

Chairman's Statement to the Uppingham Neighbourhood Planning Advisory Group Meeting

Thursday 18th June 2020

Summary:

This document is my end of year report. The introduction sets out our activities, followed by a statement of our progress. Some issues are then identified, and some potential actions for next year are set out on the final page.

The other part of the document addresses specific requests made for agenda items to be added, which I have either not agreed to, or have adapted to a different format. There has been considerable push-back on this. My rationale for my decisions starts on Page 3. There are links to the issues identified.

If all three items were passed, we would be in a situation where our Affordable Housing Policy was in non-compliance with the policies RCC set out in their Local Plan relating to Affordable Housing, both the current one and the emerging one coming up for consultation, nor would it have a sufficient evidence base.

In addition, I would remind Members that the Badley Orchard site is not the only means of securing affordable housing for Uppingham. We have had discussions about the need to allocate sites within several market housing developments. There are real opportunities to develop up to 60 affordable homes in Uppingham, depending on which sites are allocated.

We have significant work to do to ensure our evidence base is sufficient for new, higher standards. We need to carry out site assessments. It is my view that we should focus on getting our house in order before publishing a draft Plan.

The argument that we will have a vacuum if we do not publish a plan before RCC publish theirs is not recognised by RCC's Planning Department. We need to keep moving, but we are not in danger of unregulated development.

Finally, a case has today been put that not publishing a Plan is holding up both inward investment and CIL monies, and developers are becoming impatient. RCC have confirmed that, having checked their records, all sites which have planning permission, whether outline or detailed, are either progressing, or have been completed. We are at an early stage of identifying further sites. I would suggest that developers usually stay engaged if they think they will eventually be able to build.

I would remind members that NPAG is an informal group. We are not subject to the Council's Standing Orders. If the meeting wants to, it can reject my advice, draft motions on these matters and vote on them.

Introduction:

NPAG's role is to set a strategic direction for the town, and to put together a plan which represents what we want to achieve in carrying out improvements for and benefits to the Community in Uppingham. We must show that our Plan fits in with the Rutland Local Plan owned by Rutland County Council. The Local Plan in turn must sit within the National Planning Policy Framework.

The Neighbourhood Plan we are currently working on refreshes the one originally published in 2016. That plan was 'future proofed' – it was written in such a way that its policies are still current. We

can choose to continue the policies set in that first Plan, or we can develop new ones, or we can do a mixture of the two. The work of delivering the different activities in the Plan will be carried out by the organisations which sit on the Group. We may be joined by others which do not currently contribute to the drafting of the Plan, or new groups which emerge over time.

As we come to the end of the Uppingham Town Council year, we can reflect on the good work done in sub-groups to identify the current status of policy and practice in the areas of Transport, Planning, Community Facilities, Community Services and Open Spaces. Splitting into smaller groups is a new way of working, and I believe it has enabled a variety of views to be reflected.

The work of the Group was brought to a halt by the Covid-19 outbreak and particularly the lockdown in March, as were many other activities across the country. People have needed to focus on more mundane everyday tasks like new hygiene procedures, sourcing food and how to keep family and friends safe. Some people we know have sadly died, and many more have been ill. Very many people have had a difficult time. Uppingham and its outlying villages have responded with huge community spirit, and many thousands of good turns have, I am sure, been done. We are likely to have to continue to work hard at ensuring we keep each other safe until we have a vaccine, or until many more people have survived the illness.

Constraints caused by our new environment will continue to cause issues for NPAG. Many people are now working from home, and substantive face to face conversations at 2 metres distance, more than likely in the open air, are difficult. Going out to look at areas of the town to assess how they fit into the Plan, and what needs to be done to improve those areas, will need to be done differently. We can no longer organise face-to-face focus groups on subjects we want to understand better. The one thing we can say is that there has been a tremendous amount of change in a few short months, and many of the ways in which we are living and working will become normal for us.

I hope this meeting will get us back up and running with the Neighbourhood Planning process. No doubt many of us are seasoned 'zoomers' by now, and we can use other technology to communicate where appropriate. However, it is not a wholly adequate substitute for face to face conversations. We must be mindful as we proceed that what we thought we heard through the computer screen may not have been what someone meant! We will need to spend extra time committing our thoughts to paper and making sure we all have the same understanding.

