

Contestation and Conservatism in Neighbourhood Planning in England. Reconciling Agonism and Collaboration?

Gavin Parker, University of Reading

Tessa Lynn, University of Reading

Matthew Wargent, University of Sheffield

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Abstract

Neighbourhood planning was formally enabled as a statutory part of the English planning system under the Localism Act 2011. This element of formal planning has generated significant interest as it actively requires local communities to lead on producing a Plan and is widely recognised as formalising a co-produced planning. The paper reflects on research undertaken with a sample of neighbourhoods active in producing a neighbourhood plan and develops a critical discussion about the experience of those participants. The findings highlight that existing power relations, priorities nationally, the framing of neighbourhood planning regulations, local political tensions and local resource constraints affect the emerging practices of neighbourhood planners in England. Many groups have adopted conservative positions or are finding their Plans are being limited by consultants, local authorities or examiners, often concerned with how the Plans will fare in the contested environment of planning and development in neo-liberal times. While some have contended that neighbourhood planning can form part of a progressive localism and there is some hope for such participatory spaces, our view is that innovation is being constrained if not entirely suppressed. We conclude that reform to neighbourhood planning is needed if it is to realise the ambitions of inclusive, empowered and responsible planning at the very local scale.

Introduction

Neighbourhood planning is one of the main policy innovations of the UK Coalition Government's (2010-2015) localism agenda, as enabled through the Localism Act (2011) and continued by the Conservative administration (2015-). As such neighbourhood planning in England is now a feature of the statutory land use planning system (see UK Government, 2012a; Locality, 2012; Parker et al., 2014; Smith, 2014). This may be viewed as part of a radical, if incremental, project to restructure the planning system in which a variety of actors are being called upon to realign planning practices, expectations, priorities and outcomes. The debate over neighbourhood planning has focused on attendant claims to community empowerment and readings which place the initiative as part of a wider project to neo-liberalise planning in England (Clarke and Cochrane, 2013; Williams et al., 2014; Davoudi and Madanipour, 2013; 2015; Bradley, 2015). While such commentaries have provided an important theoretical review, there remains a need to reflect on participant experiences of the neighbourhood planning process and to ground emerging research into those theoretical debates. This not only concerns neighbourhood planning but also on a wider footing, for example; how conflict is managed in planning in a neo-liberal epoch (Gualini, 2015; Featherstone et al., 2015; Sager, 2011; Parker and Street, 2015); what this may mean for 'local politics' generally (May, 2008) and democratic exchange; as well as in terms of physical development outcomes (Bradley and Sparling, 2017). Our findings indicate that a variety of experiences are being reported but in many cases a limited set of outcomes are being produced in most places, as a result of the conditions of operation (the 'frame'), and as a product of the interaction between partners faced with their own intra-community or institutional pressures and understandings.

The paper comprises a discussion of (post-)collaborative planning models set against the contemporary neo-liberal context, developing Mouffe's (1999; 2005; 2007) democratic agonism as a conceptual frame from which to offer a critique of practice, and develop a post-collaborative analysis. Second, an examination of how neighbourhood planning has been unfolding in England; emphasising relations of critical dependency and uneven co-production, as well as highlighting governmental attempts to align communities towards particular policy objectives (Sorensen and Torfing, 2009; Turner, 2014 ; Parker et al., 2015). Alterations to the institutional design of neighbourhood planning that may potentially enable a more productive planning system are also mentioned, following the type of reform that Healey (2003) saw as a pre-condition for transformative collaborative planning

(although we remain pessimistic about this being introduced by a UK government in the short term). The contribution of this paper is therefore to set out the participant perspective of neighbourhood planning and embed these experiences with a theoretically-led discussion of the institutional design which, we maintain, is central to the potential of progressive planning outcomes and which can influence agency. We argue that neighbourhood planning is more than just another cautionary tale of the ‘tyranny of participation’ (Cooke and Kothari, 2001) and the juxtapositioning of agonistic theory of practice and we seek to reconcile this with the known co-production of actually occurring neighbourhood planning (Parker et al., 2015). We consciously avoid a discussion of planning *outcomes* in order to focus on the *processes* of neighbourhood planning from the participants’ perspective, and signal how process shapes outcome (cf. Flyvbjerg, 1998). In part this orientation is adopted because very few Neighbourhood Development Plans (NDPs) had been completed at the time of the research and as such insufficient data to reflect meaningfully on generalisable outcomes, or any tangible products of those Plans was present.

Neighbourhood Planning, Localism and ‘Collaborative’ Planning in Neo-Liberal times

This theoretically-led account draws on data and findings from a study of communities actively pursuing neighbourhood planning and reflects upon the debate regarding the process and management of collaborative planning forms in neo-liberal settings (cf. Sager, 2011; Haughton et al., 2013; Swyngedouw, 2010; 2011; Parker and Street, 2015; Bradley, 2015). The language of post-2010 localism has echoed the rhetoric of the ‘new localism’ (Corry and Stoker, 2002) and ‘double devolution’ (Taylor, 2007) by promoting ‘direct democracy’ (Conservative Party, 2009a) as a means of shifting a ‘wholly negative and adversarial’ planning system towards one ‘rooted in civic engagement and collaborative democracy’ (Conservative Party, 2010: p1). The Localism Act (2011) has therefore demarcated clear boundaries for the integration of participatory democracy within the otherwise top-down plan-making model of the Local Authority (Brownill and Downing, 2013). Such boundaries have regulated the relationship between representative democracy and ‘bottom-up planning’, distinguishing neighbourhood planning from previous incarnations of community engagement in development decisions (Bradley, 2015: p100). Governmental claims that neighbourhood planning will empower communities and act to form part of a devolutionary ‘control shift’ (Conservative Party, 2009a; 2010; DCLG, 2011), contrast with the difficulties that participants

have faced on the ground. This also highlights the increasing prevalence of cross-sector working (i.e. public, private, third sector) and enlarged roles for both volunteers and the private sector in a variety of partnership arrangements. Whilst it is useful to reflect on how neighbourhood planning measures up in terms of fundamental ‘who, what, why and how’ questions, there is also a need to reflect on the technologies employed and the relations of co-production persisting between the key actors involved. This appears necessary given that existing research argue communities have struggled with neighbourhood planning so far (Parker et al., 2014; 2015; Davoudi and Madanipour, 2013; 2015).

