

O&S meeting of 24.09.19 – WYE3 Masterplan Recommendation	MT advice to Cabinet <i>Adopt or reject plus rationale</i>
<p>That in light of the seeming failure of KCC to review the MLM study fully, the Council engage an independent transport consultant to review, assess and determine the validity of the traffic assessments submitted in relation to the Masterplan by both Telereal Trillium and Wye Parish Council.</p>	<p><b>Reject</b> - Whilst the Parish Council chooses to dispute KCC's assessment of the traffic assessments, this does not authenticate their assertion that KCC, as Statutory Consultee, have failed to review properly the MLM study.</p> <p>Prior to the consideration of the draft masterplan by the Cabinet in September 2018, KCC fully considered the transport assessment prepared by TPP (the developer's transport consultant) in support of the masterplan and were content with the methodology and outcomes contained therein, including the analysis of highway capacity impact.</p> <p>Furthermore, as requested by Cabinet in September 2018, officers asked KCC to advise on the MLM study prepared for the Parish Council. KCC reported back to officers that that they were in agreement with the assessment made by TPP <i>that there is no compelling evidence within the MLM analysis to suggest that the findings of the Masterplan Transport Assessment are flawed and its contents misleading.</i></p> <p>This advice was reported to and accepted by the Local Plan &amp; Planning Policy Task Group in October 2018. As such, we consider that the transport evidence supporting the draft masterplan was the transport has been robustly assessed by KCC and there is insufficient cause to reconsider the issues again.</p> <p>However, if the Cabinet was minded to support this recommendation from O&amp;S, as a consequence this would mean that the report elsewhere on this Cabinet agenda that considers the adoption of the draft masterplan would need to be deferred with a subsequent report back to the Cabinet at some point in 2020 needed in order to report back on the outcomes of this further study.</p> <p>More generally, in engaging an independent transport consultant it is possible that this may set a precedent and raise the expectation that it would be carried out for all future traffic assessments for planning applications or, alternatively, create additional complexity in determining which traffic assessments would be reviewed and which ones would not be reviewed.</p>
<p>That the Council engage an independent transport consultant or a suitably qualified member of the Council's staff to review, assess and determine the validity of all future traffic assessments for planning applications.</p>	<p><b>Reject</b> – In their capacity as Kent County Highways Authority, KCC are the Councils statutory consultee regarding Highways and Transportation matters within the borough. As such, KCC have budgetary responsibility for maintaining and operating the network and therefore they have to be comfortable that any proposals work for them in an operational context.</p> <p>The use of third party consultants to review and assess the validity of the traffic assessments suggests a lack of confidence in the professional competencies of the Statutory Consultee. A course of action which may the following implications:</p> <ol style="list-style-type: none"> <li>1. The Councils position should the view of an independent third party significantly view differ from professional opinions and guidance provided by the Statutory Consultee which may expose the Council to a greater risk of challenge from both parties;</li> <li>2. From a financial perspective, it may be difficult to justify - should the Council elect to publically fund the duplication of services already provided by the Statutory Consultee, which may result in the Highways authority refusing to adopt elements of future schemes which would then fall on this Council to manage.</li> </ol>