Progress:

At the last meeting, I was tasked with writing 'The Plan' from the output of those group meetings. I attach my work on Transport, and on Community Facilities, Services and Open Spaces. I have taken the groups' outputs and, working from the bottom up, identified actions, but also objectives, evidence requirements and policies, where I can. If none were referenced in your reports, I have tried to identify likely higher-level policies and strategic objectives, which would sit above the actions identified in the groups. I have also tried not to move too far from your original words. This set of documents is a step along the process, but it is not a finished Plan. Documents on the Economy and Planning have not been completed, due to my own illness, and I am sure there will be much thinking about and re-drafting of what is already there. That is a normal part of the process.

As well as proposing content for the Neighbourhood Plan, my documents go further. The bottom up process of the smaller groups puts bricks in our wall which enable us to develop high-level policies. The documents show activities which organisations within Uppingham may already be carrying out, or which they are the obvious agency(ies) to carry out in the future. By doing this we can see how all the activities fit together. An action to, for instance, identify all of our green open spaces, links to a

policy on green open spaces which would set out whether there were enough, and if not what we want to do about it. It is important for the delivery of real outcomes for the community that the individual groups understand their role and what they are signing up to do. For the publication of the plan they are not necessary, but for clarity as to how all the activities fit together to understand what is achievable, they are a useful starting point.

Issues:

Economy. This is an area the group has not yet addressed in detail, and which had changed significantly since the last Plan was drafted. The economic growth target for Uppingham in the previous Plan was 2%. In view of the Covid-19 outbreak, and the prediction that the economy is certain to enter a difficult recession which it may take a long time to get out of (there's lots of talk about V shapes and U shapes, but whatever shape it is there is indeed a recession coming), that target will clearly not be met. The constituent organisations of NPAG will already be reflecting on what the pandemic means for them, and for the town. We need to enable the sharing of this information to identify common themes. From that, we can use the Plan to usefully set policies, and a common direction, in addressing and arresting the predicted decline in the town's economy.

Further Debate. In drafting my working documents, I identified areas for debate. To facilitate that debate, I have included policies which would support the lower level activities identified, which I know some of you will disagree with. For instance, on the Green agenda, some of you are keen to develop our green open spaces, which will encourage biodiversity, and footpaths which if well used are good ways of reducing our carbon footprint. However, if we use the air quality issue of traffic emission levels to build a case for a by-pass, the construction of that bypass will greatly increase our local carbon footprint. It will however contribute to less pollution in the town centre. It is not easy to steer a course through these conflicting demands. We need to decide how much we want to achieve in the town over the next few years, bearing in mind the wider UK target that by 2050 we will have zero greenhouse gas emissions, and the opportunities any associated funding might give us to make changes. I would encourage respectful disagreement (or even agreement) as we try to reach some worthwhile conclusions. Most importantly, we will need to bear in mind the need to 'future-proof' the Plan.

Evidence. The process for Neighbourhood Planning has developed over the years since the first Uppingham Plan was written. I have been informed by the Planning Department at Rutland County Council that the standard of evidence we produced for the first Plan would not be sufficiently high for this second one to succeed. I was part of that first team, and I recognise that we will need to do things differently. We need evidence to be able to support our decision-making on policies in our published Plan, whether that is to explain why we have included proposals we have considered, or indeed why we have not done so. It is standard practice in consultation to achieve a good sample of responses from different parts of the community, including residents who are hard to reach. This challenge may have grown due to Covid-19 restrictions. We need to explore these issues and other issues with RCC to make sure we have understood the requirements and have a Plan which will satisfy them. I attach an email from a Senior Planning Officer which lists the areas we will need to pay attention to. Even if the evidence base can be updated and our Plan published before the Rutland Local Plan is adopted, we are strongly advised to take the Local Plan policies and proposals into account to ensure that future proofing. On that basis we should start work on our evidence base as soon as possible.

