

ITEM 5

<b>MEETING</b>	<b>Joint Planning Policy Committee</b>
<b>DATE</b>	<b>16 November 2018</b>
<b>NAME</b>	<b>Supplementary Planning Guidance: Maintaining and creating distinctive and sustainable communities – revised consultation draft</b>
<b>PURPOSE</b>	<b>Present the Supplementary Planning Guidance: Maintaining and creating distinctive and sustainable communities – revised consultation draft and associated documents in order to gain support to undertake a public consultation about the Guidance</b>
<b>RECOMMENDATION</b>	<p><b>That the Committee:</b></p> <ol style="list-style-type: none"> <li><b>1. authorises officers to make minor editorial amendments to the Supplementary Planning Guidance: Maintaining and creating distinctive and sustainable communities – revised consultation draft for public consultation</b></li> <li><b>2. approves the Supplementary Planning Guidance: Maintaining and creating distinctive and sustainable communities – revised consultation draft for public consultation</b></li> </ol>
<b>AUTHOR</b>	<b>Planning Policy Manager, Anglesey and Gwynedd Joint Planning Policy Unit</b>

**1. Background**

1.1 The Joint Planning Policy Committee made the following decision during its meeting on the 26 April 2018:

“Authorise relevant officers to commission external multidisciplinary experts to undertake a critical evaluation of the Guidance, specifically Section 2 of this Guidance.”

1.2 This report presents:

- i. The report of the external specialists commissioned to undertake the critical evaluation (Appendix 1);
- ii. A report from the Chairman of the Communities Scrutiny Working Group and a response (Appendix 2);
- iii. Revised consultation draft of the Guidance, which incorporates the amendments required to respond to the recommendations made by the external specialists (Appendix 3);

- iv. Public consultation plan in order to draw the Committee's attention to the purpose of public consultation and the usual arrangements to undertake public consultation about guidance (Appendix 4).

## **2. Requirements of the Critical Evaluation**

- 2.1 The brief asked the successful consultants to offer expert guidance, which would assist the Council to complete the final consultation draft of the Guidance in order to ensure its robustness to be presented to the Joint Planning Policy Committee for consultation public.
- 2.2 In order to be able to offer that guidance, the successful consultants would need to provide specialist input from a competent language planner and a competent land use planning consultant. In doing so, the critical evaluation of the Guidance would be undertaken by a multidisciplinary team, within the context of land-use planning.

## **3. The appointed experts**

- 3.1 Owain Wyn from 'BURUM' and Dr. Kathryn Jones from 'Cwmni Iaith' were appointed to undertake the work.
- 3.2 Owain Wyn is the Director of the Advisory Services BURUM. BURUM has provided a planning and regeneration service since 1998. In terms of the land use planning element BURUM has undertaken work for a range of public, private and community clients including Welsh Government, Anglesey and Gwynedd Councils, Cynefin Group, GISDA and a number of developers and private clients. He has completed language impact assessment and eight community and linguistic statements on behalf of clients in accordance with the current Guidance on the Welsh language. Whilst working with Cwmni Iaith he: (i) contributed to produce a report on a Framework and Guidance regarding Assessing and Management of Risk and Benefits to the Welsh language for Major Developments and Major Infrastructure Developments, which was commissioned from the Welsh Government; and he is (ii) providing expertise and expert advice on the Welsh language and culture in relation to Major Projects to the Isle of Anglesey County Council at present.
- 3.3 Dr. Kathryn Jones is a Managing Director of Cwmni Iaith Ltd. She is linguistic sociologist, and has been lecturing and is responsible for modules of Sociology of language, language policy and planning (LPP) at the Universities of Lancaster and Bangor and the University of Wales Trinity Saint David. She has over twenty years' experience of delivering and leading on LPP projects significant, which has influenced public policy about the Welsh language in various fields. Among these, she has undertaken linguistic assessments of cultural and socio-economic developments. As noted above, she has worked with Owain Wyn on the development of a Framework and Guidance regarding Assessing and Management of Risk and Benefits to the Welsh language for Major Developments and Major Infrastructure Developments for the Welsh Government; and is actively providing expertise and expert advice on the Welsh language and culture for Major Projects to the Isle of Anglesey County Council at present.

## **4. The critical evaluation**

4.1 The consultants were required to read the draft consultation Guidance and present comments about it in a concise report. In accordance with the discussion during the Joint Planning Policy Committee on the 26 April 2018, the requirements were as follows:

