

# Getting Planning Out of the Crossfire—Building better democratic conversations through neighbourhood planning in Lewes District

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## Introduction

This paper is about a big problem and a big opportunity. The problem is the negativity and conflict that surrounds land use planning in this country. The planning profession is caught in the crossfire between two forces. On one side is the need to deliver the development and infrastructure essential for a growing and competitive economy. On the other is the strong opposition of individual communities towards accepting some of that growth in their area. The big opportunity is the advent of neighbourhood plans in the Localism Bill.<sup>1</sup> This will allow communities to prepare their own detailed plans on how growth should be accommodated in their area, what infrastructure they need to support it, and what features of the local environment are most important to them and need safeguarding. The details are still being worked out by ministers as the Localism Bill works through the Parliament. However, it is clear that the reforms, taken together, will represent a fundamental shift in the way the system works

At its root, the Government is making a leap of faith that the new neighbourhood plans, eased by New Homes Bonus and a share of Community Infrastructure Levy, will take the negativity out of planning. They hope it will promote a more mature local debate about local development needs, and deliver growth. We do not think happy transformation will just happen by passing legislation in Parliament and handing out a bit of cash to sweeten the pill of growth. Attitudes, in many instances, are too entrenched. It will need a radical change in how planning is debated at local level.

In Lewes District, we want to embrace localism positively, but localism has to be more than a structural change of responsibilities, or a shifting of budgets to break down artificial barriers. Changes to the planning system and other forms of localism will mean we need to work harder on promoting democratic conversation in which public services and citizens engage as equal partners.

By the term “democratic conversations” we mean interaction between public sector and citizens that goes beyond single consultation exercises, and builds a continuing dialogue in an environment of mutual trust and shared responsibility. To do this, public authorities need to step back and allow the natural flow of conversations between communities themselves, rather than stand in the middle and take responsibility for the process.

This paper will focus on creating democratic conversations in neighbourhood planning. It is worth remarking, however, promotion of democratic conversations and civic discussion space is not just important for the planning function. The policy, funding and service delivery landscape is changing right across local government. The main drivers for change are, of course, the localism agenda and significant reductions in public spending. These changes mean local authorities will need to review how they engage with local communities and accept they will have to delegate more decisions down to community level. Universal

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<sup>1</sup> Localism Bill, Secretary of State for Communities and Local Government, laid before Parliament, December 13, 2010.

service standards will retreat as local communities decide what and how services are provided, rather than Whitehall or the Town Hall. Some may see this as the dreaded “postcode lottery” (implying a lottery’s randomness and lack of control)—and that is the real problem. If localism can tailor-make appropriate local services nobody will want or need to participate in a lottery.

The aim of this paper is to make the local community, not the planning authority, the hub of the debate and the place where local problems are addressed and solutions constructively agreed. This produces two positive effects: the planning authority is no longer in the crossfire and an infrastructure is created that can be used for a range of different conversations around services and needs that go well beyond local planning.

Why do we think Lewes is well placed to seize the opportunity before us? Lewes is a relatively small but hugely varied district council area. We have 28 town and parish councils. The largest is a seaside town of nearly 25,000 people, and the smallest a collection of hamlets. Some of our towns and villages are attractive and prosperous, but our seaside towns include serious deprivation, with port and industrial areas needing sustained regeneration. About half the area is in the newly-designated South Downs National Park. Most relevant to this topic, Lewes is also a DCLG neighbourhood planning front runner. More of all that later, but we think it puts us in a good position to contribute to the national debate on these issues.

The two authors of this paper both come from government rather than legal backgrounds. Jenny has been in post as Chief Executive at Lewes for just a year so, whilst “a fresh pair of eyes”, she is still learning about the area. Her professional background is in housing, which has lessons for neighbourhood planning. Housing officers set up formal structures to talk to tenants and then realised the formality can easily breed conflict rather than mutual respect. She also worked as Director of Environment with Brighton and Hove CC for eight years, where her responsibilities included planning, parking, refuse, recycling and travellers. In all these areas the public can switch from understanding and supporting an idea in principle to marching with placards to the nearest public meeting if a new facility was going to land near their home. Her views expressed here are personal and not necessarily the views of Lewes DC.

Anthony’s background is in strategic roles in Whitehall and local government. At Brighton and Hove he ran the policy function, dealing with community engagement. In Whitehall, he worked in the Cabinet Office and Treasury, running numerous consultations and working on governance on issues including reform of the House of Lords. His work on participation and new ways of government draws on that experience.

Most people want to do the right thing. Village residents, in particular, understand the dilemma of growth against affordability of homes for younger families (even their own children). Public authorities—by acting as a vehicle for criticism, by putting legal correctness of process first, and by producing technical documents such as Local Development Frameworks and Strategic Housing Land Availability Assessments—have hindered a resolution of the difficult conversations communities need to have within themselves. Councils have to step back and facilitate—hand over the power and concentrate on capacity building.

## The problem

If neighbourhood planning is the solution, what is the problem? The Minister for Decentralisation, the Rt. Hon. Greg Clark MP, gave his definition of the problem in a speech to the Royal Town Planning Institute’s Planning Convention in June this year<sup>2</sup> as follows:

“Planning has become too defensive, too pessimistic. Indeed, we have reached a point where the default assumption by the public is that any particular change to our built environment will be negative. That it will tend to impair beauty, damage the environment and make residents’ lives worse.

