

**Environment and Housing Scrutiny Panel**  
**Community Engagement with Planning - Evidence Session 1 – Local Policy**  
**and Practice**  
**19<sup>th</sup> November 2013**

**Present:** Cllr Gibson, Cllr McNamara (Chair) and Cllr Weber

**In attendance:** Alison Bolm-Cooer (LBH), Clodah McGuirk, Sule Nisancioglu, Zoe Robertson (LBH) and Ransford Stewart (LBH) and Emma Williamson (LBH).

**1. Community engagement with planning**

Scope

- 1.1 The panel agreed that community engagement with planning would be a project in the work programme for 2013-14. The panel discussed and agreed the proposed project scoping report. The overarching aim of this work was to:

*‘To assess whether residents and communities have appropriate opportunities to engage meaningfully in local planning processes through community engagement and involvement strategies within the planning service (with particular reference to the Statement of Community Involvement).’*

Evidence from Planning Officers

- 1.2 The panel noted that the Planning Service was committed to involving and consulting with local people in all planning processes and decisions and that the views of local people were important in shaping the future of the borough. Effective community involvement and consultation is fundamental to this process to ensure that decisions are reasoned, transparent and accountable to the community.
- 1.3 The panel heard that the planning service undertakes consultations for two types of planning processes:
- planning applications; and
  - planning policy documents.

Statement of Community Involvement

- 1.4 It was noted that consultations on both planning applications and planning policy documents are subject to statutory requirements. In addition, the principles and methods of local planning consultations are statutorily required to be set out in a local Statement of Community Involvement (SCI). The panel noted that the SCI is generally a framework document as too much detail may stifle creativity and could be subject a Planning Service to legal challenge if not complied with.
- 1.5 The panel noted that Haringey’s SCI was first adopted in May 2007 and was reviewed in February 2011 in response to changes in planning law. The planning service aims to exceed any minimum requirements detailed in the SCI, though this will depend on the type of consultation, the targeted consultees and resources available.
- 1.6 The panel noted that the SCI needs to be updated to reflect the introduction of Localism Act, National Planning Policy Framework and Neighbourhood Planning.

The review will also incorporate a review of new engagement tools available to the Council. The panel noted that its work, which would involve consulting local groups on the SCI, would also contribute to the review process.

Planning Consultations

- 1.7 The Planning Service consults in the formulation of local planning policies; these would include major planning documents at the Core Strategy, as well as more specific policies for particular planning issues. Minimum requirements for consultations are set out by government, and the SCI provides additional methods and approaches to help ensure community involvement is effective and reaches local stakeholders.
- 1.8 Different methods and requirements for consultation are required depending on the status of the planning document, for example, whether it is a Development Plan Document (DPD) or a Supplementary Planning Document (SPD):
  - A DPD brings forward statutory local policy which requires at least two stages of community consultation and an independent examination.
  - An SPD provides further guidance for policies in DPDs and as such requires only one stage of community consultation and is not subject to an examination.
- 1.9 The panel noted that a variety of local stakeholders were involved at various stages of the plan making process and include:
  - Statutory consultees (e.g. Mayor of London, neighbouring boroughs, fire, police, utilities, health, transport);
  - Representative bodies
  - Community groups
  - Business groups, planning agents and consultants
  - Local residents and individuals.
- 1.10 The planning service maintains a database of local stakeholders and currently this has almost 1,500 entries. The database is updated every three years and this last occurred in 2012. In some cases the Planning Policy team will access other consultation databases to target groups or individuals for particular issues, for example the London Landlord Association database was used for consultation on the for the introduction of the Article 4 Direction.
- 1.11 Consultations need to be flexible, accessible and proactive and above all, tailored to meet the needs of consultees and the scope of the planning document. In this context a wide range of consultative methods can be deployed to inform and engage local residents. These could include:

• On line surveys	• workshops
• Dedicated focus groups	• Area Forums
• Drop in sessions	• Street leafleting
• Attendance at residents and community group meetings	• Public roadshows, exhibitions, stalls

