Pre-Tender Market Engagement

**Local Plan Intervention Support**

**CPD4126100**

Authority: Ministry of Housing, Communities and Local Government (MHCLG) (“the Authority”).

**Date Response** **required:**  **12:00pm (GMT) Friday 6th September 2024**

# PURPOSE

* 1. This Pre-Tender Market Engagement (PTME) seeks information to support the potential procurement of consultants, herein referred to as a “**Potential Supplier or Potential Suppliers”**, to provide expert advice on Local Plans and to prepare specific Local Plans, taking these plans through the Local Plan process of consultation and examination. The Potential Suppliers would be supporting the Government Priority of ensuring universal plan coverage. The purpose of this PTME is to:
		1. help define the requirement;
		2. help provide a better understanding of the feasibility of the requirement;
		3. understand the best approach;
		4. understand the capacity of the market to deliver and possible risks involved; and
		5. provide the market with an opportunity to ask questions, raise queries and any issues to be addressed at an early stage.
	2. The Authority shall maintain commercial confidentiality of information received during the PTME.

# INTRODUCTION

* 1. The Secretary of State (SoS) for the Ministry of Housing, Communities and Local Government (MHCLG) may potentially require support from Potential Suppliers to provide direct support to MHCLG planning teams, specific background reports to assist in the preparation of Ministerial advice by MHCLG officials, regarding possible intervention action in Local Plans in England only. If the Secretary of State makes the decision to take intervention action, this may need a range of follow up specialist support from Potential Suppliers to prepare plans and progress them through to adoption.
	2. Where the SoS is considering taking over a plan, directing on a joint plan, making or inviting another body to take over a plan, Potential Suppliers may be asked to provide direct support to MHCLG teams working on Local Plan intervention, gather background information and prepare reports. The Potential Supplier reports will form part of the background information and supporting material which informs advice prepared by MHCLG officials. Potential Suppliers will not be directly involved in the preparation of Ministerial advice on whether intervention action would be appropriate in any particular case. The nature of the information and reporting to assist decision making on intervention will be specific to the individual intervention action being considered and the relevant Local Planning Authority/ Authorities (LPA).
	3. Where the SoS decides to take intervention action, the Potential Supplier shall provide the necessary support to ensure the progression of the plan to soundness and approval or adoption. The precise nature of the support to deliver plan making will be specific to each individual intervention and could include all aspects of plan making from evidence base preparation, drafting policy and modifications, carrying out consultations, taking the plan through examination and responding to legal challenges. The nature of the support will be specific to the individual intervention action being considered and the relevant LPA or LPAs.

# BACKGROUND

* 1. MHCLG supports communities across the UK to thrive, making them great places to live and work. The SoS for MHCLG is the Minister with responsibility for the planning system in England, supported by officials in the Department’s Planning Directorate.
	2. The Planning and Compulsory Purchase Act 2004 (PCPA 2004 / 2004 Act) introduced the existing local development plan/Local Plan regime. The development plan is the development plan documents (taken as a whole) which have been adopted or approved in relation to that area. The 2004 Act requires that local development plan documents must be prepared in accordance with the local development scheme (LDS) which, among other matters, sets out the timetable for the preparation and revision of the local development documents.
	3. Up-to-date Local Plans are essential because they provide clarity to communities and developers about where homes should be built, so that development is planned rather than the result of speculative applications. Authorities that fail to ensure an up-to-date Local Plan is in place are failing their communities, by not recognising the homes and other facilities that local people need, and relying on ad hoc, speculative development that may not make the most of their area’s potential.
	4. There are 338 LPAs which are responsible for producing an up-to-date plan. 107 LPAs have adopted a plan in the last five years and as of July 2024 there are still nine LPAs which have not adopted a plan in the current system, although two are at examination or waiting to adopt their plan and one is at publication stage.
	5. It is the intention that the potential contract would relate to intervention in Local Plans being prepared in the current 2004 Act planning system but may also be used to support consideration of intervention under the new planning system introduced by the Levelling Up and Regeneration Act 2023.

