



## **Community Planning Alliance submission: Plan-Making Reform** **2023 6th September**

[Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms - GOV.UK](https://www.gov.uk/levelling-up-and-regeneration-bill-consultation-on-implementation-of-plan-making-reforms)  
([www.gov.uk](https://www.gov.uk))

We have decided to respond by email, rather than use the online form, as the points we wish to make repeat across many of the questions and we can better summarise them here. Local plans do need standardising, digitising and simplifying, and communities do need to be engaged better and earlier, so the proposals set out in this consultation are a positive step forward. There's much to applaud. Local plans are too complicated and burdened by tick-box evidence. PDF's are the default setting.

### **Community Engagement soundness test**

For local authorities to change the way they currently operate, there needs to be a Community Engagement soundness test. Councils must be obliged to demonstrate to an inspector at examination that communities and respondents feel engagement has been good.

An inspector must be satisfied that the local authority's vision is driven by communities, not imposed on communities. If communities say the vision is imposed on them, the plan should be found unsound.

A local plan must be built on the principles of Engage, Deliberate, Decide (EDD), not Decide Announce Defend (DAD), as unfortunately happens currently in 94% of cases, according to our research.

Community satisfaction with the engagement process must be monitored at all stages. The sooner problems are addressed, the quicker they can be resolved. By adding a community engagement test and aiming for Engage Deliberate Decide, a plan will proceed more smoothly through all stages.

If community grievances are ignored and a council proceeds with an unpopular plan, it simply stores up trouble for the plan at examination.

As part of that soundness test, councils must also be obliged to demonstrate that a significant proportion of the population has responded to consultations. We believe that as a minimum this should be 30%, which roughly accords with local election turn out.

At the very earliest stage, the authority should invite all stakeholders including parish councils, community groups and the wider public to share their concerns and ideas about the future of their area.

At this stage only open questions should be asked - no leading questions - and, at this stage, an authority should have made NO decisions about likely direction of travel. Then any concerns raised must be ADDRESSED and dealt with, not simply parked in a report which never again sees the light of day. Participative democracy and citizens assemblies are required. EDD not DAD...



## Other comments

- Consultations must be eight weeks long and must not be held over Christmas or summer holidays
- We are very concerned indeed about the suggestion of inviting only authorities to submit statements at Matters stage. All stakeholders MUST be invited to submit statements
- Local plans must consist of live, interactive maps in which all the data is downloadable and can be interrogated. This could remove the need to keep reviewing local plans from scratch - it could simply involve updates.
- We remain very concerned about the proposal to remove the 'justified' test even though "planning authorities would still need to produce evidence to inform and explain their plan against the remaining tests of soundness, and to satisfy requirements for environmental assessment, removing the explicit test that plans are 'justified' is intended to allow a proportionate approach to their examination in light of these other evidential requirements." It is imperative that the justified test remains, so that an authority must justify its decisions.
- Standard templates will also be a great help to officers in the preparation of a local plan and would remove time spent on the preparation. It is likely that they would make the process of examination much smoother and quicker and it would reduce the number of errors found by inspectors at examination. All parts of the plan would benefit from templates, remembering the principle of aiming to digitise plans. National development management policies will help with this (with the caveat that NDMPs must be consulted on and scrutinised by Parliament).

## Community Land Auctions

There is nothing 'community' about these auctions and the first thing to do is to change the name!

In addition, there is no need for them and no benefit. The viability system already suppresses land values to deliver policy obligations, so this new system adds unnecessary complication.

Likely problems include:

- will councils have the money to buy the land?
- will they choose the cheapest land instead of the most sustainable land?
- is there a risk that no-one wants to buy the land from the council once it is loaded up with policy obligations because it will not be viable to deliver a project?

Financial considerations must not be taken into account by a local authority in the allocation of land in a local plan.

Rosie Pearson  
Chairman