

# Discussion Paper - Statement of Community Involvement (SCI) Review: opportunities for more effective consultation and engagement

Date: 18<sup>th</sup> January 2022

Report of: Chief Planning Officer

Report to: Consultative Meeting of Members of the Development Plan Panel

## What is this report about?

### Including how it contributes to the city's and council's ambitions

- This report sets out the opportunities to revise the Statement of Community Involvement (SCI) to take account of a successful 'scoping' consultation and other engagement activities the results of which reflect locally, more recent research that has taken place nationally. The paper is intended to invite discussion on what the future SCI should look like and contain.
- Community engagement is integral to good planning decisions as the planning system operates in the public interest. A local authority's duty to carry this out is enshrined within legislation, and the mechanism to establish how a local planning authority will carry this out is set out within a SCI.
- The SCI is a statutory document (required under the Planning and Compulsory Purchase Act 2004) and sets out how residents and other stakeholders can get involved and participate in the preparation of planning policies, frameworks and the neighbourhood planning process in Leeds and describes the opportunities for community and local involvement on individual planning applications. There are also [statutory requirements](#) for publicising planning applications, which the Council must adhere to.
- The adoption of the SCI has been delayed by the pandemic but its revision comes at an opportune time, allowing for a reflection on the recent Local Plan Update consultation during the summer of 2021 and an exploration of the opportunities and recommendations set out in the Civic Voice/University of Reading report, 'Paper Tigers': A critical review of Statements of Community Involvement in England' published in October 2021 ([LINK](#)). The City Council also has a chance to reflect legislative changes and advances in digital communications.
- Following on from the SCI scoping report presented to the DPP meeting in June 2019, an 'Engagement Group' was formed to assist in a 'scoping consultation' during late 2020 and in the preparation of the draft SCI itself. The group has a wide range of skills and interests, comprising community representatives, neighbourhood planning groups, businesses, internal service providers and Leeds Beckett University.
- Revising the SCI presents a significant opportunity for the Council to adapt and improve engagement and consultation to meet changing needs and requirements and to build on the

collaboration that has taken place across the district with neighbourhood planning groups and others in recent years. By working more 'smartly' and efficiently we can improve service delivery and seek to reduce overall costs wherever possible, without compromising on quality engagement and consultation. Digital technology and techniques are particularly important in this regard. However, it is recognised that digital consultation is not available for everyone and is not always the best approach, consequently we need to also factor that into what we do.

- It is, however, important to recognise that in planning for a city with the size and diversity of Leeds, there will always be more engagement steps that can be taken, but with the resources that are available to the Council, this has to be balanced against the cost effectiveness of such steps. Engagement opportunities need to be proportionate to the scale of the task and be mindful of the for expeditious decision making. The SCI provides an opportunity to set out what service customers should expect as a minimum and what opportunities may arise for more expansive, detailed or targeted engagement in certain circumstances.
- Once adopted, the SCI will become binding and the Council must comply with it when undertaking statutory consultations. As a statutory document the SCI must be considered and followed in all plan making and decision taking process and therefore it is important to formalise an approach to consultation and engagement which is achievable. So whilst it will be right for the revised SCI to be ambitious, the Council will need to ensure that the requirements of the SCI are not unattainable given available resources, budgets and practicalities. It is intended that following this opportunity for Members of DPP to express their views on what an SCI should contain, a draft SCI document will be presented to DPP at the next scheduled meeting on the 1<sup>st</sup> March 2022.

## **Recommendations**

Members of Development Plan Panel are requested to:

- a) Note the contents of the report and provide comments on the matters raised therein, including the draft SCI Consultation Principles, the proposal for a 3-part SCI, the use of indicators to measure success, and how to strike the correct balance between digital and face-to-face engagement with available resources.