# INTERVENTION BACKGROUND

* 1. The SoS for MHCLG currently has a wide range of statutory intervention powers in relation to Local Plans, which are set out in the PCPA 2004. To exercise these powers, the proposed action should be justified and meet specific statutory and policy tests. The SoS can use her intervention powers for a range of purposes including addressing concerns about the quality of a plan where she believes it is unsatisfactory, by giving directions on the content and modifications to the plan, and that an LPA progress their Local Plan at examination and adoption by directing that they do something they are failing or omitting to do in relation to progressing the plan. The 2004 Act also provides the SoS with the power to take over the Local Plan, or to ask other bodies to prepare the plan, as well as to direct LPAs to do a joint Local Plan. Whilst the intention is not to unduly limit the ability to call on Potential Suppliers to support intervention, it is most likely that Potential Suppliers will be required to support proactive intervention actions using powers in sections 21, 27, 27A and 28A of the 2004 Act (**Annex A**), however there may be circumstances where support may be necessary for any type of intervention and plan delivery.
	2. In 2017 the then SoS wrote to 15 LPAs setting out concerns about their plan progress and announcing the commencement of a formal process of proactive intervention. Consideration of intervention options was informed by specialist advice, and subsequently intervention action was taken in Thanet (to impose a timetable) and Wirral (to make plan related directions in 2019). Proactive intervention action was also taken to prevent the withdrawal of a Local Plan during examination in 2020, and again in 2023/4 when the then SoS exercised his powers under s.27 PCPA 2004 to prevent the withdrawal of four plans from examination.
	3. On 19 December 2023, a revised National Planning Policy Framework (NPPF) was published. The Written Ministerial Statement issued alongside the revised NPPF stated that too many local authorities took too long to get their plan in place, and many failed to deliver as they should. The then Secretary of State set an expectation that all LPAs with out-of-date LDSs should update their timetables by 12 March 2024, specifically taking proactive intervention action and directing seven LPAs with no 2004 Act plan to revise their LDSs by the same date.
	4. Following the election of a new Government in July 2024 there is an ongoing consultation on changes to the NPPF, which will conclude on 24 September. The SoS has made a clear commitment in the Written Ministerial Statement of 30 July 2024 to the goal of universal plan coverage and using powers of intervention, including taking over an authority's plan making directly, to drive progress. As part of this commitment, we are now seeking to engage the market in relation to delivery of support for consideration of intervention and for taking forward plans when a decision has been made by the SoS to take intervention action.
	5. The Levelling Up and Regeneration Act 2023 (LURA 2023 / the 2023 Act) maintains and consolidates the SoS's intervention powers under the 2004 Act, as well as introducing a number of new concepts. To this end, provisions in the 2023 Act replicate the SoS's powers to direct LPAs under s.21 PCPA 2004, including holding an examination. New provisions consolidate current powers in sections 21(1) and 27(1) PCPA 2004, to enable the SoS to intervene if they believe that an LPA is failing to do anything it is necessary or expedient for them to do in connection with the preparation, adoption or revision of a Local Plan; a Local Plan or supplementary plan is going to be or may be unsatisfactory; or a proposed revision to a Local Plan or supplementary plan will or may result in the plan becoming unsatisfactory. Further new provisions set out what the SoS may do, which include giving directions concerning the preparation of the plan or taking over the preparation of the plan.
	6. The LURA 2023 also introduces the new concept of the Local Plan Commissioner, who will act on the SoS's behalf in an investigatory role in respect of an LPA's performance as well as potentially proactive role in giving directions to an LPA or indeed taking over the preparation of the LPA's Local Plan. The 2023 Act also includes a provision that allows the SoS to intervene if the LPA fails to meet the new legal requirement to ensure the Local Plan includes a design code for their area. While the SoS envisages that she will continue to use her intervention powers sparingly, the LURA 2023 ensures, by maintaining and consolidating existing intervention powers, that her powers remain an important encouragement for LPAs to comply with statutory plan-making duties.
	7. It is not possible to give any indication of the number and location of potential intervention actions as it will be a decision for the SoS on a case-by-case basis whether or not to take intervention action. Any intervention decision will need to meet legal and policy tests. Officials will provide advice to Ministers on intervention action and the first phase of the contract will be for a Potential Supplier to provide direct support to the team to on approaches and priorities for intervention and then for a Potential Supplier to provide background information reports on specific matters and specific LPAs to inform Ministerial advice on intervention prepared by MHCLG officials. The reports provided by a Potential Supplier will ensure the SoS has a clear understanding about the amount and type of work which would be necessary to ensure a robustly evidenced plan, which is legally compliant and potentially sound, could be progressed and to what timescale. The second part of the contract is to support the Secretary of State to deliver a plan if she decides to take intervention action to take over a plan or provides support for others who she invites to take over a plan.