Successive research efforts have warned that participatory initiatives offered by local and national government can result in varying degrees of marginalisation or co-optation of community interests (Geddes, 2006; Taylor, 2007; Olsson, 2009; Brownill and Carpenter, 2007; Brownill, 2009). Despite this, groups representing ‘community’ or pursuing a claimed ‘neighbourhood interest’ continue to be offered (limited) forms of engagement which often struggle to make inroads to local decision making networks or which enable wider participation (e.g. Davies, 2001). Such a situation requires significant wherewithal (Parker and Street, 2015) and the orchestration and institutional design of such participatory spaces cannot be ignored, nor can the discursively constructed boundaries of legitimacy and reason. As Gualini (2015: p7) argues: ‘the embedment of democratic practices in liberal institutions is therefore only a precondition for a practice of democracy that needs to be exercised through adequate procedures of deliberation’ and Flyvbjerg’s reflection on the political process of city planning was to advocate for ‘more participation, more transparency, and more civic reciprocity in public decision-making’ (1998: p235). Both appear to see at least some merit in collaborative forms.

Indeed consideration of such conditions form the mainstay of post-collaborative planning studies (cf. Wallace, 2010; Innes and Booher, 2004). This stance ‘emphasises the difficulties and challenges of participation from different perspectives and highlights the range of contexts and conditions that are producing and shaping participation episodes’ (Brownill and Parker, 2010: p276). This includes a concern for the governmental technologies involved in producing and choreographing participation (Davoudi and Madanipour, 2015; Haughton et al., 2013), as well as the support offered to and required by different participants. Some community groups are likely to respond to top-down participatory spaces in a pragmatic fashion, aware of limitations but hoping to maximise the utility of such bounded participatory spaces in order to pursue their own interest, others may not, as per Flyvbjerg’s (1998) findings.

The invitation and production of a Neighbourhood Development Plan¹ (NDP) may be seen as a technology of realignment; where policy is oriented to ‘govern through communities’ (Rose, 1999; Wallace, 2010) and where pliant communities conform to new boundary conditions (or the ‘frame’), *as well as* inviting the chance of productive engagement (notwithstanding attempts to co-opt or manage engagement). There is a well-recognised danger that neighbourhood groups without the requisite social or human capital may be structurally excluded from such processes, and that more radical or minority voices will be marginalized (Brownill and Carpenter, 2007; Rydin, 2003; Parker and Murray, 2012). Hence the compliance of the good citizen (Cruikshank, 1999; Williams et al., 2014) is required and the suspicion is that many engagement opportunities are only practically accessible to agents who are both willing and able to engage on the terms offered. Healey (2003) in offering a defence and clarification of collaborative planning and the preconditions for success, highlighted the need for designers to reflect the socialities of planning practice, reorient structures and adapt practices to enable a communicative rationality to emerge.

Whilst new participatory initiatives reflect an intrinsic dissatisfaction with the social and environmental outcomes of traditional modes of local governance (Brownill, 2009; Powell, 2009), they have not precipitated a substantive shift in the way that local government in particular act upon the outcomes of those processes, change their policies or indeed (re)design participatory opportunities. Lowndes and Sullivan (2008) identify four linked rationalities underpinning recent reforms to local governance in the UK. They contend that governments selectively draw on arguments that claim civic, social, political and economic benefits, and are aligned with neo-liberal versions of the New Public Management (cf. Diefenbach, 2009). Tait and Inch (2016) have reflected on the sometimes contradictory conservative traditions of political thought and imagery of place, echoing Clarke and Cochrane’s (2013) view of the localism agenda and the tools deployed, as bearing a mixed provenance; with participation initiatives and their co-production arrangements forming part of the ‘variegated neo-liberal’ assemblages emerging as a result of various policies, constraints, inertias and local politics (e.g. Brenner et al., 2010; Newman, 2014; Brownill, 2016).

Indeed the benefits and problems of participation are likely to be mixed and fluid; reflecting the so-called fuzziness of neo-liberal planning institutions (Haughton et al., 2013) which attempt to pass

¹ See DCLG (2012a) and Localism (2012) for an explanation of the specific neighbourhood planning tools enabled under the Localism Act 2011, including Neighbourhood Development Plans (NDPs).

responsibility downwards in the name of freedom or choice. Foucault (1991) refers to the paradox of liberalism in this situation, where respect for individual liberty and freedom always exists in tension with the requirement for regulation and control and giving rise to inculcated ‘conduct of conduct’ (Gordon, 1991: p2). Indeed the governmentality approach informed by Foucault provides a perspective that conceives of participation as a mechanism to *deliver* forms of technologies of power through which governments enrol actors and promote disciplines that influence conduct. Participatory technologies typically feature decentralisation, or are at least localised in some sense; with an emphasis on active citizenship and more recently on co-production (e.g. Pestoff, et al., 2012; Agger, 2012). In the case of neighbourhood planning this features a critical role for private sector inputs, in line with the wider localism agenda that has ‘opened up numerous opportunities for the mobilisation of expert knowledge and power ... [with the result] that the structures surrounding development planning have been transformed into a delivery-focussed system that mimics the structures and functions of private-sector organisations’ (Raco et al., 2016: p218). As such the ensemble of technologies arranged to orchestrate neighbourhood planning is likely to deliver a particular type of localism with bounded outcomes. The suspicion is that the authors of NDPs have already had their ‘pen’ directed as result of the interplay of a series of technologies i.e. the rules, processes, inducements and tactics explained by Davoudi and Madanipour (2015: p81). Our view is that the agency that is claimed to be unleashed by this localism, and neighbourhood planning in particular, is practically highly constrained. While Davoudi and Madanipour (2013: p554) argue that the technologies of agency involved in the localism project ‘are those mechanisms that liberate individual freedoms and skills’ but which ‘redeploy individual’s capacity as ‘free subjects’ to meet government’s objectives’. Participants need to comply (either implicitly or explicitly) with government objectives and apply those to their own neighbourhood. Neighbourhood planning demonstrates credentials that suggest congruence with neo-liberal agendas and ‘technologies of performance’ also typically associated with the New Public Management. Davoudi and Madanipour (2013: p555) explain that these may be:

used to influence the professional expertise ... and subsume it into the new formal calculative regimes. If technologies of agency seek to enhance our capacities for participation in the market place, technologies of performance make these capacities calculable.