<sup>2</sup> Rt Hon. Greg Clark MP, Speech to the RTPI Planning Convention, London, June 13, 2011.

The planning process, far from being a forum for inclusion and potential, has become an arena for antagonism in which acrimony and litigation have too often replaced co-operation and community

...

That's why the public perception of planning has got to change — from being a pessimistic, zero-sum (or even negative sum) wrangle to being a creative exercise in economic, aesthetic, social and environmental improvement.

The challenge for the planning profession is to be agents of creativity —emphasising inspiration, community leadership, finding solutions.”

The Minister has encapsulated many of the problems we face. You can look at any local paper, in any part of the country, any week, and find examples of the issues referred to by Greg Clark. The “planning row” is as much a fixture of local media as the sports pages. We would like to add a few perspectives from the local government section of the battle line on the crossfire in which planning currently finds itself. How did things get so bad? It was a mixture of things. Let us look at some of them.

Firstly, there are problems in relationships between the different levels of the system. It is now widely accepted that the imposition of national and regional planning policies and targets—in progressively more detail—had become widely resented and ultimately counterproductive. This dysfunction between national and local is mirrored between the district and town/parish levels of local government. Things have not been plain sailing at local level either. Town and parish councils often feel that their views are “ignored” by planning authorities, even when there are clearly good legal or evidential reasons to do so. Consultations are mistaken for referenda. The result can be a rather difficult sort of “parent and child” relationship between the two levels with local authorities feeling exasperated and the parishes feeling that their viewpoint has not been given due attention. Beyond all that, there is always the planning decision where both the district and local view is overruled by a Planning Inspector or the Secretary of State.

Secondly, planning arguments are conducted at two different levels, the technical and the emotional, which use different arguments that do not mix and which can lead to mutual incomprehension. People will often say, if an unpopular development is approved, “that's not democracy.” A philosopher would say that the balancing of local wishes with broader needs is a classic function of democracy—but the conflict is between democracy as the will of the people and democracy as the rational, evidence based system founded on laws. The local authority can produce endless data and evidence but this is irrelevant to someone who simply wants to stop a development at the bottom of their garden. Nowhere is this better illustrated than in the Strategic Housing Land Availability Assessment (“SHLAA”), a document required as part of the evidence base for a Local Development Framework (See Government imposition above). The SHLAA is a technical assessment of sites put forward by landowners and developers in order to provide an objective assessment of those “suitable, available and deliverable” to meet housing needs identified in the LDF. As such, it is a survey not a policy. Try telling that to residents and councillors who see the SHLAA as a list of sites where development *will* happen and a developer's charter to concrete over vast tracts of countryside, with the local authority as accomplice-in-chief.

A third factor is the increasing role of the single issue campaigning group. Membership of these groups is getting bigger than the political parties they seek to influence. Why bother with the difficult balancing of issues, the messy compromises, and horse trading of different interests, that are the lot of politicians when you can strip things down to one simple issue and ignore (or sometimes demonise) anyone with a different point of view? The planning system is the arena for many of these campaigning groups who are good at mobilising local opinion against something, but who are rather less geared up to take a more rounded, positive, long term, view.

The fourth ingredient in this heady mix is the nature of social interaction with the planning system. The system is about what we want the future to be, but it is dominated by the interests of the present. By that, we mean it is strongly influenced by the “haves”—people with property, education, money and time—in

comparison with the “have nots”, people who have none of these, particularly those who do not have homes and jobs or who will need them over the next twenty years or so. Methods of public engagement that emphasise literacy and ability to argue, combined with the increasing complexity of the planning system, reinforce this imbalance. The planners’ traditional public exhibition, or meeting in the village hall, scheduled around the time when many people are having their evening meal or putting the kids to bed, actively prevents, or just leaves cold and uninvolved, many sections of the population. Politically, it is hard for councillors to give weight to a “phantom” constituency of people who will need homes, jobs and better facilities in the future, when set against the loud opposition of existing residents.

The combination of all these factors has put planning in the crossfire and led to disenchantment with the planning process, slow progress on producing development plans, negativity towards growth, failure to deliver it—and then yet more reforms from Whitehall. We have shared some of these problems in Lewes District and are ready to look for a better way of doing things. Will localism provide it?

## **The opportunity**

It was clear from the early days of the Coalition Government that reform of the planning system under the concept of decentralisation and localism was a high priority. Some of the more emotive issues such as imposed housing targets on local authorities and “garden grabbing” were tackled with varying degrees of success through directives issued by the Communities Secretary. However, despite these initial attempts at changing the planning system, it was clear that wider reform would need to be addressed through a comprehensive new piece of legislation.

On December 13, 2010 the Localism Bill was introduced to Parliament. The Bill addresses a wide range of subjects ranging from pay accountability through to tenure reform in social housing. Part 5 of the Bill is focussed on planning. The changes identified in this part of the Bill are of relevance to all tiers of the planning system.