# HIGH LEVEL OUTLINE PROJECT OUTCOMES REQUIRED

* 1. The overall objective is for Potential Suppliers to provide support directly to MHCLG planning teams to identify priority LPAs for intervention, support the development of an intervention strategy and to provide the SoS supporting background information which will assist her to make an informed decision on intervention in a specific Local Plan. Following on from a decision to intervene the objective will be to support the delivery of a legally compliant and sound plan to adoption in a shorter timescale than that identified by the LPA.
	2. **Phase** **1A**) Directly assist MHCLG Planning teams with consultancy services to support identification of intervention priority areas and intervention actions. The nature of the work will be specific to each direct support commission. The specific commissions for direct support will set out specific tasks, levels of support and time periods for the support along with the skills and expertise required to provide the support.
	3. **Phase 1B)** Carry out assessments to provide background information reports to inform intervention consideration. The SoS is the decision maker on Local Plan intervention, and advice will be provided by MHCLG officials on the intervention options available and whether intervention would meet the legal and policy tests. To assist the SoS in making decisions about intervention action, we will potentially commission Potential Suppliers to provide background information reports to inform the preparation of Ministerial advice by MHCLG officials.
	4. The information requested will be specific to each case but could relate to plan evidence base, issues around Duty to Cooperate (DtC) or cross border issues, the views of Statutory Consultees and in some cases detailed background on a specific policy area. The information could include assessments of the costs and timescales to put in place the relevant evidence and to address legal compliance and major objections.
	5. The precise scope of reports in stage 1B will be specific to each individual commission. Commissions will require research and analysis of documentation, meeting with the LPA or LPAs to inform information gathering, and the provision of a report to setting out assessments and potentially information on costs and timescales. The Potential Supplier will not be expected to make recommendations regarding whether intervention is justified in any case.
1. **Phase 2 – Plan Delivery Services**
2. Where, following consideration of all legal and policy matters and supporting information reports provided by the Potential Supplier in Phase 1B, the SoS decides to prepare a Local Plan directly or invites another body to do so, the Potential Supplier shall be required to provide the necessary Plan Delivery Services to take forward a Local Plan. The precise extent of the Plan Delivery Services needed shall be specific to each individual Intervention Commission and can be informed by stage 1 work (which may or may not have been procured under this Contract).
3. The Potential Supplier must therefore be capable of writing a Local Plan in its entirety where required, including but not limited to delivery of the following:
4. Evidence modelling (e.g. transport, flooding, air quality etc.)
5. Evidence base documents (e.g. Housing and economic needs assessment, Green Belt review and methodology etc.)
6. Local Plan content (e.g. Policy drafting, Vision and Objectives, Proposals Map)
7. Legal and Procedural Compliance (e.g. Regulation 19 Consultation, Duty to Co-operate, Regulation 24 Examination etc.)
8. Representing MHCLG at examination
9. Providing relevant documents and information to support the defence of any legal challenges to the Local Plan once adopted.