These typically focus on a market orientation, attention to customer service, meeting performance targets (e.g. deadlines, quotas) and reduction of costs, the making of speedier decisions, and a wider

traducement of public sector planning (Haughton and Hincks, 2013; Clifford and Tewdwr-Jones, 2013) which can be discerned in the frame created for NDPs. Given the above, the localism agenda can be viewed critically but others indicate that we should also examine the *possibilities* that vehicles such as neighbourhood planning introduce (Williams et al., 2014; Brownill and Parker, 2010; Bradley and Sparling, 2017; Bailey, 2017). We maintain that there is some merit in adopting a simultaneously critical view of neighbourhood planning whilst identifying opportunities to amplify communally developed views using this channel. From this perspective, neighbourhood planning represents a ‘foot in the door’ that maintains interest in and ‘hope’ for local politics (May, 2008), and may ultimately help develop a more pluralist and accountable planning system, bearing in mind Pateman’s (1970: p42-43) contention that participation develops and fosters the very qualities necessary for that engagement.

Models of Democratic Practice

In attempting to address questions of the legitimacy of decision-making, Habermas (1984) produced a normative contention that the only power that prevails (in the ‘ideal state’ of deliberation) is the force of the (unforced) better argument. This recognises the role of knowledge and competencies needed to engage effectively (see Renn et al., 1995; Healey, 2003 ; Cowell, 2004). In our view the design of participation in the planning system needs to facilitate, challenge and reformulate planning in a way that its structures and processes invest in a more widely shared responsibility for place-making and - more expansively - sustainable development. This connects to a concern about state agents who can appear to be simply getting the task of engaging with communities ‘over and done with’; seeking to organise activity instrumentally and at the convenience of the organiser. Troublingly, such forms may also downplay possible deeper engagement, ‘double-loop’ learning (cf. Innes and Booher, 1999), or the transactive element of engagement identified by Friedmann (1973; 2011) over 40 years ago, and which is required to build-up the social and human capital required to maintain an effective pluralist and dialogic planning recognized by Healey (2003; 2015).

Recent research has sought to reappraise Habermas’ contribution to planning theory, suggesting that deliberative democracy should not be considered a normative yardstick for what communicative planning *ought* to be, but instead can be regarded, in abductive terms, as an explanation of what it *is*

(Matthews, 2013). This suggests that the required depth of intersubjectivity required for communicative action *may* be possible, where communities are given the time to understand ‘what changes in the built environment mean to them and how to use them in their everyday practical discourses’ (Matthews, 2013: p151) and, moreover, what such changes mean to others. This contention rests on considerable pre-requisites and both practical and conceptual concerns have persisted.

Ultimately it has been alleged that there lacks a sense of purpose or substantive *a priori* ends in collaborative planning approaches (Mouffe, 2007; Allmendinger and Tewdwr-Jones, 1998; Brownill, 2009). Huxley (2000) has highlighted several weaknesses in collaborative theory and practice. First, that dialogic activity is susceptible to co-option and that early academic proponents had somewhat downplayed the asymmetries of power and knowledge persisting between participants, as well as the barriers present and effort needed to address that. Second, reaching consensus is itself problematic, echoing Bourdieu’s (1991: p5) skepticism about achieving ‘linguistic communism’. These concerns sit *contra* to Habermasian idealism and appears somewhat incompatible with diverse, fluid and uneven (local) populations. Localised forms (or the prevailing assemblage) of collaborative planning may lack the scope and vision to effectively absorb and reconcile strategic aims i.e. that localism practiced ‘collaboratively’ may not be able to promote the integrated thinking needed to deliver sustainable development (see Cowell, 2013). Furthermore, the naïve use of dialogic forms may jeopardise rather than enable the effective defence of a range of interests (Campbell and Marshall, 2002; Murphy and Fox-Rogers, 2015). This could actually prove less inclusive than say, enlightened paternalism. It may also be that unless closely overseen by a neutral party, many public agencies cannot be trusted to maintain a collaborative planning. Somewhat ironically therefore such a situation requires a role for authoritative power (and the ability to close down ‘impossible’ debate cf. Hillier, 2003; Swnygedouw, 2010), and crucially also an enabling and educational role. Care is therefore needed in setting boundary rules that simultaneously enable as well as (necessarily) constrain participants in post-collaborative planning practice (Healey, 2015).

In our view institutional design and oversight become critical to maintaining the integrity and credibility of such processes and to aid progressive outcomes (Brownill and Parker, 2010; Gualini, 2015), echoing Healey’s (2003) defence. Similar concerns about the weaknesses of typical participation options used to inform policy trajectories (Sager, 2009) have been expressed in political

studies, political sociology and political geography over the past twenty years or so, with regard to (post)politics and policy formulation more generally (e.g. Honig, 1993; Crouch, 2004; Mouffe, 1993; Flyvbjerg, 1998). Such discussions have centred on the displacement of meaningful political exchange based on moral as well as rational argument as well as how structures and constraints affect behaviour (e.g. Rydin and Pennington, 2011). Our reading is that the institutional design, planning culture and learning opportunities that post-collaborative planning forms *could* feature will need to allow for the kind of ‘sub-politics’ that Beck (1994: p22) deemed vital. This requires a shaping of (local) politics, such that actors who are typically outside of the political system appear ‘on the stage of social design’. Thus for progressive, if incremental, change to occur it follows that there must be robust and transparent opportunities to engage (Hillier, 2003; Mouffe, 1999; 2005), whilst wider, processual and enforceable safeguards need to be developed to maintain the integrity of the engagement process.

Critiques of post-political or post-democratic behaviours provide further notes of caution through which the design and regulatory framework of vehicles such as neighbourhood planning resonate, and this needs to be added to the list of issues in participatory design that require scrutiny. In this regard Honig (1993: p2) saw an increasing confinement of politics to ‘the juridical, administrative, or regulative tasks of stabilizing moral and political subjects, building consensus, maintaining agreements, or consolidating communities and identities’. These reflections highlight the potential subjugation of difference and dissensus within collaborative planning forms that may be dialogically dressed but dominated by the pragmatic instrumentalism indicated above.