The English planning system currently operates at three different levels—national, regional and local. Three levels will remain in the planning system once the Localism Bill becomes enacted. However, these will be different and become national, local and neighbourhood. In terms of national planning reform, one of the main changes is focused on reviewing the plethora of current planning circulars, Planning Policy Statements and guidance notes into one user friendly National Planning Policy Framework (“NPPF”).<sup>3</sup> This was published for consultation in July 2011. Although the NPPF will present a challenge to local authorities in terms of deciding which elements of discarded national policy need to be codified at a local level, the principle of this change surely needs to be welcomed by all planning authorities. Even for experienced planning professionals, the sheer mass of existing national policy and guidance is confusing and sometimes contradictory.

Regional Spatial Strategies will no longer exist. This will result in local authorities now having to undertake the complex and often emotive task of determining the future level of house building for their area. Such a policy stance will need to be contained in a local planning authority’s strategic development plan. So the statutory duty for a development plan to be prepared at local authority level remains.

The most radical change for planning in the Localism Bill sees the introduction of plan-making at a neighbourhood level. This would mean that communities, and in some cases businesses, would be able to prepare policies and proposals for land use in their area through neighbourhood planning. Neighbourhood plans, or development orders, will be initiated and delivered by either Town and Parish Councils, appropriately constituted community groups or business groups.

<sup>3</sup> National Planning Policy Framework, consultation draft, DCLG, London, July 25, 2011.

A key feature of neighbourhood planning is that it is not compulsory, but an opportunity that local groups can choose to embrace. Certain parameters will apply when neighbourhood plans and orders are prepared. They include the need to generally conform with strategic policies in the relevant development plan for their area. They must be underpinned by robust evidence. Within these limitations, it will be for those preparing the neighbourhood plan, and those consulted, to determine its content. The role of the local planning authority will be to advise and support the process. This is likely to be a statutory duty.

It is clear that the process of preparing neighbourhood plans will be a major enterprise, both in terms of people's time and financial costs. Because of the voluntary aspect of neighbourhood planning, this could mean the better-resourced Town and Parish Councils are more able to effectively embrace this opportunity, than other areas. This is why organisations such as Planning Aid and Locality, have been chosen by the Government to support neighbourhood planning—including through financial assistance. They will have an important role in ensuring neighbourhood planning does not become exclusive to just the "well off" areas who can tap into educated and skilled local communities.

The proposed procedure for preparing neighbourhood plans and orders requires that they are endorsed by the local community, through a referendum. This is a new concept in the plan-making process. A plan will only be adopted if over 50 per cent of those who vote support it, (there does not seem to be a minimum threshold for voter "turnout"). Therefore it will be essential that the community are effectively involved and buy-in to the process from the start.

Given current challenges faced by local authorities in preparing development plans there is a real opportunity to create a more inclusive and effective system through neighbourhood planning proposals in the Localism Bill. Whether such a planning system materialises will depend upon how these opportunities are seized at a local level nationwide. Another important factor may be whether some of the benefits of development trickle down to the local level through Community Infrastructure Levy and the New Homes Bonus.

There are also wider gains to be had. The participatory and democratic elements of neighbourhood planning are in line with general government policy (and broader social shifts) towards local control, networked societies and greater personalisation of and participation in public services. For this reason, authorities can build on the structures and cultures they create to implement neighbourhood planning, and create wider democratic engagement on a whole range of services. Indeed, where conversations happen about neighbourhood planning, we think it very unlikely they will restrict themselves to strictly planning issues—conversations about the future shape of localities will inevitably include public services and non-planning issues such as traffic management. Local authorities implementing neighbourhood planning should expect, welcome and prepare for those broader conversations.

The next section of this report sets out the local context for Lewes District, what is being done to prepare ourselves for neighbourhood planning and some of our ideas to improving democratic conversations essential for neighbourhood planning.

## **Lewes District and our neighbourhood planning work**

Lewes District is in the county of East Sussex, extending from the English Channel coast through the South Downs and into the countryside of the Sussex Weald to the north. (See map) Although mainly a rural district, the majority of the population (77 per cent) live in urban areas comprising the coastal towns and the county town of Lewes. The rest of the population live in 23 mainly rural parishes. The total population of the district is 96,000. Although a relatively prosperous district, there are some significant areas of deprivation in the coastal towns of Seaford, Newhaven and Peacehaven. It is here where regeneration needs to be. The nearby city of Brighton and Hove exerts a strong influence on the district, with significant levels of commuting from the district to the city and significant pressure on the property market in the district from those moving out.

Just over half of the District lies within the new South Downs National Park. The population of this area is approximately 22,500. The South Downs National Park Authority became the sole planning authority for its area on April 1, 2011. However, many of their planning functions have been delegated back down to the constituent local authorities via an innovative agency agreement.<sup>4</sup> In the case of Lewes DC, this has meant continuing to perform the majority of the Development Management functions for the National Park area. The District Council and the National Park are also working together on a joint Core Strategy to cover the whole of Lewes District, including that part of the district within the Park.<sup>5</sup>

Lewes was an early adopter of the current Government's transparency agenda and has been publishing supplier spending data on the Council's website each month since July 2010. From the outset we have been careful to publish, alongside the data, a brief explanation of the main payments that the Council makes, and we believe that this may well be one of the main reasons why in the 12 months since publication we have received only a handful of enquiries about the data. The few enquiries that we have received have tended to be about the format of the data published or the timelines of publication (on one occasion there was an unavoidable delay). By comparison, the number of finance-related Freedom of Information Act enquiries is high—30 since January 1, 2011. These questions concern the context of Council spending e.g. how much is spent on consultancy in a year; how much is spent with charities—the answers to which cannot be readily derived from the simple monthly lists of supplier transactions.