- i. Summarise and evaluate the advice and guidance given in section 2 (and any relevant Appendix) regarding the application of Policy PS 1 in the Plan during the pre-application and planning application stages.
- ii. Evaluate section 2 of the Guidance (and any relevant Appendix) in a balanced fashion, which will identify its strengths and weaknesses. It is not the purpose of the critical evaluation to only highlight negative aspects.
- iii. Evaluate section 2 of the Guidance (and any relevant Appendix) and evaluate its success, in light of its purpose, which is to provide guidance for applying Policy PS 1 (primarily) to applicants (and those who advise them) who intend to submit development for planning permission, and those who have to make a decision about the proposed development.
- iv. Demonstrates that the consultant has at least asked and tackled the following questions:

a	What is the aim of the Guidance? Has the objective been achieved?
b	Planning Services are eager for applicants to be advised by a competent person. Is the description of a competent person sound? Is the role of the competent person clear?
c	The Guidance refers the applicant and the competent person who will advise him/her about sources of information - are there other sources?
ch	What is the structure of Section 2 of the Guide? Is it effective?
d	Is the screening process described in Appendix 5 effective?
dd	Is the methodology in Appendix 7 for undertaking an assessment that will lead to a Welsh Language Statement effective?
e	Is the methodology contained in Appendix 8 for an assessment that will lead to the Welsh Language Impact Assessment report effective?
f	Suggest changes when needed to improve the soundness of the Guidance.

4.2 Appendix 1 to this report includes an overview report prepared by Owain Wyn and Dr. Kathryn Jones after they had completed their assessment of the Guidance.

4.3 Their report includes 7 recommendation, which means making some changes to various parts of the Guidance. Broadly, the changes will mean:

- i. Re-structuring the Guidance into three sections instead of two, which means moving text out of section 2;
- ii. Re- arrangement of some paragraphs in section 2;
- iii. Including additional text and deleting some text, e.g. to explain the relationship between linguistic assessments and the wider family of methods to deal with uncertainty and assessing and managing risk, providing the national context, refer to the Welsh Government’s strategy;

- iv. To broaden and strengthen the considerations and the questions posed to the applicant in preparing a statement;
  - v. Change the order of steps in the methodology for the preparation of the Impact Assessment Report, re-emphasising the need for engagement and consultation activities during the pre-application stage, and including a scoring approach for different questions.
- 4.4 The consultants presented detailed amendments emanating from the recommendations in the consultation draft Guidance, using the 'track changes' method to do so.

## **5. Comments from the Communities Scrutiny Working Group – Planning and the Welsh language (Gwynedd Council)**

- 5.1 The process of preparing the Guidance includes considering comments and recommendations from the Communities Scrutiny Committee and/or Communities Scrutiny Working Group – Planning and the Welsh language (Gwynedd Council). A copy of report about the critical evaluation and a copy of the revised consultation draft Guidance were sent to the Communities Scrutiny Working Group on the 19 October 2018. Appendix 2 contains a copy of the report from the Working Group. Part of the report includes a list of the main issues raised by contributors to the informal engagement held in June 2016. To remind this Committee, the purpose of that engagement was to seek the views about the two Supplementary Planning Guidance that had been adopted to support policies in the old development plans. A series of questions were asked to try to get feedback from consultees. The Working Group recommends that a response should be provided to those issues. The copy of the Working Group's report in Appendix 2 gives a brief response to the issues/questions.
- 5.2 The Working Group draws attention to the fact that no guidance has been sought from experts in the fields of research and analysis or engagement and consultation. Paragraph 1.1 above records the Committee's decision. It does not include the need to obtain views from external parties the identified matters.

## **6. Proposed response to the Critical Evaluation**

- 6.1 It is considered that the Guidance would benefit from accepting the recommendations, and therefore the changes that would be required in order to implement the recommendations.
- 6.2 The revised consultation draft Guidance included in Appendix 2 incorporates all the detailed changes that were shown by the consultants via 'track changes'.

## **7. Next steps and timetable**

- 7.1 The next table sets out the next steps and an indicative timetable for carrying out the actions. Actions include undertaking a public consultation on the consultation draft guidance. Public consultation involves applying a standard approach, similar to the statutory approach used to prepare local development plan. In broad terms the method is as follows: identification of specific and general consultees; contacting specific and general consultees; the publication of the draft guidance for consultation on the website and in public libraries; publishing details of the consultation, including details of the different ways of submitting comments. More details are available in the consultation plan in Appendix 4.

7.2 The final timetable will depend on factors like the number and nature of the comments received during the public consultation period.

Table 1: next steps and an indicative timetable

Date	Action
December 2018 – January 2019 (7 weeks' period instead of the usual 6 weeks due to Christmas)	Public consultation about the revised consultation draft Guidance
22 March 2019	Joint Local Development Plan Panel
4 April 2019 & 9 April 2019	Communities Scrutiny Committee (Gwynedd) & Partnership and Regeneration Scrutiny Committee (Anglesey)
May 2019	Joint Planning Policy Committee

## 8. Recommendation

8.1 That the Committee:

1. authorises officers to make minor editorial amendments to the Supplementary Planning Guidance: Maintaining and creating distinctive and sustainable communities – revised consultation draft for public consultation
2. approves the Supplementary Planning Guidance: Maintaining and creating distinctive and sustainable communities – revised consultation draft (Appendix 3) for public consultation

### APPENDIX:

Appendix 1: Overview report of the critical evaluation

Appendix 2: Communities Scrutiny Working Group – Planning and the Welsh language report and a response

Appendix 3: Revised Draft Consultation Supplementary Planning Guidance: Maintaining and creating distinctive and sustainable communities

Appendix 4: Consultation Plan.