# OUTPUTS/DELIVERABLES

**Phase 1A Direct support to MHCLG teams working on intervention programme**

**6.1** The Potential Suppliers could be asked to provide direct support to MHCLG teams to support any aspect of the delivery of intervention actions. Working directly to support MHCLG teams, this support could include but is not exclusive to:

1. Assessing a range of Local Plan documents and evidence over a wider geographical area to identify strategic issues
2. Collecting and collating data and information from a variety of sources and analysing data to inform selection of LPAs for potential intervention
3. Providing additional resource to support options development and assessment for intervention strategy
4. Providing additional resource to develop intervention strategies and options
5. Providing support for policy development for the new planning system for intervention, including the development of the detail around the role, processes, and procedures of commissioner

6.2 An example of a direct support task in Phase 1 A b) above could be working with MHCLG planning team to carry out data collections of which areas have produced new local development schemes after the publication of NPPF, indicating which LPAs will be submitting in line with transitional requirements or by the deadline for the current system (whichever is appropriate) and preparing relevant tables and analysis of the data and information.

6.3 The precise extent of the direct support to be provided will be specified through a Support Commission. This will as a minimum indicate the scope and nature of the support required, the requirements for Potential Supplier support including any deadlines, and the skills, expertise and seniority required to carry out the support.

**Phase 1B Provision of background information reports on specific matters to inform the decision-making process on intervention in plans**

6.4 The precise extent of the background information reports to be provided shall be specific to each individual Intervention Commission but shall ultimately assist the SoS to make an informed decision on intervention and the best way to deliver the Local Plans in question (‘Plan Delivery’). They may also be used to provide the basis for any Plan Delivery Services specification as required. Phase 1 advice will not be needed in all cases but where instructed on a commission for phase 1 work, it will require that the Potential Supplier produces a report on one or more aspects of a Local Plan and indicate what actions the SoS would need to take if she were to take intervention action and potentially intervene to prepare a Local Plan. The advice on actions will potentially include indicative costs and timelines on the actions needed.

6.5 Specific deliverables/outputs for the background information reports shall reflect the exact nature and requirements of each individual Intervention Commission, but as an indication of the most likely requirements, examples are included below. The Authority will issue individual Intervention Commissioning instructions via the Commissioning Form on a case-by-case basis, and subject to the intervention decisions made by the SoS. The purpose of the Commissioning Form will be to refine the precise scope of work required in each intervention case as far as possible. Commissioning forms will indicate the likely form or forms of intervention being considered by the SoS in any particular case.

**The background reports could include (but are not limited to) one or more the areas set out below:**

**Scenario 1**

6.6 Where the SoS is considering taking over a plan, directing on joint plan making or requesting another body to take over a plan, the Potential Supplier may be asked to gather background information and prepare reports to provide supporting material, which will be used as part of the advice prepared to inform the SoS consideration of intervention action.

1) Evidence base

1. What evidence base is there? Is it out of date?
2. How much access will the LPA provide to the background documents and modelling?
3. What would be expected to have been prepared at this stage?
4. What needs to be done or updated?
5. What is missing?
6. Does the current evidence support the deliverability of the plan?
7. What are the main conclusions and issues identified in each piece of evidence, risks and mitigations?
8. What actions would the SoS need to take to ensure the evidence base is in place to support plan preparation and/or submission for examination?
9. How long ~~is~~ will preparation of any necessary evidence base take and what is the minimum period required? What is the estimated cost and resource requirement?
10. Does the current evidence support the plan strategy or an alternative strategy?
11. What strategic environmental assessment (SEA) and sustainability appraisal (SA) has been carried on the plan strategy and other alternatives?

2) Duty to Cooperate (DtC) or cross boundary issues

1. Which are the neighbouring LPAs of the LPA or LPAs in question?
2. Do they have plans adopted?
3. Is there unmet housing need from neighbours or do the LPA have unmet need?
4. Is there a signed Memorandum of Understanding (MOU/Statement of Common Ground (SCG) in place?
5. What are the issues, risks and mitigations required to address DtC deficiencies and likely timescales?