The current development plan for the whole of Lewes District is comprised of the saved policies from the Local Plan, which was adopted in March 2003.<sup>6</sup> The aforementioned Core Strategy, which will replace much of the Local Plan, has an anticipated adoption date of early 2013. One formal round of consultation has already taken place on this, with two more planned in the coming year. The recent uncertainty created by the status of the South East Plan has caused delay in progressing with this Core Strategy. This is due to the District Council wanting to review the previous housing target set in the Regional Spatial Strategy, which was 4,400 new homes over 20 years.

A key message from the Government is to “press ahead without delay in preparing up-to-date development plans”.<sup>7</sup> So the District Council's main priority over the coming two years will be to ensure that it has an adopted Core Strategy in place. However, we do not want to put our head in the sand on reforming the planning system and take a reactionary approach once the changes have been implemented. This is particularly the case given current challenges we mentioned and our view that neighbourhood planning can play a key role in actually implementing aspirations in the Core Strategy.

With this in mind, the District Council wants to be an effective facilitator of neighbourhood planning by becoming a “test case” through the neighbourhood planning vanguard scheme, which was instigated by the Department for Communities and Local Government (“DCLG”) in January 2011. DCLG invited local planning authorities, in partnership with a town or parish council, to bid to become a front-running authority in preparing a neighbourhood plan or order. With this invitation made, Lewes District Council wrote to all Town and Parish Councils to see if they were interested in partnering with us.

The District Council eventually selected Ringmer Parish Council and their aspiration to prepare a neighbourhood plan for the whole parish area as the proposed scheme to be put forward for vanguard status.<sup>8</sup> The reasons for this decision and some of the characteristics of the parish are detailed in the following paragraphs. Various characteristics and a number of reasons led to the DCLG selecting Ringmer as one of 17 front-runner schemes.

<sup>4</sup> Section 101 agency agreement for delegation of planning services, South Downs National Park Authority/Lewes DC, April 2011.

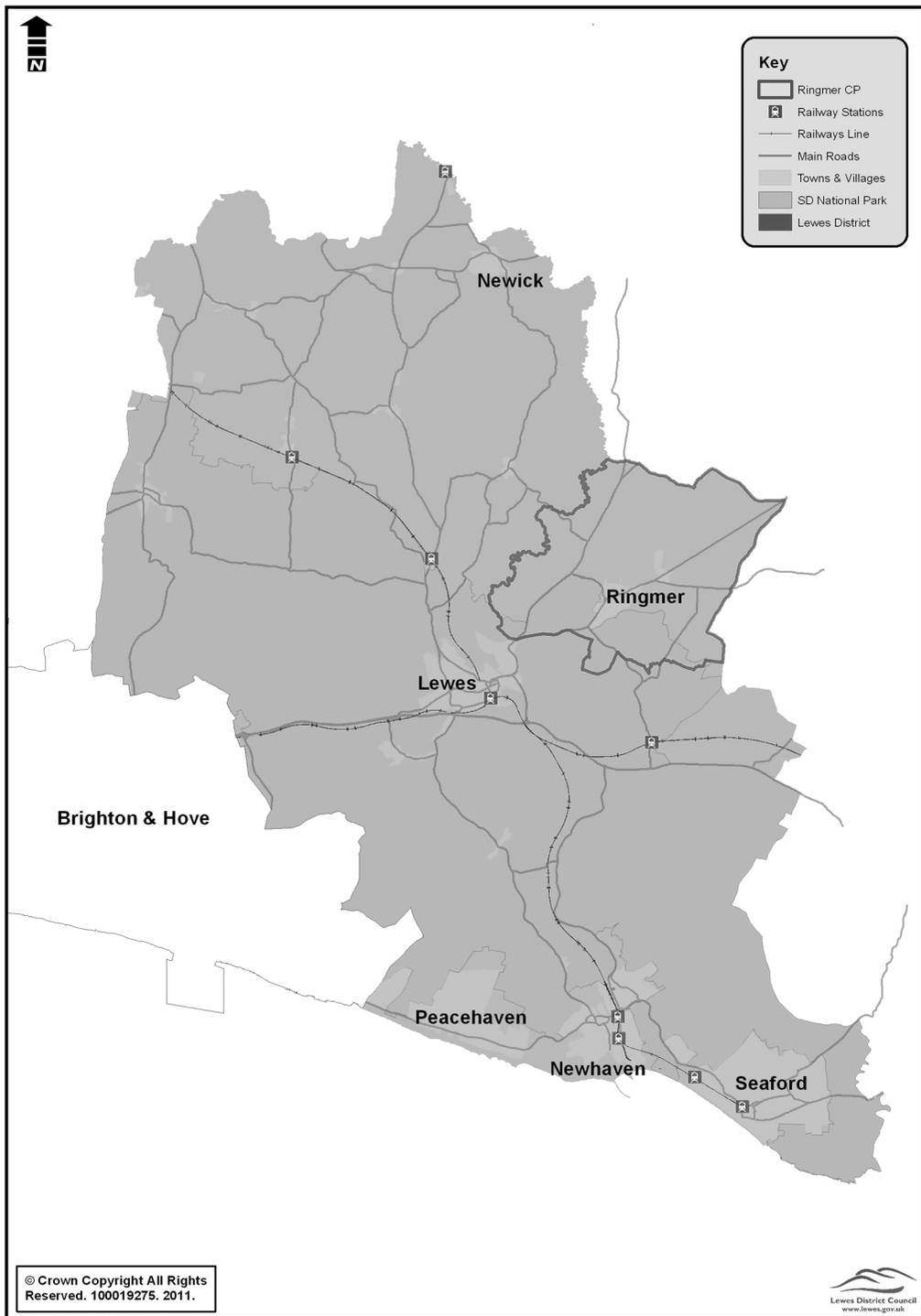
<sup>5</sup> Lewes District Local Development Framework: Emerging Core Strategy report to LDC Cabinet September 7, 2011 and SDNPA Planning Committee September 12, 2011.