Consultation. The County Council is proposing that because they cannot undertake a face-to-face consultation with the residents of the County, a consultation on their Local Plan will take place in the

summer, possibly August, if the Covid-19 restrictions are relaxed and the Council Office re-opens. We will need to work out how to consult with our community if we do so whilst restrictions are still in place. Hopefully, we can learn from RCC's experience. I have been informed by the Planning Policy Manager at RCC that future proofing our Neighbourhood Plan will involve a significant piece of work to update our evidence base, with both Regulation 14 and Regulation 16 consultations to be undertaken. After that comes the test of general conformity which will most likely be to the emerging Local Plan, allowing for its timetable for adoption. Even if the Neighbourhood Plan comes forward in advance of the Local Plan adoption, it would be strongly advisable for us to take the Local Plan policies and proposals into account to future proof the NP review.

Agenda for the 19th June zoom meeting:

I invited agenda items and received four requests. One was for a policy statement to be passed regarding Affordable Homes. Another was to consider the format of a draft refreshed Plan, with a document proposed which might serve as an appropriate mechanism. The third was for a motion to include the housing site at Seaton Road within the Neighbourhood Plan. Not all those items are on the Agenda, or alternatively not in the format originally requested, and I would like to explain why.

The fourth request related to the election of the Chairman, which was to be added in any case.

First, to deal with my remit to make these decisions, under NPAG's Terms of Reference the Group is not subject to Uppingham Town Council's Standing Orders. NPAG is a 'semi-detached' group made up of both Councillors and representatives from local groups, with some individuals having also stood as independent members. I remain Chairman of NPAG until I resign. The Terms of Reference are silent on who makes decisions about agenda items. Because we operate informally, there have been times when we have not intended to put a motion to Full Council, but we decided to do so in the meeting.

We have on the Agenda a Policy Statement about Affordable Homes. We also have a discussion item around the scope and format of the refreshed Plan. We do not have a motion to include the housing site at Seaton Road within the Neighbourhood Plan.

Scope and format of the refreshed Plan:

The requested agenda item was:

To consider the format of a draft refreshed Neighbourhood Plan and whether or not the attached draft Plan serves as an appropriate mechanism for moving discussion forward.

There is no issue with having a discussion, and indeed both draft sets of documents are included in the papers, though to go through the documents could extend the meeting significantly. However, the stated intention behind the second document is to publish it as a 'marker in the sand' in advance of RCC's impending consultation on the Local Plan (which references our Neighbourhood Plan) in order to not create a 'vacuum'. One issue to be resolved on this document, from my point of view, is to establish exactly what in the Local Plan is going to render our own Plan out of date, and more critically what the impact of that might be. My understanding is that all previous sites have come forward, and we are slightly over the number of houses to be built under our previous Plan.

Set alongside the desire to publish quickly, we must consider the points I made earlier in this document about the progress we have made, and the issues which remain. In summary, I do not believe we are currently able to publish a good Plan. We may be asked to defend something in public which we have not had the time to consider adequately, which may contain gaps, and which

does not fulfil all the requirements which produce a future-proofed, well-evidenced and compliant plan.

We must also consider that the Group has spent going on for two years on the work so far, and we are being asked to approve this document as the way forward without having been party to its drafting. It is a proposal being put by one party, and other parties must agree or disagree with it. It therefore cuts across the process we have been using, to reach consensus as we build the bricks in our Policy wall.

For both the reasons that this document cuts across our agreed process if it became the appropriate mechanism for moving discussion forward, and that the case has not been adequately put that there are issues which demand that this document should move to publication, I did not put the agenda item forward in the wording requested.

Site at Badley Orchard:

The motion was:

To approve the inclusion of the Seaton Road Badley Orchard site in the refresh of the Uppingham Neighbourhood Plan

My decision on this has been challenged so it is important that I set out my thinking. The issue here is a very simple one. The site has been deemed by RCC not to meet the requirements for an exception site for affordable housing. I attach a letter from RCC which confirms this position in some detail. This letter has been released following my enquiry to them about the ramifications for the site of it being outside the permitted lines of development, on the basis that it would be available under Freedom of Information, and that as Chairman of NPAG it is appropriate to release it to me.

Effect of the Motions:

One role of the Chairman is to identify whether there is a combined effect of the various motions, which were submitted by three different people, and their impact on the scheme of work. The individual contributors do not necessarily have sight of this as their contributions were made over time, and indeed the first time an alternative proposed draft Plan document was mentioned to me was back on Good Friday in April. I can foresee that if the requested motion were passed, the wording would quite rightly need to be included in the proposed draft Plan for publication, as would the Policy Statement on Affordable Housing. A case is being made that there is a need to publish a draft Neighbourhood Plan before RCC's consultation on the Local Plan begins in the summer. These elements would together put into the public domain a policy for Uppingham in favour of constructing affordable homes on Badley Orchard. However, crucially, it would also put our own draft Plan out of conformity with the higher order plan of RCC and would fly in the face of their advice as the Planning Authority, as evidenced in their letter.

