

## Executive

LEADER: Cllr Gordon Hook

PORTFOLIO HOLDER: Cllr Gary Taylor

**DATE:** 8 October 2019

**REPORT OF:** Business Manager Strategic Place

**SUBJECT:** Teignplanning Neighbourhood Planning Consultancy Service

### PART I

#### RECOMMENDATIONS

The Executive is recommended to

Resolve

**That a chargeable Neighbourhood Planning Service (Teignplanning Consultancy) for non-statutory neighbourhood planning support is established.**

#### 1. PURPOSE

- 1.1 To agree to set up an in-house neighbourhood planning consultancy service to provide additional neighbourhood planning support for local communities. This would be over and above the statutory support currently provided which would continue to be available for free.

#### 2. BACKGROUND

- 2.1 Neighbourhood Planning was introduced by the Localism Act in 2011 to allow local communities to prepare their own plans for managing how and where development takes place within their areas. It is a voluntary process led by willing Town and Parish Councils and provides the community with an opportunity to address the very local issues that affect them through the statutory plan making process. Since it was introduced, 16 parishes in Teignbridge have been designated as neighbourhood areas, the first step in preparing a neighbourhood plan.
- 2.2 The Localism Act 2011 also placed a requirement on Local Authorities to support communities in the production of Neighbourhood Plans. In 2016, the Council appointed a full time Neighbourhood Planning Officer to carry out these duties and with the help of this dedicated support there have been 6

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neighbourhood plans adopted and a further 2 expected to be adopted later this year. At least another 3 are being actively prepared by communities and being supported by the Neighbourhood Planning Officer.

- 2.3 The type of support currently provided to neighbourhood planning groups is provided free of charge. A full list shown in Appendix A.
- 2.4 Alongside this support, neighbourhood planning groups often rely on consultants to carry out much of the technical and/or time consuming work associated with preparing the plan. This could be anything from gathering evidence or collating consultation responses, to preparing technical reports or writing Basic Conditions Statements.
- 2.5 The government provides grant funding of up to £9000 each direct to parishes and towns for neighbourhood planning.
- 2.6 All of the following neighbourhood plans have involved a consultant to undertake at least some of their evidence and assist with plan preparation:
- Newton Abbot (adopted)
  - Exminster (adopted)
  - Abbotskerswell (adopted)
  - Bishopsteignton (adopted)
  - Ide (adopted)
  - Ogwell (adopted)
  - Kenton (Submission)
  - Chudleigh (Submission)
- 2.7 Over the last few months, the Spatial Planning and Delivery Team has been trialling an approach to offer ourselves as this consultant support. In this capacity we have completed two pieces of work (namely the Chudleigh Basic Conditions Statement and Ashburton Consultation Analysis) and further work has also been commissioned (Bovey Tracey for a Parking Audit and Ipplepen for a variety of works to prepare a draft neighbourhood plan).
- 2.8 Based on this trial and initial success, the report therefore proposes that the consultancy service (namely 'Teignplanning Consultancy Service') is formally established. The consultancy will not act as a separate entity but will operate as an in-house consultancy service standing under Teignbridge District Council.

### 3. MAIN IMPLICATIONS

#### Benefits to Neighbourhood Planning Groups

- 3.1 Teignplanning provides a greater choice in available consultant support locally and has the ability to build upon existing relationships, knowledge and understanding of the area to deliver multiple benefits to our communities such as:
- High quality, professional advice and guidance
  - More timely delivery of neighbourhood plans- taking out the middle man
  - Certainty over level of support

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- Consistency in work quality
- Enables communities to structure their budgets from the outset
- Wider pool of technical expertise to draw from
- Technically accurate policy wording
- Higher quality evidence
- Retains central government funding into the local authority which is then recycled into service improvements for the district as a whole.

### Staffing and Resourcing

- 3.2 The Neighbourhood Planning Officer currently undertakes a small amount of Local Plan work alongside the neighbourhood planning responsibilities. This work will diminish as and when Teignplanning services are commissioned. It is considered that there is sufficient capacity elsewhere in the team to absorb this loss.
- 3.3 However, should demand for Teignplanning Consultancy services outweigh the Officer's available capacity, the options are to ration the paid-for support or to expand the service by providing additional resource (for example providing a neighbourhood planning assistant). Any staffing decisions will be taken through Senior Leadership Team in the usual way.
- 3.4 See Section 6 for financial implications.