- 1.12 Informal methods of consulting such as drop-in sessions, public exhibitions and on street leafleting proved to be successful in engaging with individuals who have not been involved with Planning before and who would otherwise not have the time, interest or inclination to submit a formal response to a consultation. Their views and issues are captured and in some cases the participants will ask to be included in the consultation database to receive information on future consultations.
- 1.13 Notifications setting out when and how the Council will consult on a particular document is published through a variety of mediums including: local press; the Council's website; emails and letters to statutory consultees, all organisations, voluntary and community groups, and individuals on the Planning Policy consultation database; the Council's consultation calendar; Haringey People (when appropriate); and information leaflets and posters (when appropriate). Printed documents are made available in public libraries and in the planning service office.
- 1.14 The panel noted that wherever possible, the Planning Service seeks to work with established structures such as the Developers Forum, Conservation Area Advisory Committees, Tenants Forums and residents' associations which allow engagement with a wider audience.

#### Statutory Consultees

- 1.15 In the presentation given to the panel it was noted that there were a number of agencies which need to be systematically consulted within certain planning processes these included Thames Water, Fire Service, Police Service, Environment Agency and English Heritage. Contact is predominantly via email and is made in accordance with guidance from individual bodies.
- 1.16 In discussion on statutory planning consultees it was noted that:
- statutory consultees do not have to respond to consultations
  - In respect of development consultations, there is a threshold for statutory consultation.
  - The provision of responses from statutory consultees varies, and that a planning view or judgement has to be taken where there has been no response.
  - In respect of Development Management, statutory consultees would be re-evaluated.

#### Internal consultees

- 1.17 The panel discussed those services from within the Council that are routinely consulted within planning applications. The panel indicated that it would be useful to understand further what services were included, what was asked and how frequently these responded to consultations.

#### Website

- 1.18 The panel discussed the use of the website as a tool through which to provide planning information. A wide range of planning information is contained on the site, including local planning policies, planning proposals and planning advice. Whilst it

was acknowledged that there was a lot of information on the website and that improvements have been made, it was acknowledged that further work to improve the content and accessibility would be undertaken (it would be assessed as part of the Development Management improvement programme). The panel also noted that:

- It would be useful, if (panel) members could receive a demonstration of the planning service website, how and information is stored and can be accessed;
- Planning consultation responses would be labelled in the future.

#### Pre-application discussions

1.19 The panel noted that constructive pre-application discussions between potential applicants and planning officers can help to ensure all relevant considerations are addressed when an application is submitted. The opportunity for local stakeholders to engage and discuss proposals offers a number of potential benefits to the planning process:

- It can help to identify improvements needed to a scheme before it is formally considered;
- Improve the quality of the submitted application (for example, ensure that it is supported within development plan, conforms with local planning policies);
- Facilitate the speedier delivery of decisions, time and cost savings and higher quality development;
- Bring greater certainty into the process;
- Less pressurised timescales also allow for greater community engagement and involvement.

1.20 Due to issues of probity, the panel noted that there was no formal member involvement in the pre-application process. Planning Authorities were naturally wary that members could be accused of predetermination when applications subsequently came in for consideration that may result in legal challenge. The panel noted however that the Localism Act (2011) has recognised the benefits of involving members in pre-application consultation and seeking of advice at a pre-application stage so long as members:

- Avoid expressing an overall view and indication of how they intend to vote
- Limit their questions to an understanding of the proposal
- Asking questions which could not be viewed as having a closed mind.

1.21 In written evidence submitted at the meeting the panel noted that a number of other London Authorities had established pre-application consultation processes in which members were involved:

- **Camden** – operates Development Management Forum for large scale development proposals at a pre-application stage to help understand the aims and any constraints as early as possible and see how proposals can be adapted to better reflect community aspirations. The forum enables local residents, business and organisations to comment on proposals at an early stage and supplements any developer consultation. Members and officers attend but do not express any opinions on the merits of the proposal.

