a structured, effective, and inclusive way;
  - (b) improve the process of plan preparation by engaging with the public, involving them fully, effectively and inclusively in the preparation of the LDP;
  - (c) seek to establish a consensus between stakeholders on the Plan's aims and objectives and in its options and preferred strategy;
  - (d) provide a transparent and structured process of engagement with the community, at all stages of the LDP;
  - (e) incorporate into the process best practice regarding sustainable development, and the requirements of the Strategic Environmental Assessment (SEA) Directive;
  - (f) detail how the Council will effectively engage with the community in the preparation of Supplementary Planning Guidance (SPG), to certain policies of the LDP; and
  - (g) use these processes to produce a 'sound' plan.

### **4.2. Principles of Community Involvement**

- 4.2.1. To achieve the aims of the CIS, and to fulfil its vision for LDP preparation, the Council adopts the following basic principles for public involvement:

(i) *A culture of engagement*

Everyone should be confident that they are welcome to take part in the planning process, and that decision-makers are really interested in their views. As a part of this two way process, the outcomes of community involvement exercises should also be conveyed as feedback to the community.



(ii) *Frontloading*

The community should be involved from the earliest stages in the preparation of the Local Development Plan, but in particular during the pre-Deposit stage of plan preparation.

(iii) *Ownership and continuing involvement*

By their early participation in plan preparation and continued involvement throughout the process, ownership of the LDP will become more valued, embedded, and fostered in the communities of the County Borough.

(iv) *Reaching Out*

All community involvement activities, including stakeholder participation in land use planning, should also be an essential part of the Council's wider community planning process.

(v) *Fit for Purpose*

Arrangements for consultation need to be fit for purpose, appropriate to people's experience and needs, and capable of being properly resourced, in terms of officers' and members' time and funding, by the Council.

(vi) *Clarity and Transparency*

The planning process and information on planning issues should be clear, readily available, transparent and accessible so that everyone can participate in a timely and effective way.

(vii) *Local Democracy*

Community involvement should be integrated with the established democratic process. Elected members should have clearly defined roles in the preparation of the LDP.

(viii) *Formal Representations*

The statutory requirements for the content of the CIS and public participation and consultation, as set out in the Regulations, represent a minimum level of community involvement in order to provide the opportunity for people to be consulted and make representations on the formal proposals set out in the LDP. The Council intends to meet and exceed these basic requirements. An initial list of Statutory Consultees and Interested Parties is set out in Appendix 4. It will be expanded as appropriate as plan preparation proceeds.

#### **4.3. Process of Community Involvement**

- 4.3.1. The Council is a caring and customer focused organisation. Therefore, it will seek to understand and respond to customer needs through the consultation process on the LDP; the objective being to forge and maintain effective links and structures with all stakeholders.

- 4.3.2. The CIS will provide the framework for everyone with an interest in the future planning of Bridgend County Borough, and consequently the LDP process, to have an opportunity to become actively involved in plan preparation.
- 4.3.3. To ensure the process is inclusive, an important part of the CIS is to establish measures and procedures that will enable every person or group, regardless of their background, to realise that opportunity in the plan process and the decisions which will affect them.
- 4.3.4. To enable full community involvement the Council will:
- Encourage, support and empower disadvantaged and hard-to-reach groups and individuals to fully participate through forums, focus groups, and local partnerships in line with the Council's agreed Equalities Agenda;
  - Encourage and support other organisations that work in partnership with the Council, or receive funding from the Council, to pursue similar policies on equality of opportunity; and
  - Target resources accordingly.
- 4.3.5. There are several key partnerships, operational and other groups, and forums that are already in existence within the corporate structures of the Council. As set out in Appendix 3, many of these local partnerships and stakeholder groups will comprise the initial membership of the LDP Key Stakeholder Forum.

#### **4.4 Methods of Engaging the Community**

- 4.4.1 A range of methods to facilitate community involvement will be used throughout the Plan preparation process, and these will be designed to ensure efficient and effective consultation and participation, tailored when necessary to focus upon particular issues. The methods of engaging the community at each stage of plan preparation are set out in Appendix 1 (refer to column 5).
- 4.4.2 Independent facilitators and other Council officers will also be utilised to run structured community involvement mechanisms such as targeted discussions, workshops, and focus groups. Also, the extensive past expertise of planning officers in the more traditional consultation methods for Plan preparation will be used to facilitate greater joined up engagement in the wider consultation process necessary for LDP preparation.