<sup>6</sup> Lewes District Local plan: adopted March 2003.

<sup>7</sup> Greg Clark, March 23, 2011

<sup>8</sup> Neighbourhood planning Vanguard bid, Lewes DC/SDNPA/Ringmer Parish Council, February 14, 2011.

Ringmer is one of the largest Parishes within Lewes District in terms of both area and population. It is partly within the National Park. The map below identifies the District, the area in the National Park and the Ringmer Parish boundary.



Ringmer Parish has a population of 4,500, with most living in the main village around Ringmer Green, or the secondary settlement at the Broyle Side. Despite the comparatively large size of Ringmer and its close proximity to Lewes, the parish is rural in character with significant areas covered by a highly valued farming landscape.

Because of low flood risk and the fact much of the parish is not in the National Park, developers are interested in Ringmer, particularly for housing. So a key issue for the neighbourhood plan will be to find the most appropriate sites for development and ensure those selected are supported by the community. This challenge should not be underestimated. It could make or break neighbourhood plan-making for Ringmer. This is because although communities might accept the principle of new housing in their area - lack of affordable homes for local people being the main reason—attitudes change when actual sites are considered.

Alongside addressing these housing development pressures, the neighbourhood plan may want to start reversing the trend for increasing levels of people commuting out of Ringmer to work in places such as Lewes and Brighton. It is envisaged that this would be through the delivery of more sites and premises for new businesses in Ringmer. This would also help to boost the area's generally under-performing economy. The plan may also be looking to improve transport, maximise opportunities from the National Park and deliver much needed leisure facilities. Taken together, issues for consideration in the Ringmer Neighbourhood Plan present quite a complex challenge.

The Neighbourhood Plan will be taken forward by the Parish Council's Planning Committee. Lewes DC is confident this group will work effectively with partners in preparing the plan and effectively tackling the complex issues. This confidence stems from the Parish Council's track record of undertaking projects in an effectively researched, presented and timely manner. Such examples include a Residential Development Strategy and an Employment Strategy, which are thoroughly researched and well presented documents from the last few years.

Although it is still relatively early days in the preparation of the Ringmer Neighbourhood Plan, it is already apparent that the experience of working alongside the Parish Council's Planning Committee, and other partners, is going to prove invaluable to Lewes DC. It will help shape the support and advisory role performed by the District Council once neighbourhood planning becomes more widespread. This is a very different role from that previously undertaken by local planning authorities. They will not be researching, drafting and consulting on the neighbourhood plan. Those tasks will be undertaken by parish councils. However, local planning authorities will still be setting the strategic planning context through their LDF Core Strategies, so providing a starting point for neighbourhood plans. This may still be a point of friction in relationships between the two levels of planning. Some of the lessons learned will inevitably stem from where the preparation of the plan has encountered problems that have required resolution. This should not be seen as a negative. It will enable the District Council to advise others who eventually prepare neighbourhood plans on how to avoid these potential problems. DCLG fully expect the pilot neighbourhood plans to identify potential pitfalls and to explore ways of overcoming them.

Through regular briefings and workshops with Town and Parish Councils and by having a webpage dedicated to neighbourhood planning, the District Council will be disseminating lessons from Ringmer during the next couple of years. We hope this will allay some of the initial concerns raised by many of the Town and Parish Councils. These have generally focussed on issues such as resources, available support, consultation and making difficult and emotive decisions.

## **Building better democratic conversations**

Lewes DC believes Ringmer has all the attributes required to deliver successfully the neighbourhood plan. However, looking more generally to how neighbourhood plans are taken forward nationally, if conversation on the neighbourhood plan is restricted to parish council and local public services (including the district

council's own planning department), it will fail, on several levels. It will fail to reflect a representative view of the community's needs and ambitions, meaning a plan could be put in place that does not meet the needs of the community over the long timescale during which the plan is in place. It risks failing to be approved in a referendum if it does not have broad need and understanding. It may fail to secure a high turnout in a referendum, leading to reasonable questions about its legitimacy, even if its legality is certain. Finally, it will be a missed opportunity to engage more broadly in a local conversation about the future of a parish or neighbourhood that goes far beyond traditional planning issues, and even traditional council issues, into building a democratic community that has a stake in its place.