Mouffe’s work exploring agonistic pluralism breaks from, or may be viewed as adding to, the (post-)collaborative planning paradigm and from standard notions of deliberative democracy by stressing ‘the political’ as legitimate and necessary. Through ‘the political’, Mouffe (1999: p752) acknowledges the dimensions of ‘power and antagonism and their ineradicable character’. Referring to pluralist politics as a ‘mixed game’: partially collaborative and dependent on consensus, but crucially *also* conflictual. Goal alignment becomes a primary concern here and requires agonistic interaction to be subsumed. Yet it is the antagonistic nature of social relations that is seen as constituting the ‘the political’, where politics is seen as the ‘ensemble of practices, discourses and institutions which seek to establish a certain order and to organize human co-existence in conditions which are always potentially conflictual’ (Mouffe, 2007: p42). This organizational condition requires

transparency, learning and mutual adjustment so that the outcomes are at least accountable. Mouffe's call for an agonistic pluralism to be present in dialogical, post-collaborative forms of planning requires a 'mature' agonism, where the arena is characterised by exchange between 'legitimate adversaries'. Designing and managing processes which feature agonistic pluralism (Mouffe, 1993; 1999; 2007; Stratford et al., 2003) requires time, understanding, evidence, learning and resources - as well as flexibility and continuity in all of the above. Past experience indicates that this is a rather tall order and similar concerns exist about neighbourhood planning (Bradley, 2015) and as expressed below.

Thus the challenge for neighbourhood planning and its proponents is significant; proofing against the twin problems of instrumentalism and colonization by dominant interests is critical. There has to be a concession that debate cannot be entirely open ended however, and that a lasting consensus in a diverse social environment is unlikely (Hillier, 2003; Sager, 2009) - again Healey (1997; 2003) indicates that resolution mechanisms have to be openly addressed in participatory design. A contingent, partial or temporary consensus is more likely (and desirable from the agonistic perspective), whilst the maintenance of long-term consistent strategies for co-production from government is doubtful. Post-political critics assessing neo-liberal strategy have also employed Mouffe's thinking to contrast between the supposed typical manufacture and nurturing of 'consensus', with the adversarial and conflictual struggles that are viewed as constitutive of the political. Such conflict can facilitate change by providing alternatives to those promoted by elites as the only 'possible' option, consequently democratic renewal is predicated on the capacity of anti-hegemonic voices, and the capacity of publics to challenge discursive trope that 'there is no alternative'. To facilitate this, agonistic pluralism 'does not seek to eliminate passions but rather to mobilize them towards the promotion of progressive democratic design' (Mouffe, 1999: p753 - see also Gualini, 2015). Whilst achieving effective institutional designs are unlikely to completely eradicate unequal power relations (Fung and Wright, 2003), the use of appropriate participatory spaces can mitigate inequalities and reveal inequitable uses of power. As such, democratic institutions should be designed to deliver higher quality, inclusive exchange. This highlights that there are significant and continuing challenges for professional planners, politicians and participants given the concomitant need to enable self-aware and collectively conscious actors. Against this contested terrain the question then becomes: how does the design and practical application of neighbourhood planning perform?

Critical Dependency and the Co-production of Neighbourhood Plans

The findings discussed here draw upon qualitative data collected as part of a wider study exploring participant experiences of neighbourhood planning using six thematic focus groups and 120 structured interviews with community representatives active in neighbourhood planning. The sample was drawn from rural and urban neighbourhoods across all the English regions. A further 30 supplementary interviews were conducted with groups who had experienced the latter stages of NDP production. The data gathered centred on the process and experience of working on neighbourhood planning and the relationships across the various sectors involved.

The research carried two limitations worth considering. First, given the multiplicity of issues and contextual factors involved in neighbourhood planning, there is scope to further examine many participant experiences in ways that the selected tools of the study constrained. This is particularly true given that structured interviews are better for deriving a quantity of information (and participants) rather than the nuances and depth of experience. This was to some extent mitigated by the use of a mix of closed, open and supplementary questions to prompt respondents. The second limitation concerned the fact that only participating neighbourhood planning groups were interviewed. Further research should explore Local Authority (LA) and private consultant experiences, and perhaps most importantly seek to understand non-participation, both structural and attitudinal. The findings discussed here do not reflect a detailed account of all the influences and pressures felt by the participants, nor all the findings assembled as part of the wider research. Instead the findings presented here reflect the dynamics of operationalizing a NDP from the perspective of the participants who act to orchestrate and mobilise the community, liaise with the Local Planning Authority (LPA), and in many cases private consultants, as well as the independent examiner in the latter stages of the process.

A feature of neighbourhood planning has been the need for key actors to work together in a variety of co-production formulations – but these interactions have not been specified nor carefully scrutinised (Parker et al., 2015). The basic premise underpinning co-production theory is that different actors utilise each other's resources to form a mutually desired output. This is ideally achieved through co-creation, alongside processes of mutual learning and understanding. Co-production can take numerous

forms, involving a variety of actors who are either induced to participate or become involved more organically. Successive UK governments have been pursuing a project to transform citizens from consumers of public services to responsible co-producers of public governance (Agger, 2012), hence the intuitive link with collaborative planning theory that some commentators have made with regards to neighbourhood planning. Research examining such partnerships more critically has revealed a variety of different features and credentials that both enable and constrain actors, as well as affecting the scope of the agendas being pursued (Needham, 2008; Pestoff et al., 2012; Watson, 2014). Whilst co-production is often framed in terms of cost-efficiency (Bovaird, 2007), it may constitute one of the few potentially positive outcomes in the public service narrative of long-term austerity (Durose et al., 2014). Yet the design and ‘rules’ imposed (or supposedly ‘co-created’), are clearly important and may incorporate and ‘perform’ community participants. Indeed in neighbourhood planning the relationship between the community and the LA may be characterised as one of ‘critical dependency’; where every stage of the process needs sign-off by the LA and where the NDP must be in general conformity with the Local Plan policies, also devised by the LA. Rather than constituting a truly co-creative relationship, this represents a hierarchical and unbalanced partnership, one that is often complicated by the input of private sector consultants. Recent research has highlighted how these inputs, combined with the provisions of the Localism Act (2011) and associated regulations, tend to reinforce the requirements of national government. Indeed use of planning consultants in this environment can result in adherence to a calculative regime based on associated technologies of performance, as discussed above. It is likely that this is due to professional consultants measuring success in terms of plan adoption, rather than necessarily in terms of adherence to a community vision. This further variable is beyond the scope of this paper, however it remains worthy of further exploration.