#### **4.5 Citizen's Panel**

- 4.5.1 The Council has established a Citizens Panel of 1,350 residents of the County Borough, selected to be statistically representative of the population, who help to inform decision-making on a wide range of issues. The results of previous and future surveys may be used to inform the evidence base of the LDP.

#### **4.6 Document Availability and Deposit Locations**

- 4.6.1 At various stages of Plan preparation, documentation must be made available for public inspection and comment. All such documentation will also be made available electronically on the Council's web site at [www.bridgend.gov.uk](http://www.bridgend.gov.uk). In addition, hard copies will be made available for inspection at the Council's Civic



Offices in Bridgend, and at the Authority's public libraries (including the mobile library).

- 4.6.2. The Council will also send the appropriate number of hard copies of LDP documentation as advised in Guidance and in accordance with its established good practice to the Specific Consultation Bodies and UK Government Departments listed in Appendix 4. Those General Consultation Bodies, Other Consultees (also listed in Appendix 4) and those others who express an interest in the Plan, will be offered the opportunity to purchase hard copies of the appropriate documentation at a reasonable cost to be set by the Authority. All documentation will be available to view on the Council's web site where appropriate.

#### **4.7 Consensus Building**

- 4.7.1 Past experience gained in community consultation exercises specifically on planning issues suggests that there may well be difficulties in reaching a consensus on some locally controversial issues. However, the Council's aim will be to use structured engagement and active involvement of the community and interested parties in the development process to attempt to build consensus around a coherent strategy for the future of the County Borough, rather than concentrate only upon conflict resolution. In this respect, consensus building will be facilitated and/or assisted through the establishment and sharing of a common information base for the key issues from the outset.
- 4.7.2 Forums and methods for sharing information, establishing common ground where possible, and agreeing the requirement for further intelligence will all be part of the consultation process which should foster consensus building. Differences of opinions will, of course, continue to occur, but the sharing and explicit nature of the information to be provided should assist in enabling opposing viewpoints to be understood and respected. In this respect, expectations will be managed and aspirations will be realistic.

#### **4.8 The Relationship between the LDP and other Strategies**

- 4.8.1 The LDP process will be co-ordinated with other strategies and existing networks within the Council, and those which extend to and involve its external partners. Appendix 5 shows the consultation processes of these selected plans and strategies, and indicates how they will provide an important input to the preparation and ongoing monitoring of the LDP.
- 4.8.2 Every opportunity will be taken for making use of other consultation mechanisms, as repeated consultation with the same host population and interested bodies can lead to 'consultation overload', which may well degrade responses and thereby detract from the objectives of consultation. To minimise this, consultation responses to other plans and strategies will always be taken into account where they relate to LDP issues, and co-ordinated where appropriate.

#### **4.9. Community Involvement at Key Stages of LDP Plan Preparation and Consensus Building**

- 4.9.1. Appendix 1 also sets out the community involvement process relevant to each stage of LDP preparation. This can be easily cross-referenced to the Timetable referred to in Section 3 and detailed in columns 1-3 of Appendix 1.

- 4.9.2 Where petitions are submitted with respect to consultation at the key stages of LDP preparation, a designated representative will need to be defined who will be the main point of contact in relation to the issues raised and have a right to be heard at any future examination.
- 4.9.3 It is envisaged that the consultation process will be closely co-ordinated with that necessary for the review of the Community Strategy, in order that significant savings in resources can be achieved by the Council. In so doing, full advantage may also be taken of possible European funding opportunities.



## 5. RISK ANALYSIS

- 5.1 Having regard to the resources which it is putting into the LDP process, the Council considers that the proposed timetable is realistic, robust, and achievable. Notwithstanding this conviction, the Council has identified certain risk areas that could result in some departures from the proposed timetable. Any deviations from the approved timetable will, therefore, be monitored for slippage and/or other impacts arising from the risks identified below or other causes.
- 5.2 In this respect, the Council considers it is reasonable to make allowance for slippage of up to 3 months in the timetable without formally amending the Delivery Agreement. If there is a slippage of more than 3 months in the definitive part of the timetable, the Council will seek the agreement of the Welsh Assembly Government in amending the timetable following approval of such an amendment by the Authority.
- 5.3 The possible risk areas are identified in TABLE 2 below:

**TABLE 2: Risk Analysis for LDP Preparation**

<b>Risk</b>	<b>Potential Impact</b>	<b>Probability</b>	<b>Mitigation Measures</b>
<ul style="list-style-type: none"> <li>Additional requirements arising from new legislation or national guidance.</li> </ul>	Additional work required, causing programme slippage.	Medium	<ul style="list-style-type: none"> <li>Monitor emerging legislation/guidance and respond early to changes where possible.</li> </ul>
<ul style="list-style-type: none"> <li>Timetable proves too ambitious due to greater than anticipated workload, e.g. number of representations received or SA/SEA/AA requirements.</li> </ul>	Programme slippage.	Medium/High	<ul style="list-style-type: none"> <li>Realistic timetable prepared with some flexibility.</li> <li>Consider additional resources.</li> </ul>
<ul style="list-style-type: none"> <li>Insufficient information to undertake SA/SEA.</li> </ul>	Programme slippage.	Low/Medium	<ul style="list-style-type: none"> <li>Identify expectations of consultation bodies in DA.</li> <li>Consider additional resources.</li> </ul>
<ul style="list-style-type: none"> <li>Delays caused by Welsh translation and/or the printing process.</li> </ul>	Programme slippage.	Low/Medium	<ul style="list-style-type: none"> <li>Consider whether translation practicable.</li> <li>Consider additional resources.</li> </ul>
<ul style="list-style-type: none"> <li>Significant levels of objections from statutory consultation bodies.</li> </ul>	LDP cannot be submitted for examination without significant additional work.	Low/Medium	<ul style="list-style-type: none"> <li>Ensure close liaison with, and early involvement of statutory bodies as stakeholders in the process.</li> </ul>

<ul style="list-style-type: none"> <li>Planning Inspectorate fail to meet their timescales per. the Service Level Agreement.</li> </ul>	<p>Examination and/or Report are delayed.</p> <p>Key milestones in programme are not met.</p>	Low/Medium	<ul style="list-style-type: none"> <li>Maintain close liaison with the PI to ensure that early warning of any problems, e.g. consultation on the LDP.</li> </ul>
<ul style="list-style-type: none"> <li>LDP fails 'test of soundness'</li> </ul>	<p>LDP cannot be adopted without considerable additional work.</p>	Low/Medium	<ul style="list-style-type: none"> <li>Ensure LDP is sound, founded on a robust evidence base, properly subjected to SA/SEA/AA, and well audited community and stakeholder engagement.</li> </ul>
<ul style="list-style-type: none"> <li>Legal challenge.</li> </ul>	<p>Adopted LDP may be quashed in whole or in part by the Courts.</p> <p>Additional workload.</p>	Medium	<ul style="list-style-type: none"> <li>Ensure procedures, Act, Regulations etc. are complied with.</li> </ul>
<ul style="list-style-type: none"> <li>Lack of Financial Resources.</li> </ul>	<p>Delay in securing information required to progress LDP.</p>	Low/Medium	<ul style="list-style-type: none"> <li>Ensure timetable and process is adequately costed with in-built capacity for unforeseen costs.</li> </ul>
<ul style="list-style-type: none"> <li>Changes in staffing levels/ structures.</li> </ul>	<p>Programme slippage.</p>	Low/Medium	<ul style="list-style-type: none"> <li>Consider additional staffing and/or change structures.</li> <li>Ensure LDP process maintains highest priority.</li> </ul>
<ul style="list-style-type: none"> <li>Lack of Corporate consensus and support from other Council officers and/ or stakeholders in production of Evidence Base, Background studies etc.</li> </ul>	<p>Programme slippage.</p>	Low	<ul style="list-style-type: none"> <li>Ensure corporate support of LDP process and timetable from the earliest stages.</li> </ul>