## **Why is the proposal being put forward?**

- 1 The adoption of a new SCI for Leeds presents an opportunity to ensure that the planning service is leading on wider city ambitions around inclusion and diversity, and to ultimately provide a service that is both effective and responsive to the diverse needs across the district and to ensure that people are kept up to date with planning.
- 2 An 'Interim SCI' was adopted by the Chief Planning Officer in December 2020, to allow the Council to continue with its core planning functions during the Pandemic, in line with Government guidance. This document has served the Local Planning Authority well, allowing the planning service to continue to function during challenging times. However, there is a need to look to a 'post-pandemic' world and to be prepared for a return to face-to-face consultation activity, as well as an increased formal role for digital communication. Many lessons have been learnt during the Pandemic, including the benefits of using digital technology to target and adapt during consultation activity, the fast-changing digital opportunities for consultation and engagement but also the need to ensure that others are not excluded.

- 3 The scoping consultation for the City Council's draft Local Plan Update (LPU) during summer 2021, 'Your Neighbourhood, Your City, Your Planet', highlighted what can be achieved through digital consultation and allowed an opportunity to explore a variety of techniques to ensure maximum effectiveness with minimum resource. It is considered that a new, refreshed SCI should provide a commitment to continue to use and explore digital opportunities but at the same time reinforcing the importance of more traditional methods of consultation and engagement.
- 4 The LPU consultation was generally successful, but as in previous consultations there were some challenges in connecting with the majority of people who live in the inner city (or in more deprived neighbourhoods). A notable exception to this is where there is existing neighbourhood planning activity. This tends to suggest that where there is knowledge (of the consultation), understanding (of planning) and trust (existing collaboration with officers on neighbourhood planning) there will be a far greater chance of positive engagement. There are clear lessons here for future consultation and engagement activity. This lack of engagement is a serious issue for the planning system nationally and it accords with the [Grosvenor - Building Trust](#) research which found that only 7% of people would trust Local Planning Authorities to make decisions in the public interest.
- 5 The Civic Voice report "Paper Tigers": A critical review of Statements of Community Involvement in England", published in October 2021 effectively set a challenge to all Local Planning Authorities to make their SCI's more accessible, relevant to all communities and proactive. The findings of this report fit neatly, if uncomfortably, with the Grosvenor research. The key recommendations from the report include:
  - An SCI should be clearly located, accessible and labelled on the website (the most up-to-date applicable version only) and the LPA should ensure it is widely promoted.
  - The substance of the SCI should be clear and upfront, with the basic statutory requirements in a separate section or clearly cross-reference annexes.
  - The SCI should have SMART consultation principles that can be agreed and actioned by the LPA and communities and measured against clear actions and outcomes to ensure effective monitoring and review.
  - Successful relationships with other Council departments should be fostered to support good quality engagement and ensure that principles and expectations are consistent across the authority.
  - The SCI should facilitate a wider culture shift, recognising communities as an important local resource, valuing participation, pursuing community learning and be accepting of informed influence.
  - LPA's should use innovation to produce a locally specific approach to engagement, rather than repeating the national statutory minimum requirements.

### What impact will this proposal have?

**Wards affected:**

Have ward members been consulted?

Yes

No

### What consultation and engagement has taken place?

- 6 Levels of engagement with stakeholders has been high and constructive to date. An early 'soft market' exercise helped lay the foundations to form the 'SCI Engagement Group' and this group assisted in advising on what the new SCI should look like and in the consultation in 2019.
- 7 Responses to the SCI scoping consultation were received from a total of 48 respondents. This included responses from a variety of Parish and Town Councils, Neighbourhood Forums, Community and Residents Associations, Action Groups, interest groups and forums and 17 individual residents from across the Leeds Metropolitan District.
- 8 Respondents were asked a variety of questions during the consultation including what planning matters are important to them, their experiences regarding commenting on planning applications and planning policy documents and any involvement with neighbourhood planning.
- 9 As far as we are aware, the consultation principles that are being considered for the draft SCI are the first in the country to be drafted and agreed with community representatives (via 'the SCI Engagement Group'). These are:

#### TRUST

- Commitment to working with partners and communities in a joined-up way
- There will be honesty about what can and can't be influenced and achieved
- Officers will consult with residents/other stakeholders in a respectful manner

#### TIMELY

- Consultations will be at a time when proposals are still at a formative stage to give people maximum opportunity to influence outcomes ('frontloading')
- An adequate length of time will be allocated for the consultation period
- All relevant information will be provided in a timely fashion to inform a meaningful response

#### VISIBLE

- There will be clarity about the aims, purpose and scope of the consultation
- The use of plain English at all times will ensure accessible consultations
- Consultation and engagement activity will be promoted as widely as possible making the best use of technology and other methods, as well as targeted to those most affected where necessary

#### INCLUSIVE

- Consultation will be open and accessible to engage with different sectors of the community
- There will be a commitment to eliminating discrimination and advancing equality of opportunity

#### TRANSPARENT

- The results of consultation will be used to show how it has influenced decisions
- The findings of the consultation, meaningful feedback and outcomes will be easily accessible
- Value for money will be achieved by ensuring that consultation is effective and proportionate to the issues being considered and the communities affected

- 10 The following key points were made during the SCI 'scoping' consultation:

- Being unaware of what is happening and how to get involved.
- Consider best use of social media, apps and digital opportunities.
- Don't forget more traditional forms of advertising consultation, these are important for many.
- Increase awareness of Public Access and the tracking/saved searches facilities.

- People are not always aware when an application has been submitted - neighbour notifications are not always received or site notices get missed.
- Concern that comments on planning matters more generally are not always taken into account.
- Lack of knowledge about how to find the outcomes of an application or consultation and where feedback on responses is provided.
- More community education/awareness of planning matters and concepts such as 'material planning considerations' would make it easier for people to make meaningful comments.
- More community engagement by the development industry.
- Use plain English – minimise technical language, jargon and acronyms.
- Provide a simple user experience for both the website and Public Access.
- Ensure that all consultation and engagement activity considers at the outset how people without internet access/those who are not computer literate will be able to easily and positively engage with and comment on the consultation.
- Public consultations should be a genuine effort to gauge public opinion and views, not just a box-ticking PR exercise.

11 Reflecting on the success of the Local Plan Update scoping consultation, the recommendations of the Civic Voice report and on the consultation feedback to date, there are a number of opportunities to revise the SCI to be a more engaging and locally-distinctive document:

- A revised SCI could be split into three parts, to make the document easier to navigate and to provide a natural separation between aims and objectives, requirements/what we propose to do and monitoring and review (with the introduction of possible 'indicators').
- Part 1 could provide a clear and simple explanation of what the SCI is and adopt an encouraging tone to better connect with local communities. This part would also include the 'consultation principles', as well as setting out how communities can engage and take part in consultations more effectively.
- Part 2 could set out how the Council will consult and engage on planning policy documents and publicise planning applications and how it will support neighbourhood planning. This section would provide a balance between simply setting out the key statutory requirements and clarity on how and when community involvement can take place.
- There is an opportunity to include a new section (Part 3) which would set out the opportunities and challenges to consultation and engagement in Leeds. These would be linked to the importance of having deliverable and locally specific 'indicators' which will make sense to local communities and will be relevant to their needs. Consultation on the draft SCI could explore what these indicators could be.

12 The opportunity for a 3-part SCI as set out would respond positively to the concerns raised during the 'scoping consultation' and many of the issues raised in the Civic Voice report. However, the real test will be how the SCI is used when it is adopted and the levels of trust and collaboration that can be achieved with local communities. The concerns raised have been expressed repeatedly and consistently across the planning service and the new SCI presents a significant opportunity to address these issues and make Leeds a more inclusive city. However, it should be noted that the concerns noted are repeated across the country and are not unique to Leeds.