Local Authorities have a general ‘duty to support’ neighbourhoods placed on them by the Localism Act (2011). Where Parish or Town Councils do not exist, the LA also acts as arbitrator in establishing Neighbourhood Forums as the qualifying body entrusted to develop the NDP. At the time of the research outlined here, approximately 1,000 communities were actively engaged in producing NDPs although this had jumped to over 2,000 by early 2017. The ambiguities surrounding the duty to support has led to highly variable responses from participants about the performance of LAs, as well as establishing a potentially significant tension as LAs have both a duty to support as well as the responsibility accept the finalised Plan:

They've tried to slow us down and haven't provided the duty to support. [Interviewee 17].

They initially seemed philosophically opposed to the idea [of neighbourhood planning]. When they looked at the draft [plan] they said things like this may not be compliant but didn't actually help with what we should do. They've held us up at every stage. It's been the biggest problem - there should be a mechanism to ensure that they help all neighbourhood planning groups - another parish in the area is having the same issue. [Interviewee 90].

They were obstructive, the planning department in particular didn't want neighbourhood planning and regarded it as a threat or an inconvenience, I'm not sure which ... They were petrified to make any mistakes or do anything wrong, but they did the consultation twice - which cost us 6 months ... overall the Council are not top of our brownie list. [Interviewee 22].

The governance relations persisting between the main neighbourhood planning partners are operated in a shifting policy environment. At the time when many groups were embarking on NDPs a process of redrafting and curtailing national planning guidance was underway (see Taylor-Gooby and Stoker, 2011; Brownill and Parker, 2010) as well as the production of new or revised Local Plans in many districts. This chronic state of flux can create opportunities and a few LAs have seen neighbourhood planning as an opportunity to engage their populations in local planning as part of a systemized consultation approach (which risks incorporation). In addition to fuzzy duties and generalised guidance neighbourhood planning is weighted down with procedural rules and tests, which provide for top-down control but also creates uncertainty about whether the NDP has been produced adequately in administrative terms (i.e. meeting the 'basic conditions'). The UK Government posited that neighbourhood planning would be one mechanism through which local actors would be freed from a yoke of regulation and expert instruction in order to foster 'Big Society' participation (Cabinet Office, 2010). The provisions of the Localism Act (2011) were supposed to give more freedom to neighbourhoods, yet the sponsoring department for neighbourhood planning, the DCLG developed a policy model that desired apolitical interaction by placing only limited control into communities hands and in a way explicitly designed to reduce opposition to new housing: that is, to create 'consensus' and thereby increase housing land allocations whilst speeding up completion rates (Stanier, 2014). This highly instrumental view has also been identified by Sturzaker (2011) and Matthews et al. (2015), such that government - through tools such as NDPs - seek to develop a particularised awareness and limited understanding of local and future needs through bounded 'collaborative' forms of community planning. Hence the interplay of technologies of performance and agency in the way expressed above can easily lead to a standardisation of participation and product as

communities relinquish effective control as part of a rational desire to see some tangible end product (Parker et al., 2015).

It also appears that some LAs remain ‘very guarded about what they were going to offer in terms of support’ (Interviewee 44). Making such commitments could expose the LA and NDP core groups to criticism and challenge should they fall short of their agreed undertakings. This also acknowledges the conflictual nature of participation in a pluralist setting and identifies that, by tying co-producers to certain obligations, the pragmatic aim of securing a technically robust NDP is kept in view. Tension in this respect was implicit in many participant responses, who wanted more support and advice, although not necessarily from the LA:

Guidance implies we can put a broader range of things in the Plan than in reality you can ... support would have speeded it up immensely. [Interviewee 72].

What is needed is a mentor; someone that will sit down with you and help you through it ... Don't ship it out to a consultant wholesale, but you do need some help [and] guidance. [Interviewee 97].

[We need] to have a mentor, toolkit, someone who we could get face to face advice from. Independent advice away from the LA. [Interviewee 107].

'The only thing to suggest is that instead of offering money to Neighbourhood Planning support organisations, it could be commuted for a trained person who could be attached to a group; a non-interfering expert that could help organise through the process [and] materially help. [Interviewee 13].

Consultants have been invaluable but having a mentor would be great. [Interviewee 105].

My experience is that each group should be gifted with a dedicated support person throughout process of the Plan and that person would have knowledge and understanding of groups' requirements, and act as mediator with contentious issues within some Forums and also help keep momentum rolling to ensure the Plan stays on target. [Interviewee 14].

The conditions of operation and uneven knowledges at present act to necessitate some degree of co-production but highlights the dependency relationship introduced above (see Mitlin, 2008; Watson, 2014). The terms of engagement enveloping the neighbourhood planning process hedges-in participants through a series of procedural rules, stage-points and limits which frame the process (see Locality, 2012; DCLG, 2011; UK Government, 2012a,b; Dovey, 1999; Rein and Schon, 2003). This is an extension of the framing role of local government (Healey, 1997) or ‘participating government’ (Westerink et al., 2016), denoting boundary management between the roles of governmental and (self-governing) societal actors in a collaborative planning process. In addition the

stipulations of national policy, principally the National Planning Policy Framework 2012 (NPPF) requires that neighbourhood plans must enable growth within the limits set out in the Local Plan, or as indicated by other relevant evidence. As such localist empowerment is definitively subordinate to the Government's growth agenda. We label this skein of procedural and policy conditions here as the institutional framing of neighbourhood planning, and draw attention to this framing (Dovey, 1999; Taylor, 2007). It is an example of participatory design which attempts control from a distance and represents a linked effort to de-politicise planning. This has provoked some resentment and contestation at the local level, as the frame limits participants and, *ipso facto*, constrains alterity, whilst also running the risk of rendering neighbourhood planning an unsustainable enterprise. Worryingly, when asked about whether they would undertake another neighbourhood planning project in the future only a minority of the 120 interviewees thought they would.