3) Issues and objections raised by statutory consultees or other consultees

1. What issues have been raised through consultation by statutory consultees and what has been done to address these?
2. Have or are statutory consultees likely to make objections to the plan and what are the nature of these objections?
3. What are the likely options to address such objections, risks and mitigation?
4. What other significant issues have been raised by other consultees including in relation to legal matters?

4) In addition, where a direction on preparation of a joint plan is being considered, Potential Suppliers may be required to provide advice on other matters such as:

1. The potential appropriate geography for a joint plan area looking at housing market areas, functional economic areas, and existing joint working arrangements.
2. The overall development requirements of the proposed joint area, any cross-boundary issues and the significant issues in terms of delivery in each area, including constraints and infrastructure.
3. The potential interaction with Mayoral Combined Authorities with and without Spatial development strategy powers.

**Scenario 2**

6.7 Where the SoS is looking to direct on the modification of a plan she will require the following specific support

1. Assessment of the evidence and any associated sustainability assessment and/or environmental appraisal or Environmental Outcome Reports (SA and SEA or EOR) which supports the current policy/policies being considered for modification
2. Summary of the consultation responses to the specific policy/policies being considered for modification
3. Outline and assessment of alternative approaches considered, the evidence base which supported them and any environmental assessment of alternative approaches, and relevant consultation and consultation responses

**Phase 2 Plan Delivery Services**

6.8 The objective of the Plan Delivery Services shall be accelerated adoption of the Local Plan for the area to ensure progress on plan making. Specific deliverables/outputs for the Plan Delivery Services shall reflect the exact nature and requirements of each individual Intervention Commission, but the Potential Supplier must be capable of producing a Local Plan from scratch and in its entirety if and where necessary, including taking the plan through consultation, representing MHCLG at the examination into the Local Plan and in providing relevant supporting information and documentation in relation to any subsequent legal challenge.

6.9 The Authority will issue individual Intervention Commissioning instructions via the Commissioning Form on a case-by-case basis, and subject to the intervention decisions made by the SoS. The purpose of the Commissioning Form will be to refine the precise scope of work required in each intervention case as far as possible.

6.10 **Annex B** sets out the anticipated scope of technical components (‘Plan Component’) that will potentially be required to produce a Local Plan, and each of these Plan Components is further defined in relation to indicative ‘Simple’, ‘Medium’, and ‘Complex’ scenarios.

6.11 It is therefore anticipated that an individual Intervention Commission may, at the highest end of the spectrum, require the Potential Supplier to deliver every Plan Component and in a Complex scenario. At the other end of the spectrum the Potential Supplier may only be required to deliver a single Plan Component and in a Simple scenario. The Authority anticipates that the majority of Intervention Commissions for Plan Delivery Services will fall somewhere in between these two extremes but makes no guarantee as to the precise scope of any Intervention Commission.

6.12 The Potential Supplier shall be required to deliver each Plan Component within the maximum timescales as specified in their proposal, and which shall achieve adoption of the plan in a demonstrably quicker timescale than would otherwise have been possible. Each Plan Component shall also be delivered using a clear methodology and include clearly defined, tangible outcomes that allow for close and transparent monitoring of progress. Unless there are demonstrably justifiable reasons otherwise, the Potential Supplier shall deliver the Plan Components using suitably qualified experts in the relevant fields.

# Commissioning Approach

7.1 The Potential Supplier shall ensure that all reports and Plan Delivery Services can be effectively delivered across the whole of England. All services shall require the Potential Supplier to report directly to the Authority’s (MHCLG’s) Planning Director, or to other delegated MHCLG officials, where instructed to do so. Whilst the Contactor shall need to work closely with the relevant LPAs wherever possible, it should be noted that the Authority (MHCLG) is always the client, and therefore the Potential Supplier shall not provide any related services or advice directly to the LPA(s) unless instructed to do so by the Authority. The exact working relationship for each Intervention Commission may be further defined and agreed on a case-by-case basis as necessary.