13 Reflecting on the work done to date and the issues covered in this report, Members may wish to consider the following:

- To what extent the 3-part SCI as outlined respond positively to the Civic Voice report and the issues raised during the 'scoping consultation'?
- How can we make the best use of digital technology (interactive website, online workshops and targeting specific groups and neighbourhoods during consultations) but still ensure that those who can't (or won't) take part online are still included in consultation and engagement?
- What indicators could we include to judge the success of consultation and engagement activity in the future?

### **What are the resource implications?**

14 Revising the SCI does not commit the Council to additional expenditure, but any additional consultation activities may lead to pressure on resources and existing staff. A key consideration will be how digital technology and electronic communication can be used to reduce costs, as well as using in-house expertise and existing networks to make our consultation and engagement material and resources as engaging as possible and maximise reach. It is anticipated that any costs to the Council associated with community involvement will be met from within agreed budgets. However, it should be recognised that the more extensive consultation and notification and publicity practices that the SCI prescribes, the more consultation costs are likely to increase. In addition, it is not for the local planning authority to take the lead on all engagement. Developers have a role in engaging with communities to explain their proposals and to help ensure that community feedback is genuinely taken into account as part of the design and development process.

### **What are the legal implications?**

15 Section 18 of the Planning and Compulsory Purchase Act 2004 requires that a Local Planning Authority must prepare a Statement of Community Involvement.

16 The SCI was originally a document that was required to be approved by Full Council and subjected to an independent examination. The law has since changed and the Chief Planning Officer now has delegated authority to adopt the statement.

### **What are the key risks and how are they being managed?**

17 The revised SCI will seek to balance the increased expectations of local communities with the need for an efficient and effective planning system, delivered within budget constraints. This will mean ensuring that once adopted, the Council complies with the commitments made. The Annual Monitoring Report and Local Development Scheme provide an opportunity to monitor performance and delivery.

### **Does this proposal support the council's three Key Pillars?**

Inclusive Growth

Health and Wellbeing

Climate Emergency

18 The revised SCI will support Inclusive Growth by aiding meaningful community collaboration which can help to identify those neighbourhoods lacking in certain types of housing, employment opportunities, retail provision and open spaces which can, in turn, influence what sort of development is encouraged or supported in that area. This means that the right sort of development should take place in those areas that need it most, improving sustainability across the District.

19 Health & Wellbeing can be addressed through supporting engagement with those neighbourhoods where improvements to green space and active travel infrastructure are

needed, working towards prioritising appropriate developments in those areas to the direct benefit of the health and wellbeing of those communities.

- 20 By ensuring that we have a clear and robust framework for open and informative consultation and engagement on planning matters, we can facilitate participation that is valued, accessible and inclusive and can be an investment for the planning service in the future.
- 21 The opportunity to consult on possible 'indicators' to assist with monitoring and review of the SCI could help with issues around trust and collaboration and encourage more people to not only take part in consultation and engagement, but to do so again.
- 22 Revising the SCI will help us to better work with communities to identify opportunities to improve physical and social infrastructure in a sustainable way in line with the aims of the declared Climate Emergency priority, as well as maximising public support for new sustainable and/or emission-reducing initiatives which may require behaviour change by residents and businesses.

## **Options, timescales and measuring success**

### **What other options were considered?**

- 23 The preparation and adoption of an SCI is a statutory requirement. The approach taken to the drafting of the document will be a meaningful and serious approach to increase consultation and engagement activity in every neighbourhood in Leeds.

### **How will success be measured?**

- 24 The draft SCI presents an opportunity to introduce a series of 'indicators' to assist in monitoring and review, which could be a part of the consultation on the draft document. In addition to this, the satisfaction levels of individual consultation and engagement activities could be covered in a 'Consultation Report' for local plan making and a 'Consultation Statement' for neighbourhood planning.

### **What is the timetable for implementation?**

- 25 The draft SCI will be presented to DPP on the 1st March 2022. This will be subject to further consultation.

### **Appendices**

- 26 None

### **Background papers**

- 26 None