The way the rules and procedures are interpreted and applied are significant here. Localist policy under the Coalition government imagineered 'a nation of autonomous and internally homogeneous localities' (Clarke and Cochrane, 2013: p16 and see Tait and Inch, 2016) and relied on an assumption that communities know their locality better than 'remote officials' (Stanier, 2014). This extends in neighbourhood planning to determining the geographic extent of the neighbourhood in urban (non-parished) areas. The Neighbourhood Forums offer their own neighbourhood boundaries for agreement by the LA (and Parished areas may join together to form larger neighbourhoods) – a process which has also caused significant conflict when boundaries are contested and claimed by 'competing' communities, or resisted by the LA. The 'successful' navigation of the process anticipates an ensemble of skills and procedural competencies, including navigating the obligatory regulatory passage points involved (cf. Cowell, 2004; Davies, 2002). Whilst advice and 'good practice' have been offered by a variety of support agencies (see Locality, 2012; Parker, 2012) the support resources available from central government are limited. Given that the production of a NDP requires skill sets that are not immediately available to all communities, (it is notable that around 70% of communities were using private planning consultants at various stages of the process, particularly when it came to analysis of data and drafting the Plan). The following participants' views typify such issues and identify the reliance on local authority input which shapes critical dependencies highlighted above:

... in our experience, more help and more timely help from the LA [would help]
[Interviewee 27].

... communities need significant assistance translating ideas and theory to the plan and planning language [Interviewee 1].

We've had support from the LA, without whom I would have given up, the community engagement team and LA planning department have allocated resources ... the planning officers have enabled the process to move forward - it's far too much to do without their expertise [Interviewee 3].

[I would] urge all parishes, towns, forums starting up to try to do the [neighbourhood planning] process in partnership with the LA [Interviewee 6].

[What has been most useful is a] colleague at the planning department – mentor – trustworthy and honest and straightforward. Warts and all. [Interviewee 109].

The substantive elements of the neighbourhood planning process culminates in the independent examination that tests for 'general conformity' against national planning policy and Local Plan policies. Finally a neighbourhood referendum is held (see Locality, 2012; UK Government, 2012a) and there is evidence that this stage also acts to reshape the NDP:

...when it came to the examination the examiner just put her pen right through the whole thing saying that it wasn't based on sufficient evidence, and there was nothing we could do. The LA were very careful, I think especially because we were a Frontrunner, and they clearly did not want to contradict the examiner. We didn't have a choice, you've got to go with that - it's basically a gun to the head and you're forced into accepting it. It's entirely risk minimising, that was what the inspector was doing, not wanting to put her head above the parapet and not wanting to be controversial. I think if you were being charitable you could say that she was being risk averse because she didn't want to give grounds for a developer to challenge the plan, and they stand like circling vultures round the village just waiting to dive in, so you could say if you were being charitable that she was protecting us, but it was disappointing ... she [the examiner] was very risk averse, and ultimately rendered our plan toothless. After two years of negotiating with the LA on our target number of houses, we then had to agree that it became a minimum rather than a target, because that's what the examiner said - so our plan becomes meaningless, we were left with no control and we were back to relying on the goodwill of the LA - and we know they are under huge pressure to build houses and that imperative will win out. [Interviewee 10].

Our examiner was poor; he'd done a number of neighbourhood plan examinations but when he got to ours, the community and LA had essentially come to a difference of opinion and he buckled. He tried to satisfy everyone, the first half of his report was supporting the Plan, the second half supporting the LA's interpretation - so he tried to rewrite the policies so that he could recommend us for referendum. The problem was he undermined the concept of the NDP being a community document by doing so. He could see the differences of opinion but he chose not to do a public examination. I think he didn't want to blot his copybook in front of the other LAs [Interviewee 13].

We were a bit unhappy about our examination, we wrote a report on the basis of the neighbourhood planning officer's advice that there would be an oral hearing, but then there wasn't - if we'd have known we would have written more to defend our plan, and the green gap policy in particular. We thought because it was a big issue that there would be a main session on that. Our examiner had just had an examination in [another area] where the council had turned it into a large scale examination almost like a local plan due to pressure from a developer. So he read the rules that said public hearings were

at the discretion of the examiner, so he just decided he wasn't going to do them any more. So we never met him, I don't know what he looks like. But we had prepared our report thinking there would be the oral presentation. He could only go on what we had written - and looking at some of his comments, we could have answered him in person, allayed his concerns and prevented some changes. One decision we were very disappointed with, and a few a minor issues too - was that he rewrote some bits of the plan. I don't think the planning officer gave us disingenuous advice but it didn't really help us. [Interviewee 5].

The assumption is that local actors will be sufficiently disciplined to apply the framing 'correctly' i.e. to be compliant and deliver the 'right kind' of plans. This highlights that while there is policing, there remains a lack of clarity and transparency over the basis of decision-making, centrally the interpretation and enforcement of the 'fuzzy' rules underpinning neighbourhood planning. As the quotations above highlight, some LAs have struggled to either understand the neighbourhood planning regulations and associated processes, or have been left to arbitrate without authoritative guidance. There has been little specification of what the 'duty to support' involves and the 'light touch' approach maintained by central government, means that no service standards were created to assist communities to organise co-production relations effectively, with responsibility for actual policing passing onto the LAs and examiners. As a result participants regarded LA performance as highly variable in this respect. What is emerging is that the lack of clarity from national and local government has acted to slow the process and introduce frustration. Our findings tend to confirm that such situations, where claims to empower through deregulation are made, can act to constrain behaviour rather than enable it (cf. Rose, 1999) and may be contrasted with government claims in support of the 'simplification' of planning. For urban areas in particular, this calls into question the management of co-productive relations from the formative stages of neighbourhood planning and then throughout the process. Participants interviewed were split on whether a rescripting process had been apparent, yet for those who did *not* recognise such a process of 'modulation' (Parker and Street, 2016) or 'derationalisation' (Turner, 2014), they did acknowledge that consultants and examiner's recommendations did alter the tenor of their plans/policies. In other cases the process had indeed been a challenging one:

We started off with a very ambitious plan but things got knocked on the head ... In the end it was more conservative. We had a clear thrust of what we wanted, we are a village with lots of out-commuting for historical reasons, so we wanted more employment opportunities so we thought we would try and put forward some employment sites, but the LA didn't like it because they want all the employment in the local towns. They said we couldn't justify employment sites in the villages, but we've managed to get some up and running and we have demonstrated that there is demand. They've tried to sabotage one of our sites. We had someone who wanted to open a private hospital (that also wanted to do some NHS work), it was a big project, we found a site and allocated it in the Plan, but the

site wasn't quite big enough, so we tried to go outside the neighbourhood plan area into a site that the LA had previously allocated as an employment site [Interviewee 5].