### Conflict of Interest

- 3.5 Teignbridge District Council has a statutory duty to provide comments on neighbourhood plans, advise on conformity with local or national policies, and to represent the Council's priorities and ambitions on the development and use of land. In some cases, these may differ from the aspirations of the community and as such the content of the work commissioned from Teignplanning Consultancy.
- 3.6 In such cases, the commissioning parish/town council (i.e. the client) and their requirements will be paramount and stand over and above the needs and wants of the district council. Advice on compliance and applicability of the work being undertaken with national and local policy will be highlighted to the client as work progresses but will not be enforced, in relation to those agreed chargeable services.
- 3.7 Where statutory assessment by Teignbridge District Council is required on elements of the plan which have been prepared by Teignplanning, these will be undertaken by an officer independent of the consultancy service with Spatial Planning. This safeguard seeks to avoid a conflict of interest or a less than rigorous review of the material. This would have a limited impact initially, given the likely capacity limitations on paid-for support set out above. This matter will need to be considered further if there is any future expansion of the programme.

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### Contracts

- 3.8 When designating a Neighbourhood area the Council will enter into a 'Memorandum of Understanding' which clearly stipulates the support Teignbridge will provide as part of the Duty to Support package. Additional work outside this free package can be undertaken by communities themselves, external consultants or alternatively Teignplanning.
- 3.9 Any Teignplanning Consultancy services commissioned will be agreed with the relevant town or parish council and a legal contract will be signed.

### 4. GROUPS CONSULTED

- 4.1 All parish and town councils in the District (including Dartmoor) were forwarded a 7 question survey which sought to understand the potential demand for an in-house consultancy service. The six responses received are detailed in appendix B. Those Parish and Town councils and neighbourhood planning groups who attended the previous Planning Cafes have also been introduced to the service.

### 5. TIME-SCALE

- 5.1 Teignplanning Consultancy is currently undertaking commissions from neighbourhood planning groups in the District. Further work is required on the contract/service level agreement template, branding, marketing and website.

### 6. FINANCIAL IMPLICATIONS

- 6.1 To date, the Neighbourhood Planning Officer post has been grant funded and there continues to be available grant funding in the earmarked reserves. As such, in the short term, any income generated through Teignplanning will be additional income for the Council.
- 6.2 If in the future there is a need to recruit additional staff to resource the consultancy service and/or if there is no longer grant funding available to cover the costs of the Neighbourhood Planning Officer post, the income generated through Teignplanning will be used to fund these posts to relieve pressure on the Spatial Planning budget. Any surplus will be available for general reserves.
- 6.3 Commissions to date amount to £8220 (excluding VAT). Greater marketing of the consultancy service following its formal establishment may increase the revenue expected this year as well as following years.
- 6.4 In addition, if the consultancy increases the speed at which Neighbourhood Plans are prepared and "made" (i.e. adopted) then this will increase our income from the government's neighbourhood planning grant. This is currently £20,000 per adopted Neighbourhood Plan.

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### 7. RISKS

- 7.1 There is appropriate insurance in place to cover the Council for the purposes of providing chargeable neighbourhood planning services for non-statutory functions.

### 8. JUSTIFICATION

- 8.1 The proposal would act to increase support for neighbourhood planning, generate income for the council (primarily using grant funding from central government) and should improve the quality of neighbourhood plans. Neighbourhood Planning is a key element of the “Stronger Communities” T10 Project.

### DATE OF IMPLEMENTATION (CONFIRMATION OF DECISION SUBJECT TO CALL-IN)

10.00 a.m. on 15 October 2019.

**Simon Thornley**  
**Business Manager, Strategic Place**

**Cllr Gary Taylor**  
**Portfolio Holder for Planning**

BELOW TO BE FILLED IN BY REPORT AUTHOR:

<b>Wards affected</b>	All outside Dartmoor NP
<b>Contact for any more information</b>	Michelle Luscombe
<b>Background Papers (For Part I reports only)</b>	Teignbridge Local Plan
<b>Key Decision</b>	Y
<b>In Forward Plan</b>	Y
<b>In O&amp;S Work Programme</b>	N
<b>Community Impact Assessment attached:</b>	N
<b>Appendices attached:</b>	Y- Appendix A – Teignbridge’s Duty to Support - Appendix B- Parish/Town Survey Responses