The latter failure would be a serious one, given the direction of social and political change. Government is increasingly operating in an environment of networks, rather than an environment of institutions. How must local democratic establishments and processes change in response to that? We believe that the answer comes from radical openness within the council and other public services, and consistent but responsive support for local activities and democratic engagement. In Ringmer, unlike in urban areas, we start with a clear place, with a democratic institution (the parish council) already in place. In unparished areas, the "hosts" for community engagement need to be found or created from a range of community bodies and partnerships. The priority in Ringmer is to enable the existing parish council governance arrangements to broaden and become more inclusive, not just in terms of neighbourhood planning, but to grow their ability both to take on services from county and district councils, and create their own responses to their unique local circumstances.

### **An outline of democratic conversation: what does it mean in practice?**

We believe that a broad-based democratic conversation—bringing together citizens' and organisations' voices in a way that enables cross-community trade-offs and initiatives—can deliver a range of benefits to public services as service providers and as democratic institutions.

- **Clearer expression of public views:**

A better understanding of the public's ambitions for their areas will enable public services to react more quickly to problems and direct solutions in the way communities would want. Opportunities for collaboration and joint problem-solving are more easily seen.

- **Better services through richer information:**

A well-structured democratic conversation will reveal more about the preferences of the public than a traditional survey or consultation. Day centres for older people are a good example. Several authorities have invested large sums of money in day centres for older people, often in response to surveys that said that they were popular and well-liked. However, when personalised budgets came in, use of the centres fell dramatically. Users' behaviour did not match their stated preferences. Better democratic conversation could have made this potential saving clearer earlier on. The council would listen to discussions between citizens, rather than surveying them, which could well lead to different answers.

- **Greater readiness to use community resources:**

A main aim of Government policy, particularly the Big Society, is getting local benefit from community resources. In this model, community support networks have been "crowded out" by public provision. They could return, providing cheaper, more local services if those public provisions are removed. Even without accepting all that thinking, it is clear communities, even very deprived ones, have support networks and resources that could deliver more than they do. Part of the purpose of a good democratic conversation must be to increase the trust

within communities, help them—not others—meet local needs and prompt the use and creation of community resources. Democratic engagement can then provide accountability and participation in new community structures without the council or other public services needing to take responsibility.

- **Citizen governance opportunities:**

Existing volunteer action is often run and co-ordinated by a small group of regular volunteers. One of the problems expressed by those interviewed for the research in Lewes was a concern that any expansion of voluntary activity would be unsustainable because of the limited number of people able to commit the time to volunteering. There was a shortage of the right skills to lead influential organisations. Democratic structures can support volunteering through boards made up partly or entirely of a citizen jury. These can provide democratic accountability, and give people a path to volunteering without making a significant open-ended commitment.

- **Successful implementation of Government and council policy:**

A strong democratic conversation within the district makes it much more likely that Government's and council ambitions for greater localism will be achieved. It will provide broader participation in advance of discussions around neighbourhood planning. Neighbourhood planning is a major test of any democratic engagement system, as will be discussed later. Existing mechanisms, enhanced by new democratic structures and broad discussion offer the best chance of creating neighbourhood plans that truly reflect local need.

To achieve those objectives, councils should:

- Support and encourage stronger governance at the Town and Parish Council level;
- Provide citizens with tools that encourage greater civic action in a consistent and accountable way;
- Build a continuing conversation infrastructure that will enable councils to build understand public views more cheaply and more readily, rather than laboriously building a fresh audience for every consultation (and then losing them at the end); and
- Encourage experimentation and build a reputation for innovation

The most important part of this approach is to build continuing conversations between different institutions (NHS, police, parish councils, district and county councils) and with active citizens—with every element entering the discussion on an equal footing as partners in dialogue rather than consultees. Too often consultations and public meetings are held with the local council, literally or figuratively, standing at the back of the room with its arms crossed, listening (perhaps) to the opinions being expressed before delivering its definitive judgment.

If we accept this definition of democratic then it follows that local public services can neither create nor control the democratic conversations. They can only encourage, watch and influence them—and be willing to listen.

Stepping back allows a more natural flow of conversation and public authorities should encourage this by creating the right atmosphere working with trusted third party organisations as conversation hosts, and by following some principles to ensure that different networks are accessed. Conversations should be:

- **Multi-centred:**

A democratic conversation should bring together discussions that are happening elsewhere rather than try to create a single venue for them. This means that democratic engagement can piggy-back on already-created networks without being beholden to any of them. It also allows people to engage with others on their own terms, and to the extent that they are comfortable, rather than trying to force people into a particular pattern of behaviour, or to a particular place.

- **Open:**

It goes without saying that democratic discussion should be open to all, but this is not just a desire for passive openness, where whoever wants to come in can enter, but for an active openness, where every effort is made to include views expressed in a wide range of mediums (including offline events), and public authorities work with the deliberate aim of reducing the barriers to entry.