Our plan has significantly decreased in scope, we've been given advice by the Borough Council that a number of original aims of the neighbourhood plan were inappropriate or did not meet the planning requirements. We had lots of environmental and social aims that we wanted in the plan that we couldn't include ... most of the themes are still there, but generally we feel we've not got what we wanted, we had much greater aspiration but neighbourhood planning doesn't have the teeth to do what we want to do, and the Borough Council, because of issues they had with the Local Plan being found unsound, have been very circumspect with their advice - they don't want to tell us something is OK if it comes back to bite them [Interviewee 6].

It was evident, given the presence of conflict between the different actors (and within communities) and the imposition of the disciplines of the regulatory frame, that this presented an environment which promotes conservative behaviours - defined by self-regulation and self-censorship or acquiescence to the curtailment of Plans. This was particularly evident in the latter stages of the process when the independent examination and referendum were imminent, as the core group of resident-authors became mindful of the often competing objectives of securing intra-community relations and the need to pass the centrally imposed conditions. We have consciously avoided a discussion of planning outcomes due to the early stage at which the fieldwork was undertaken. Subsequent research has presented a mixed picture concerning the potential for innovation within NDP versus the above evidence for conservative behaviours: for example, some have argued that there may be limited *scope* for innovation within NDPs, with greater emphasis on housing location, mix, affordability, local occupancy and design than higher tier plans (Bailey, 2017). This view is echoed by Bradley and Sparling (2017: p116) who argue that:

The hostility of the volume house-builders, however, suggested the emergence of new spatial practices in neighbourhood planning housing allocations ... [the policy] gave licence to a model of house-building that promoted small- and medium-sized companies, affordable community-led and custom-build housing on previously developed sites... Neighbourhood planning can be seen as a re-appropriation of space from the dominant market model with the neighbourhood emerging as the proponent of sustainability and social purpose in house-building.

Yet others have recognised that the introduction of such new spatial practices has not been 'entirely smooth' - despite communities' near-unanimous concern for the availability of affordable and accessible housing supply (as well as housing for older people, young families and households with disabled residents), securing these aims remains problematic given conventional planning modes of operation, as Field and Layard (2017: p111) argue:

... the conventional models for housing supply (land, permission, finance and skills) premised on open market value (especially in times of austerity), as well as dealings with 'specialists' and 'experts', have made delivering these new forms of housing both difficult and challenging.

This reading suggests that the established norms of planning are being enforced through exposure to expertise, to which we add anticipatory conservative behaviours, as seen above. Setting aside benefits derived from 'learning by doing', this highlights questions about the value of NDPs as tools to help renew civil society at the local level particularly as many educative benefits are restricted to a minority of core participants. It is useful to consider the advantages of agonistic interaction within this context. The recognition of oppositional identities arguably facilitates processes that can benefit communities, especially those that are disadvantaged in terms of resources, expertise or capacity. This is important since it is legitimate to argue that localist initiatives can only claim to be 'more democratic' if combined with positive action in favour of previously excluded and underprivileged citizens (Pieterse, 2001: p414; Parker and Street, forthcoming). Through the voicing of opposition, planning officers and policy makers can be made aware of the realities as perceived by neighbourhood inhabitants. Given that the primary motivation for the majority of the participants in the research was to achieve greater community control over planning policy, the need for a corresponding institutional design is apparent:

I think that the difficulty as I see it is that local government don't want to give up power to Forums ... There is tension at the edges of Forum and government, Forum and businesses or Forums and volunteer groups. Whatever national government can do to incentivise this collaboration would be great [Interviewee 32].

... the community is as liable to become divided as united by the neighbourhood planning process, especially when deciding sites for housing. Divided between those who are affected and not affected by housing [Interviewee 53].

...there's a lot of rhetoric, it was a nod to localism but DCLG didn't recognise from the start that people would want things other than planning [policies] - there are many issues that communities want, it's so obvious. It wasn't thought through. [Interviewee 69].

If the existence of differentiated identities and open exchange is a pre-condition of agonistic pluralism, then Mouffe's (2005) belief in adversarial interaction between legitimate but differing identities directly challenges the closing down of debate by an uncontested (liberal) hegemony. One interviewee's reflections indicate potential to build on such localised, differentiated identities:

They [central government] have underestimated the number of people that will get involved, it's a bigger movement than they realise... it's just a way of telling the council that we're here - it will become a powerful lobbying movement. [Interviewee 17].

It is from this position that self-determined groups can engender their own norms and alternative values. In this vein there is some evidence of influence on LAs emerging through neighbourhood planning, as per the 'foot in the door' thesis, with communities having greater access to resources via newly made contacts and entry into established networks. Moreover there is also some evidence to suggest that the statutory status of NDPs has added weight to community voice in some places:

One unexpected thing is the notice that organisations have taken of us because we're the designated Forum - it gives us prestige and presence and people take notice...[the developer's] relationship changed when they knew we were designated - which went from 'irritated residents' association' to a proper player - we had these linkages with the LA and used those relationships and we could tell them we have support and so on. Formerly we found out everything late [Interviewee 19].

A number of neighbourhood planning groups had struggled to square emergent ideas and needs with the conditions in which the NDPs are shaped. Thus even where some attempts to finesse or direct housing policy through NDPS, the legitimate scope of policies has *also* been delimited and follows a rather narrow, juridical conceptualisation of planning. Our analysis is that way in which neighbourhood planning has been designed may act to favour an orthodox conservatism that suits LAs and also serves to maintain intra-community relations for NDP activists which may allow for some limited reorientation but other avenues and innovations are closed-off. Some of those interviewed indicated that they had actively avoided conflict or agonistic relations both within their own neighbourhoods and between partners:

You need a facilitator and I did that, I didn't have planning knowledge but I made sure the meetings were held in a certain way; I facilitated - I don't want to blow my own trumpet but it's really important you have a facilitator acting between the groups otherwise it can descend into chaos. [Interviewee 4].

... we've had different views and [the LA] had more experience in planning - there may be one or two things we wanted to do slightly differently. The housing sites we selected; the examiner didn't like them because they were slightly outside the village, and we wanted a lower density ... The LA sided with the examiner obviously. So the outcome was we had to eat humble pie because the LA sided with the examiner and we have the high densities - we can't argue with it, we had to agree, you have to defer to them. [Interviewee 11].

There's a lot of passionate people but I think they have been heard. One group leafleted every household in the parish after the first Regulation 14 consultation - they likened the plan to a hot air balloon saying it was a lot of hot air, charming! So we had to go back and rewrite the plan - which is when we stripped it right back to planning policies - removing anything that might be controversial or cause friction - we had to do a lot of other Regulation 14 consultation, not exactly starting from scratch because there was a lot of good stuff in there, but still it was like a new plan. [Interviewee 15].