7.2 On strategic planning matters, MHCLG officials will provide relevant input. Where there are strategic planning issues that impact on the Potential Suppliers deliverables, these matters should be raised and discussed with the relevant MHCLG Case Officer at the earliest opportunity. Beyond this, the exact working relationship for each Intervention Commission may be further defined and agreed on a case-by-case basis as necessary.

 7.3 Allocation of any Intervention Commission shall always be subject to the Authority’s written acceptance of a completed Commissioning Form, and which shall involve an Intervention Commission specific assessment of the Potential Supplier’s capacity to deliver, and any potential or actual conflicts of interest. Where this assessment raises demonstrable capacity and / or conflict of interest issues that the Authority, in its reasonable opinion, considers unresolvable, then the Authority shall reserve the right to re-allocate the Intervention Commission to the next Potential Supplier accordingly.

# KEY PERFORMANCE INDICATORS (KPIs)

* 1. The key performance measures that we are currently expecting to include within our statement of requirements, subject to feedback from this PTME, are:

|  |  |  |
| --- | --- | --- |
| No | Service level title  | Service level description  |
| KPI 1 | Project efficiency and discretion at Phases 1& 2 | The Potential Supplier will respond to the specific commissions within a maximum of 3-5 days working days (to be confirmed) and will contact the relevant local authority within 3-5 days working days (to be confirmed).The Potential Supplier will at all times ensure when representing the SoS they act in an appropriate manner ensuring complete confidentiality.The Potential Supplier will comply with the appropriate legal and policy requirements. |
| KPI 2 | Providing high quality support and information background reports at phase 1 | The Potential Supplier shall be required to deliver each information report within the maximum timescales as specified in their Proposal.The Potential Supplier will provide support and background information reports. Support and reports should be tailored and specific to each commission and where required include details of research and analysis. All work produced should be of a high standard. |
| KPI 3 | Effectiveness and efficiency of plan delivery at Phase 2 | The Potential Supplier should be capable of producing a high-quality Local Plan in its entirety where required.The Potential Supplier shall achieve adoption of the plan in a demonstrably quicker timescale than would otherwise have been possible. Each Plan Component shall also be delivered using a clear methodology and include clearly defined, tangible outcomes that allow for close and transparent monitoring of progress. Unless there are demonstrably justifiable reasons otherwise, the Potential Supplier shall deliver the Plan Components using suitably qualified experts in the relevant fields.Plan components should be prepared in line with current best practice, up to date national planning policy using tried and tested methods which have been successfully used at examination. |

8.2 Social Value Themes -

The Potential Supplier will be expected to provide the Authority with a plan on implementing social value related activities and evidencing resulting benefits as part of the agreed work plan. Social value themes must be selected using the Social Value Tool - [Social value quick reference guide](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/940828/Social-Value-Model-Quick-Reference-Table-Edn-1.1-3-Dec-20.pdf). The potential Social Value priorities being considered for this Contract are expected to be:

**THEME 3 –** FIGHTING CLIMATE CHANGE

**Model Award Criteria 4.1** Deliver additional environmental benefits in the performance of the contract including working towards net zero greenhouse gas emissions.

**Model Award Criteria 4.2** Influence staff, Potential Suppliers, customers and communities through the delivery of the contract to support environmental protection and improvement.

**THEME 5 –** WELLBEING

**Model Award Criteria 7.1:** Demonstrate action to support health and wellbeing, including physical and mental health, in the contract workforce.

**Model Award Criteria 7.2:** Influence staff, Potential Suppliers, customers and communities through the delivery of the contract to support health and wellbeing, including physical and mental health.