- **Croydon** – operate a Strategic Planning Committee that both determines major planning applications and receives presentations on them at the pre-application stage. At key points in the pre-application process the developer has the opportunity to present their schemes to the committee and for members ask questions and give their opinion on aspects of the scheme (though must avoid giving their opinion on the scheme as a whole).
- **Lambeth** – operate a strategic panel where members and senior officers are briefed on major development proposals at pre-application stage. The protocol sets out that the panel will have no decision-making powers, nor will views expressed be binding or influence the way in which applications may be reported to and determined by the Planning Applications Committee.
- **Wycombe**– have a facility for developer presentations to members and stakeholders immediately before Planning Committee. Invitees include all members of the Council, relevant officers, representative of the Highway Authority, Chairman of the Parish/Town Council and a deputy, members of local associations and residents groups.

1.22 It was noted however, that member involvement at the pre-application stage should not be undertaken without an agreed protocol as this may unnecessarily open any member on the planning committee to avoidable risks of challenge on apparent pre-determination. The panel noted that a review of the current member protocol for involvement in planning is scheduled for 2014 which will draw on experience and best practice in other authorities.

#### Member involvement (general)

- 1.23 The role of members in local planning processes was discussed by the panel. The panel noted that there were three issues:
- that greater use could be made of the existing knowledge and skills of local councillors in planning consultations and processes;
  - the need to further publicise to members the planning resources available to them (e.g. website, publications, public advice services) to support their role in community planning processes (e.g. liaison with local residents and groups);
  - the need for further ongoing tiered training on the role of members in local planning processes should be made available to support members role (as above).

#### Benchmarking consultation costs with other Local Authorities

- 1.24 The panel noted from the officer presentation that the average cost for consulting on applications for residential development in Haringey was £708, this was significantly higher than the comparator average of £266. In fact, the nearest borough average was £300. It was suggested that this figure would indicate that there is a wide level of consultation and engagement in Haringey. It was suggested this additional cost of consultation could in part be attributed to larger / or wider consultation areas for each development in Haringey.

1.25 From written evidence submitted to the panel it was noted that a summary of consultation is produced for each planning application and this accompanies application document on the website. A sample from these provides an illustration of the levels of consultation:

- Hornsey Depot application for Sainsbury's and 438 residential units, 3,931 residents were consulted;
- Mowlem Trading Estate – the replacement of warehouses, 102 residents were consulted;
- Somerset Gardens Health Centre an application for change of use of part of Doctors surgery to include a pharmacy, 92 letters were sent
- for recent householder application - 64 Elmer Road 5 letters were sent.

#### Defined community consultation post

1.25 It was noted that whilst community consultation figured within a number of individual roles, there was no defined designated community consultation post in the planning service. It was suggested that it may be of some value for the planning service to conduct an option appraisal of the community engagement function which sought to assess value and contribution of different methods (e.g. cost of scaling back quantitative consultation and being retackled by more specialist community development input).

#### New technology

1.26 The panel noted that the planned review of the SCI would include an assessment of new methods of engagement, particularly the use of more interactive online tools, such as SNAP surveys and online discussion forums. The panel noted that the service is trialling SNAP survey tool which not only allows for on-line consultation, but can also record and note responses and non-responses.

1.27 It is anticipated that on-line methods of consultation will develop further in this sector as people use more mobile and remote communications. The panel noted that the planning service would continue to work with corporate consultation to ensure that the best use of new technologies were utilised within consultation processes.

#### Capacity Building – local community

1.28 In written documentation presented, the panel noted that notifications of a planning policy consultations sets out the scope and role of the draft document, the stage of preparation, how to access the relevant documents, and how to respond to and participate in the consultation. The planning policy team also offer advice on the document and how to engage via dedicated web pages, email and telephone. In addition, information and advice is provided through meetings attended by officers during the consultation period.

1.29 The panel noted that the policy team held a number of training events in the past for community groups and are currently considering an open-day event in June/ July 2014. This will coincide with the preparation of our next three key planning policy

documents. In addition, the panel also noted that an open day session for community groups early was being planned for early 2014 as part of the development management improvement plan.

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