No issues of conflict with the council at all, the developers had made themselves heard in the consultations - they wanted to be part of the plan, but we thought that could be

difficult - so it wasn't a disagreement, but we just didn't want them to be part of our plan, so they weren't. [Interviewee 21].

Our plan has got more policies than when we started, but it's not changed in terms of ambition, they're there to satisfy the LA not the community, which is sad really. We had to come to the realisation that we cannot do this without them saying it's in conformity but the LA are not interested in listening - it is a real problem. Fundamentally, the LA act as the gatekeepers and you cannot get past them and they don't understand the concept, they want it to carry on as before with them in charge - we mustn't challenge them. I think they've treated us in this way presumably as a disincentive for other areas but now there are nine parishes doing Plans. [Interviewee 13].

This demonstrates that there is a self-imposed limitation or disciplining reflected in the nature and scope of discussions, both in the initial phases of neighbourhood planning and during the latter stages where exchanges were further filtered and rerationalised (Parker et al., 2015; Turner, 2014). In our view there have been there are two quite distinct stages involved in the NDP process - as part of the 'mixed game' identified by Mouffe (2007). The first is what can be characterised as a community development process where agonistic exchange could (and should) take place, and where ideas and challenges may be examined and reflected upon. During the second stage, the constraints discussed are then actioned through a particular set of co-production arrangements which are shaped by the framing of neighbourhood planning. Thus reflecting the imperatives of national government as well as authorial concerns about maintaining intra-community relations and passing the popular vote at neighbourhood referendum. Participant perspectives reflected upon here highlight the danger that NDPs will reflect a limited scope and ambition - brought about by both the explicit design of neighbourhood planning and the opacities involved both of which may affect the views of advising consultants, local authorities and NP examiners (Parker, Salter and Hickman, 2016).

Conclusion: Institutional Design and the Framing of Neighbourhood Planning

The experiences of participants are varied and the NDP process crucially involves an attempt to put direct responsibility for a Plan onto a small cadre of local people. Those directly involved have been learning about the limits and possibilities of neighbourhood planning. Sympathetic attitudes towards efforts to engage and develop wider ownership of planning must be set against other problematic or unresolved issues: in particular that the institutional design and other operating conditions framing neighbourhood planning can encourage anti-political behaviours and which can easily set-up conditions for conservatism (see Clarke and Cochrane, 2013; Mouffe, 2005). This may not be

necessarily problematic, and there are incipient signs that NDPs can realign housing policy (Bradley and Sparling, 2017), but it also implies that there are missed opportunities to further shape development. It remains unclear about why certain decisions are being taken by neighbourhoods, LAs and examiners.

Assessments of dialogic planning forms and existing critiques of local governance agendas in neo-liberal settings, and the call to build-in agonism, highlight how neighbourhood planning in England give reason for both supporters and critics to respectively encourage or discount this initiative. We retain hope that neighbourhood planning can be realised as an ‘appropriation of space’ and a movement towards ‘the proponent of sustainability and social purpose in house-building’ (Bradley and Sparling, 2017: p116) but recognise that a mixed picture is emerging: one of innovation and enthusiasm mixed with frustration and conservatism which ultimately runs the risk of creating activity with little added value for *any* of the partners - including central government who wish to see greater levels of development taking place. However the relations and knowledge being built-up among the cadre of people active in neighbourhood planning is considerable and how this knowledge and understanding may be used either to renew neighbourhood planning, or influence new forms of community engagement is an interesting research avenue in its own right. So, despite suspicions that neighbourhoods are being used as a means to aid central government’s growth agenda under the guise of a localist initiative, this has not deterred a growing body of neighbourhoods from embarking on NDPs (over 2,000 by early 2017). It appears that the promise of statutory recognition has been enough to prompt a reasonably widespread participation with a view to moulding the bounded participatory space to suit the views held by (some sections) of the community. As such, the ensemble of technologies circulating around neighbourhood planning have simultaneously provoked enthusiasm and concern from active participants about the process and the outcomes likely to result. So far many neighbourhoods are hampered by a combination of limited knowledge, resources and understanding of ‘planning’ technicalities, which has left them particularly exposed to the limits imposed by the policy’s framing and ‘expert’ advice. The discursive claims illustrated in governmental statements concerning the policy in 2010-2011, and expressed in the foreword to the (English) National Planning Policy Framework (NPPF), has a somewhat ironic inflection given the above:

Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives.... in recent years, planning has tended to exclude, rather than to include, people and communities. In part, this has been a result of targets being imposed, and decisions taken, by bodies remote from them. Dismantling the

unaccountable regional apparatus and introducing neighbourhood planning addresses this. (NPPF, 2012: pi)

Our research has highlighted that the creative elements of neighbourhood planning, where they exist, are at risk. So whilst participants are attempting to use neighbourhood planning to exploit the spaces available to influence planning policy and local agendas more generally, there is mounting evidence that the final outcomes are being rescripted or rerationalised. Of the 130 NDPs which had passed referendum by Spring 2016, as examined by Parker and Salter (2016), only one escaped modification by the examiner, with 63 facing major changes (see also Parker, Salter and Hickman, 2016). More empirical work is required to understand the dynamics on the ground and whether the outcomes revealed by this research is the result of a 'first phase' of learning and adoption of neighbourhood planning, or rather, if this is endemic due to the framing and the politics surrounding planning at this scale. In either case, institutional design and support needs to be (re)considered: in particular the relationship between features and benefits of agonistic exchange and relations and benefits of collaborative co-production and how this can be woven into and across the stages of neighbourhood planning.

Our perspective aligns with the long-held view that participatory initiatives can open up spaces where inequalities of power between the community and other interests may be negotiated. However at present such negotiation or contestation is obscured and often relegated to proceduralist argumentation in neighbourhood planning. It is our view that within this dynamic and unstable field, new boundaries need to be brokered to assist the renewal of local democracy. The self-determining characteristics of neighbourhoods (i.e. the boundaries, membership, and identification of key local issues) can all be viewed as foundations for assuming local and potentially oppositional identities. This is in line with the need to develop 'collective identities around clearly differentiated positions' (Mouffe, 1999: p4) which we see this as important both developmentally and substantively in aiding local community cohesion and empowerment.

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