	<p>Instead it is suggested that the Council seeks to strengthen its relationships with KCC through the District Deal. In many areas the Council has constructive working relationships with KCC and these need to be built on and permeate further through both organisations. A relationship based on co-operation and understanding with strengthen both organisations and allow them to meet their statutory functions.</p>
<p>That specific budgetary allocations and additional administrative support for case officers be committed for any future masterplanning exercises</p>	<p><b>Reject</b> – It needs to be remembered that this event occurred before the restructure of the service and since that time there has been a fundamental restructure of the service that sought to re-align resources and outline new, efficient processes. The new structure ensures that there is adequate support for officers working to the vision for the service that the new structure outlines.</p>
<p>That a clearly defined scope and timeline be agreed at the commencement of any future masterplanning exercises.</p>	<p><b>Adopt</b> – A definitive programme to be agreed in accordance with the methodology outlined below.</p>
<p>That, where masterplanning exercises are to be carried out collaboratively with a steering group, clearly defined terms of reference for the steering group including the roles of each partner to the steering group are jointly agreed prior to the commencement of any future masterplanning exercise.</p>	<p><b>Adopt</b> – Subject to the methodology suggested below or similar subject to the nature, scale and extent of the specific masterplanning process involved:</p> <ol style="list-style-type: none"> <li>1. A Steering Group (SG) to be established at the outset to establish the formal governance and agreed approach for the specific masterplan process.</li> <li>2. The SG to comprise: <ul style="list-style-type: none"> <li>• an independent chair,</li> <li>• the developer,</li> <li>• the stakeholders – agencies KCC (and others as necessary eg Historic England) and relevant representatives put forward by the local community,</li> <li>• relevant senior Council Officers;</li> <li>• the designated Council Officer as Project Manager to orchestrate and support the process,</li> <li>• (the Masterplanning Consultant team when appointed).</li> </ul> </li> <li>3. At inception the SG to collectively agree the TOR.</li> <li>4. The SG to identify and agree individual objectives and priorities that form basis for 'The Masterplan Brief'.</li> <li>5. Once agreed 'the brief' is used to commission the Masterplanning Consultant using a recognised procurement framework or through competition.</li> <li>6. Consultant submissions reviewed, shortlisted, interviewed and selected by SG.</li> <li>7. Once appointed the commission commences and the masterplanning consultants senior representative(s) join the SG and develop programme for work stages and milestones to be agreed by the SG.</li> <li>8. Regular meeting programme, venue established for SG to steer, monitor and oversee process during course of the delivery programme.</li> <li>9. Masterplan Consultant leads and orchestrates the wider stakeholder consultation process supported by Council officers and aligned with MB requirements and overall masterplan programme.</li> <li>10. Consultation responses presented to SG and decisions taken regarding response and necessary changes.</li> </ol>

	<p>11. Draft Masterplan presented to and subject to amendment signed off by SG and referred to Local Plan &amp; Planning Policy Task Group.</p> <p>12. Draft masterplan submitted to Cabinet for adoption.</p>
That, where masterplanning exercises are to be carried out collaboratively with a steering group, an independent chair should be engaged to lead the steering group.	<b>Adopt</b> – The SG responsible for the selection of an independent chair with an appropriate professional background subject to the methodology suggested above.
That future masterplanning exercises be supported and overseen internally by a member led task group, the membership of which to include the Portfolio Holder for Planning and Development and the relevant Ward member(s).	<b>Reject</b> – The Council already has a member lead task group that could be used to support this process, the LP&PPTG. This group should oversee the work and ensure that it is aligned with the methodology suggested above.
That an independent external facilitator be retained for all workshop elements of any future masterplanning exercises.	<b>Adopt</b> – On a workshop by workshop basis and determined through the brief for the masterplan consultant developed and agreed by the SG which may encompass this requirement.
That, in order to ensure continuity as far as possible throughout future masterplanning exercises, a single list of invitees should be maintained for all workshop events.	<b>Adopt</b> – Membership to be determined by and subject to the TOR of the SC.
That the Council ensure it provides clear, regular updates on the development of any masterplan to stakeholders throughout any future masterplanning exercise.	<b>Adopt</b> – Key stakeholder membership to be determined by and subject to the TOR of the masterplan board. Designated SG stakeholders responsible for flow of information to the wider stakeholder community.
That the Council maintain a single point of contact throughout any future masterplanning process for the gathering and dissemination of any and all information related to the masterplanning exercise.	<b>Adopt</b> – An officer designated as Masterplanning project manager to orchestrate the above processes. The continuity of the designated SPOC however, needs to be considered realistically in the context of the operational requirements of the service delivery and staff choosing to exit the authority's employment.
That the Council ensure that any and all responses to consultation or engagement exercises conducted on masterplanning be submitted directly to the Council.	<b>Adopt</b> – However the administrative processing of the consultation response may be carried out by the others for and on behalf of the SG.