- **Light:**

As part of the commitment to openness, public authorities should try to make participation in discussions as simple and barrier-free as possible. Particularly for technical or complex issues, authorities should ensure that information is provided in a quick and digestible form, and that summaries and highlights of information are available. Meaningful, informed engagement should be possible in ten minutes—because summary information and background is easily locatable and comprehensible, and this should provide opportunities for people to go deeper if necessary.

- **Informed:**

The current Government have made transparency and open data a key to promoting better local decision making. They look for an army of armchair auditors, in their phrase, to look over data on spending and performance to identify waste. The reality of this is some way short of the goal. Not all councils have opened up spending and performance data in the way the Government would like. The armchair auditors are few. In part this is because finance and performance data are difficult to interpret, even for officers working in the services themselves. Performance results can be affected, particularly at local level, by a huge range of national and international conditions. Financial data is difficult to understand and compare. Far more important than open data, from the perspective of democratic conversation, is open context—*explained* data. Discussion participants need to know how services work, and why particular decisions have been made, more than the exact data on performance and financial outturn. So participants need the opportunity to draw their own stories out of that data and context. Information should be provided early in a discussion, and provided comprehensively.

- **Bounded:**

On the Internet, no-one knows you're a dog, goes the old joke. In the context of democratic discussion, no-one knows you're a citizen either. While pervasive online ID is not on the immediate horizon, it is important as far as possible to bound local conversations to local residents and citizens, and also to bound them on topic and time. Otherwise we get shapeless discussions or opportunities for people to hold court on their pet topics. Democratic conversations online and offline need limited participation, from those with a direct local

interest, and any others marked out so that policymakers understand who is saying what. Discussions must have an end point. Ideally this concludes the different strands of discussion and allows participants to express their preferences between the different groups of opinion.

Finally, and most importantly a public body seeking to improve democratic conversation must *understand the different roles that citizens have*. They may be supporters or members of different causes and organisations; or resources for their communities; or neighbours helping others and they are users of public services. Sometimes civic interactions are neighbourly and trying to impose a democratic structure over them kills the effort. Sometimes, community action without a democratic infrastructure beneath it excludes more people than it includes.

## **Implications for neighbourhood planning and beyond**

What does this mean for neighbourhood planning, and for Ringmer?

- **Be ready to go beyond planning:**

Councils and their partners need to be ready for what comes from the conversation, not try to shoehorn people's views into a narrow "planning" framework. It is very likely that a non-specialist audience, when asked to consider the future of their village, will have a much broader conversation than "planning". The plan that comes out may well be a hybrid document, part planning policy, part broad aspirational document for public services. This needs a level of readiness from public services and particularly planning departments, who will need to bring in expert advice and support from their own organisation and from partners if they are to assess the deliverability and reasonableness of what is being proposed.

- **Build engagement that lasts:**

In the same way, the conversations that are started in Ringmer should have the ambition for ongoing, long-term engagement, so that the energy that is built up on big strategic issues is not lost. The parish council will be the hub for discussions, but creating a wider Ringmer civic network will be as much an achievement as a formal neighbourhood planning.

- **A test for strategic plans:**

Neighbourhood planning will, to an extent, shift the "place shaping" role away from Local Planning Authorities and down to a neighbourhood level, though it is not a complete devolution of responsibility. This means it is essential that a clear and implementable strategic plan is prepared by the Local Planning Authority. This will ensure that those preparing a neighbourhood plan will be clear as to the parameters that the plan should operate within (i.e. how many houses it will need to allocate), reflecting the relevant LDF Core Strategy. As well as preparing the statutory strategic plan for the local authority area, planning departments will also have a duty to support those who prepare neighbourhood plans and advise on the content and procedures to be followed. However, it will not be for the Local Planning Authority to initiate the production of a neighbourhood plan and to write the plan itself, this will be for the Town/Parish Council or relevant community/ business group.

- **Not holding the pen:**

The burden of plan-writing falls on the parish, not the council, and early experience with the Ringmer front-runner project has shown that this is not commonly understood. In particular, there is a lack of understanding of the parish role among interested parties who

either wish, or need to have a stake in the plan due to the specialist roles they perform (service providers, environmental bodies, etc), or those who have a development interest in the area. Often the perception is that the local authority will write the neighbourhood plan in consultation, or partnership, with the Parish Council. It therefore often comes as a surprise to these groups to hear that the plan will be written at the parish, rather than district, council level.

As neighbourhood planning becomes more commonplace Local Authorities will need to appreciate that not all Town and Parish Councils will have the desire or the required competence to take part. In Lewes District, we are already hearing of such Parishes. They usually cite a lack of resources or a lack of willingness to put their head above the parapet on difficult planning decisions themselves. Other Parish Councils are unlikely to have the skills to deliver complex projects. The production of neighbourhood plans by reluctant, or unskilled Town and Parish Councils is almost certainly going to result in either an aborted process (possibly at the examination or referendum stages), or a poor quality plan that falls short of local aspirations.

### *Internal culture change*

The introduction of neighbourhood planning (along with wider localism and social change) is going to require Local Authorities to change their ways of working, and the skills mix of their staff. They will need to "up-skill" in certain disciplines and in some cases develop new skills (e.g. undertaking facilitation and "critical friend" roles). Neighbourhood planning is also going to require a mindset change, for councillors as much as officers. It will need to be recognised they will no longer be the decision-maker for certain planning matters and hence not have as much control over what happens in their area as they did previously.