## **6. MONITORING, REVIEW, ALTERATION AND REPLACEMENT OF THE LDP**

### **6.1 The Delivery Agreement**

- 6.1.1 Monitoring of the Delivery Agreement will be an essential part of the process. The *LDP (Wales) Regulations 2005*<sup>22</sup> require the LPA to keep the Delivery Agreement under regular review and any revision of it must also comply with the procedures set out in the Regulations.<sup>23</sup>
- 6.1.2 The Council will monitor the implementation of the Delivery Agreement and duly report any necessary agreed changes to it. This will assess whether the plan preparation schedule is being met, and if not what needs to be done to remedy the situation. As a result, should the Council identify a need to review the DA, agreement will be sought from the Welsh Assembly Government
- 6.1.3 The Delivery Agreement may need to be reviewed and amended should certain circumstances arise, for example:
- If the indicative stages of the timetable require amendment due to external factors and influences (see paragraph 3.3.1 above)
  - If the process falls 3 months or more behind schedule;
  - If any significant changes are required to the CIS;
  - If there are significant changes in the resources available to the Council;
  - If new European, UK, or National Assembly legislation, regulations or guidance raise the need for procedures and tasks to be revisited; or
  - If any other changes of circumstances should materially affect the delivery of the LDP in accordance with the Delivery Agreement.

### **6.2 Annual LDP Monitoring Reports**

- 6.2.1 In accordance with the Guidance contained in *LDPW (2005)*<sup>24</sup> and the LDP Regulations<sup>25</sup> the Council will also produce an Annual Monitoring Report (AMR) of the LDP following adoption. The AMRs will cover the preceding 1<sup>st</sup> April to 31<sup>st</sup> March period, and will be submitted to the Assembly Government by the 31<sup>st</sup> October of each year. The AMRs will be made available for public inspection and published on the Council's web site, and any key issues which arise will be subject of public consultation.
- 6.2.2 The Regulations<sup>26</sup> require the AMR to identify any policies that are not being implemented and to give reasons. The AMR should also outline the steps the Council intends to take to secure their implementation and any intention it has to revise the LDP to replace or amend those policy or policies. The extent to which policies in the LDP are being achieved will be set in the context of the overall plan strategy in the AMRs.

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<sup>22</sup> Local Development Plans Wales, page 19, para. 4.7, Welsh Assembly Government, December 2005

<sup>23</sup> Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 Reg. 9 [SI 2005/2839(W.203)]

<sup>24</sup> Local Development Plans Wales, pages 29-30, paras. 4.42-4.44, Welsh Assembly Government, December 2005

<sup>25</sup> Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 PART 7 [SI 2005/2839 (W.203)]

<sup>26</sup> Ibid (above) : Reg. 37

6.2.3 The Council will seek to integrate its approach to monitoring of the LDP (and related survey work) with its other strategies and plans, particularly the monitoring and/or review of its Community Strategy. Where LDP objectives complement those in other strategies, monitoring will highlight common targets and indicators.

6.2.4 The AMR will therefore include an assessment of:

- i. whether the basic strategy remains sound (if not, a full plan review may be needed);
- ii. what impact the policies are having globally, nationally, regionally and locally;
- iii. whether the policies need changing to reflect changes in national policy;
- iv. whether policies and related targets in LDPs have been met or progress is being made towards meeting them, including publication of relevant supplementary planning guidance (SPG);
- v. where progress has not been made, the reasons for this and what knock on effects it may have;
- vi. what aspects, if any, of the LDP need adjusting or replacing because they are not working as intended or are not achieving the objectives of the strategy and/or sustainable development objectives; and
- vii. if policies or proposals need changing, what suggested actions are required to achieve this.

### **6.3 Review of the Local Development Plan**

6.3.1 Following the adoption of the LDP, it is the Council's intention that a full review of the Plan should take place every 4 years. The timing and frequency of that Review will, however, depend on the findings of the AMR and on local circumstances. When monitoring points to the need for a full review, the Welsh Assembly Government will be advised and a new timetable will be prepared within 6 months. The Review will include reconsideration of the Sustainability Appraisal/SEA/AA baseline information and emerging trends, and will reconsider the 'soundness' of the Plan.

6.3.2. The objective of the Council and the Welsh Assembly Government is that the annual monitoring and regular review of the LDP will ensure that it remains up-to-date, and, thereby, support the wider objectives of the plan-led system to provide certainty, rational and consistent decision-making, and reduce the number of 'misconceived' planning applications and appeals.



**7. CONTACT INFORMATION**

**7.1 Further information can be gained by contacting:**

**The Development Planning Section  
Planning Services Department,  
Directorate of Environmental and Planning Services,  
Civic Offices,  
Angel Street,  
Bridgend. CF31 4WB**

**E mail: [developmentplanning@bridgend.gov.uk](mailto:developmentplanning@bridgend.gov.uk)  
Telephone: 01656 643643  
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