At this point I should say that as part of my attempt to elicit your views on Affordable Housing I have been made aware that many of you are very keen to support the concept of houses being made available to local residents at below market rates. I too am very supportive of that concept. It is with a heavy heart, therefore, that in carrying out my role as Chairman I have become the communication channel for what I know will be very disappointing news for several of you.

However, there are plenty of other opportunities to put affordable houses to

As far as I know there are only two ways in which this situation would change. There are several relevant policies which together support the advice of the Council relating to this site. Policy SP5

has supporting text defining the Planned Limits of Development. The Site Appraisal Methodology includes a criteria that potential sites should be adjoining the existing PLD, and Core Strategy 11 defines Affordable Housing Exemption Policy. A site sitting in its own isolated PLD would not be in accordance with those policies. Those policies would need to change for this site to conform with them. The other alternative is that the Local Plan is overturned. The latter may give some window of opportunity to include this site within Uppingham's planned limits of development, but I am not aware what the nature of that opportunity is, as without a new Local Plan the old one would apply, which also contains CS11 and its associated policies.

I do not think that in the draft Local Plan which may be going out to consultation CS11 or its associated policies has been changed. Whether or not the Local Plan is likely to be overturned is something I consider NPAG should not include in its deliberations, as it falls outside the scope of its remit to deliver a Neighbourhood Plan which aligns with the Local Plan.

For all these reasons, and the need to produce our evidence base, it is my firm position that we should not proceed with putting out a draft Plan before the emerging Rutland Local Plan is put out for consultation, probably in the next few months.

Suggested Actions for NPAG in the next year:

1. Understand how Covid-19 has affected the constituent organisations of NPAG, and any common themes which have emerged which are relevant to the work of NPAG.
2. Identify which policies in the first Neighbourhood Plan we wish to carry over, which we want to revise, and where we want to make new policy.
3. Identify revised timescales for the drafting of the Uppingham Neighbourhood Plan.
4. Write a Project Plan, and a Communications plan.
5. Complete the work on defining policies, strategic objectives, evidence requirements and actions which are necessary to develop a draft Plan and to implement it.
6. Consult with RCC's Planning Department at identified milestones, and use their expertise on the steps needed, to ensure that the draft Plan meets all requirements.
7. Reduce uncertainty about roles and responsibilities, by drafting Standing Orders for NPAG.

Chairmanship

My tenure as Chairman for this year ends at this meeting. We have done some meaningful work, and several items in the above action list have emerged as we have gone along. I believe that whilst we do not have a finished document, our joint understanding of what we are trying to achieve has developed. We also have the bare bones of a good Neighbourhood Plan, and moreover of a cohesive work plan for the various organisations in the town to achieve the objectives of the Neighbourhood Plan together over the next few years. As a non-resident, I have learnt about some corners of Uppingham that I never knew existed!

I have tried to act with impartiality, and to that end I did not join any of the sub-groups. I hope you will agree that my decision enabled me to look at their work with a degree of objectivity. It is a shame that my last five months have been blighted by illness, both Covid-19 from mid-March and before that another virus which meant I took a week off work in January. It seems shop keeping is a high-risk occupation in more senses than one. Thank goodness for sneeze screens! I am aware this has led to some members feeling we have not worked as quickly or as efficiently as we could have done. I am aware that papers for this meeting are very late. It is all part of the same issue in trying

to balance all my commitments, and some long-standing technology issues, when I am not fully recovered. I am sorry for any inconvenience this has caused. However, I do not think issues around my workload have materially affected our progress. Due to the widespread effect of the Covid-19 outbreak on this work throughout the country, we have all been on hiatus.

I would be willing to serve again if you would like to give me the opportunity.

Attachments:

Letter to Ron Simpson from RCC dated 18th December 2019

Email from RCC Senior Planning Officer Sharon Bates dated 15th June 2020