A key discipline needed by Local Authorities, is the ability to advise the new neighbourhood planners on developing effective democratic conversations with those who will have a stake in the plan, particularly residents. This is essential as the referendum process can make or break the production of a neighbourhood plan. Unless the wider community goes through the full process in an open and democratic way we risk large amounts of time, effort and resources being wasted if referendums go the wrong way. Ideas that have been developed for improving democratic conversations, described above, commissioned by Lewes DC and undertaken by the Democratic Society, should aid plan making and provide the best chance of success at the referendum stage.

The other area where successful democratic conversations will need to be built is between the Local Authority and localities, providing constructive advice on the neighbourhood plan. The neighbourhood plan must conform with the relevant strategic plan and national policy, and must follow certain procedures such as Strategic Environmental Assessment. Planning authorities must ensure the plan is "sound" to have the best possible chance of acceptance at the Examination stage. The Local Authority will need to ensure it provides constructive advice without dictating the contents, causing conflict and undermining the plan.

### *Where we stand today*

Production of the Ringmer Neighbourhood Plan is still at an early stage. Lessons are likely to emerge over the coming months. As well as trialling this neighbourhood plan, the District Council will also be looking for this vanguard scheme to act as a test bed for other ideas for building better democratic conversations. All lessons learnt will be vital to establish the District Council as an effective facilitator of neighbourhood planning and a pioneer for new ways of making democracy work. We hope to share these experiences with others. Our dedicated neighbourhood planning webpage has already been established with the aim of spreading best practice and lessons learnt so far.

As well as through the neighbourhood planning process, the District Council will want to reflect some of these recommendations for building better democratic conversations in its Core Strategy document over the coming 12–18 months. This will see the District Council move away from the traditional approach of consultation. These included sending lengthy and sometimes difficult consultation documents to consultees such as Town and Parish Councils. Exhibitions in church and village halls often fostered an “us and them” attitude, leaving constructive engagement in short supply. We will aim to build an ongoing democratic conversation, rather than starting each round of consultation from scratch, and to develop an environment of mutual trust and shared responsibility.

Approaches to engagement for progressing the Core Strategy will include using Town and Parish Councils as effective arenas for local debate. The District Council will offer to attend Town and Parish Council meetings and explain what the emerging Core Strategy will mean to their area. We can use simple and readable summary leaflets, distributed in high profile locations such as railway stations and supermarkets. These can be tailored to the locality and identify where further information can be obtained. We can facilitate and actively listen to online discussions on Core Strategy issues. We can set up a special Facebook account. We will call upon the existing citizen and organisational group that has been developed over the course of the last 18 months, comprising some 600 members who receive regular e-mail alert updates and twitter feeds, on progress with the Core Strategy. Some of these 600 are already members of our district-wide citizen’s panel and so are used to contributing to policy debate. Through these approaches it is hoped constructive engagement is one of the key factors in the preparation of a sound and highly effective planning document for the District.

## Conclusions

Lewes District has decided to embrace the opportunities of neighbourhood planning to re-establish its relationship with its communities. We have taken a step back and looked at the quality of conversation that the planning system, in particular, has established over the last decades. Greg Clark talks about being caught in the “cross fire”. We give analogies to being stuck in age-old difficult conversations—where one party wants to put across a fact and the other wants to express an emotion. Or where a community spontaneously organises something such as keeping the village shop open, and we miss this surge of energy and a few months later talk to them as if nothing had ever happened. In essence, where the relationship between the district and its community never gets past “first-base”. This is a little like the film *100 First Dates* where each meeting fails to recognise the previous relationship.

The Democratic Society has researched our villages’ and towns’ current experience of talking to us. They recommend that we move to “radical openness” within the Council and consistent but flexible support for local activities and democratic engagement. In other words, we need to step back, to help conversations within communities, with us as facilitators rather than leaders.

Our aim is to deliver:

- clearer expression of public views
- better services through richer information
- greater readiness to use community resources
- ever expanding citizen governance opportunities
- successful implementation of Government and Council policy

In order to achieve those objectives, our action plan is to:

- Enable stronger governance at the Town and Parish Council level;
- Provide citizens with the tools that encourage greater civic action in a consistent and accountable way;

- Build a continuing conversation infrastructure that will enable the District Council to build new consultations more cheaply rather than developing a fresh audience for every consultation undertaken by the District Council; and
- Encourage experimentation and build a reputation for innovation

We recognise the different states of readiness in our district and the onus of the community to be able to pick up the challenge of neighbourhood planning in particular. We also recognise the need for councillors and council officers to adapt to new roles and give-up the control they held over previous consultations and decision making. We must recognise the particular dilemma councillors face in trying to represent the “have-nots” (the phantom constituencies) as well as “the haves”

The paper suggests some consultation techniques that recognise people’s limited time to engage (e.g. citizens juries) and encourages a move to build capacity more locally. Finally the paper—whilst championing the opportunity for positive change—highlights the sheer enormity of the shift in relationship by giving early feedback from our front-runner pilot and this will be further updated at conference.