

NEWSLETTER 1: DECEMBER 2009



The Planning
Inspectorate



National Planning Forum
Inspiring planning

MEDIATION IN PLANNING PROJECT

Progress to date: This joint project is designed to assess the potential value of using mediation in the planning system by testing the use of mediation techniques in a variety of planning disputes including major development, enforcement and plan-making. It is supported financially by the Planning Advisory Service (PAS) as well as the National Planning Forum (NPF) and Planning Inspectorate (PINS).

A cross-sectoral steering group of NPF members[#] led by Leonora Rozee OBE, former Deputy Chief Executive of the Planning Inspectorate, has been set up to help shape the project. A number of the cases originally notified to us have proved not suitable for one reason or another. However 2 live mediations are being pursued already - one enforcement case and one Area Action Plan (AAP) - and we are actively investigating 5 other potential cases. Mediators are assigned by the Chair of the Project following a competitive tender process. We are also reviewing several completed mediations undertaken prior to the project to see what lessons can be learnt, and will follow up on all cases drawn to our attention even if they do not lead to a mediated outcome.

We remain keen to hear from anyone who has views on the potential of mediation as a means of improving the effectiveness of the planning system.

more on second page

Note: [#] Members of the NPF/PINS Mediation Project Steering Group are: Leonora Rozee (Chair), Lee Armitage PINS, Abigaille Bromfield HCA ATLAS, Martin Burns RICS/DRS, Ian Gambles IPC, Deborah Hogan/Phillipa Silcock PAS, Keith Nicholson POS, Jonathan Seager BPF, John Pugh-Smith/Craig Howell Williams/Harriet Townsend PEBA, Bernard Quoroll AJTC, Pat Thomas Law Society, Matt Thomson RTPI, Louise Waring CLG, Hugh Ellis TCPA/FoE, Caroline Green LGA, Sheena Terrace Planning Aid, and Kay Powell NPF (Secretary)

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Evaluation: An evaluation process has been developed to ensure that the views of the parties to the dispute, and the mediation process, will enable the lessons learned from the case studies to be properly understood. The tender for this work has been let to Chrissie Gibson, Connectivity Associates Ltd and Scott Jones, Mind-the-Gap Research and Training.

Resources: £35k has been allocated for the project, £20k from the NPF, £5K from PINS, and £10k from PAS. The project is paying for the mediators and evaluation. All mediators are qualified and experienced in planning mediations. The mediation session(s) are being set up by the mediator assigned to the case by the SG. One or two mediators, an evaluator and, if possible, the Project Chair will attend the sessions, and the key issues and result of the mediation will be reported - excluding any confidential information - in the Evaluation Report.

Timetable: The mediations will be carried out from December 2009. An interim report will be delivered to the March 2010 NPF meeting and a final report in June 2010.

The results: The report documenting the process and giving the results will be written by Leonora Rozee with inputs from the evaluators and others. We have a bibliography of learned papers and other references to the use of mediation in planning both nationally and internationally. If you think you have material to input that we may not have discovered please let us know.

Secretary to the Project: Kay Powell will continue as Secretary to the project when she hands over her other work for the NPF to Mike Hayes from 1 January 2010. She can be contacted at powellks@tiscali.co.uk

Second Newsletter: This will issue in March 2010.

LEONORA ROZEE OBE BA(Hons) MRTPI : CHAIR OF JOINT PROJECT