# KEY DATES & TENDERING PROCESS

* 1. If it is decided this service is required, it is anticipated that a procurement may start in November 2024 with the contract to commence early 2025. These indicative dates are for information purposes only. MHCLG reserve the right to amend these dates at any time, and Potential Suppliers rely on them entirely at their own risk.
	2. The contract is expected to be for a period of 2-4 years.
	3. It is envisaged that if the procurement progresses it would be tendered via the Homes England DARTS Framework. This means that only Potential Suppliers registered on this framework would be eligible to tender once the Invitation To Tender (ITT) is released. The Authority would conduct a filtering process on the Framework to ensure the Potential Suppliers with the most appropriate skills and expertise are shortlisted.

# RESPONSE

* 1. Please respond by completing the table below and sending by email to commercial@communities.gov.uk with the following by 12:00pm GMT on Friday 6thSeptember (the “Response Deadline”). Please use the reference **“CPD4126100 – Local Plan Intervention Support”** in the subject heading of the email.

Q1 Would you be interested in bidding for this project?

Q2 Is what the Authority are asking for clear?

Q3 What, if anything, has the Authority missed or overlooked in setting out their requirement?

Q4 Do you think we are sufficiently clear about the distinction between the role of the SoS and the Potential Supplier?

Q5 Do you think any other advice is needed regarding the requirements listed in the key deliverables, phase 2, including Annex B?

Q6 Is there anything here which is irrelevant, outdated or unnecessary?

Q7 What are the relevant experience, professional skills and/or qualifications you think are necessary to deliver these requirements?

Q8 How would you identify and mitigate risks around conflicts of interest?

Q9 What would your indicative rates be for the work set out in Section 5, Phase 2, Plan Delivery Services?

Q 10 How could value for money be maximised in delivering this contract?

 Q11 How could you use technology and innovation to deliver the requirements?

Q12 Are the proposed Social Value Themes, Policy Outcomes and Criteria appropriate for this requirement? Please elaborate on your reasons why and/or suggest alternatives that could be applied and why these alternatives would be more relevant?

# QUESTIONS AND CLARIFICATIONS

* 1. Potential Suppliers may raise questions or seek clarification about any aspect of this PTME document at any time prior to the Response Deadline. Questions must be submitted by email to commercialtenders@communities.gov.uk only. Please use the reference **“CPD4126100 – Local Plan Intervention Support”** in the subject heading of the email.
	2. To ensure that all Potential Suppliers have equal access to information regarding this PTME exercise, responses to questions raised by Potential Suppliers will be published in a “Questions and Answers” document, which will be published as part of this engagement notice, with updates appearing at regular intervals (approximately two to three working days).
	3. Responses to questions will not identify the originator of the question.
	4. If a Potential Supplier wishes to ask a question or seek clarification without the question and answer being revealed, then the Potential Supplier must state this in their email and provide its justification for withholding the question and any response. If the Authority does not consider that there is sufficient justification for withholding the question and the corresponding response, the Potential Supplier will be invited to decide whether:

the question/clarification and the response should in fact be published; or

it wishes to withdraw the question/clarification.

# GENERAL CONDITIONS

* 1. This PTME will help the Authority to refine the requirements and to understand the potential level of interest in the delivering requirements. It will also aid Potential Supplier’s understanding of the requirements in advance of any formal procurement process.
	2. The Authority reserves the right to change any information contained within this PTME at any time, and Potential Suppliers rely upon it entirely at their own risk.
	3. The Authority reserves the right not to proceed with a procurement process after this PTME or to award any contract.
	4. Any and all costs associated with the production of such a response to this PTME must be borne by the Potential Supplier.
	5. No down-selection of Potential Suppliers will take place as a consequence of any responses or interactions relating to this PTME.
	6. The Authority expects that all responses to this PTME will be provided by Potential Suppliers in good faith to the best of their ability in the light of information available at the time of their response.
	7. No information provided by a Potential Supplier in response to this PTME will be carried forward, used or acknowledged in any way for the purpose of evaluating the Potential Supplier, in any subsequent formal procurement process.

Annex A



Annex B

