

Analysis of the GUA influence on the Statement of Community Involvement (Jan 2016)

The OPDC included most of the proposed 'Ground Rules' – some slightly amended, although there are suggestions that have not been adopted including – mention in the SCI of 'collaboration', 'co-production' (with the community), of 'encouraging community based options' (in terms of policy), and having an open book around planning applications and viability assessments.

The table below sets out (on the left hand side) - comments made in the GUA model response and on the right hand side the OPDC's comments/responses to this. **Where comment from the GUA model response has influenced or been adopted, this is highlighted in bold.** Sections (particularly from the Ground Rules) that have not been included are underlined. Some of the additional OPDC text is highlighted in grey.

GUA model response comments	OPDC comment and changes it is making
<p>The OPDC should ensure that all its documents are set out in an accessible fashion – easy to understand and communicate and using easy to read, plain English. Specifically -</p> <ul style="list-style-type: none">• a larger type size would be more accessible;• ensure that background colours don't make the text more difficult to read – especially for older people and those with sight problems;• use simple diagrams relating to the processes of consultation that the OPDC is statutorily required to engage in, as tables used in the draft are over complex, badly laid out and are difficult to read. <p>The Statement of Community Involvement (SCI) should set out exclusively how the OPDC will involve the community within and surrounding the OPDC area; large sections of whom are from the most deprived neighbourhoods in London (as highlighted in the OPDC's draft SCI).</p>	<p>OPDC has developed its own guidance to ensure consistency and accessibility in formatting documentation and will incorporate the issues raised regarding font size and colour palette in design. The diagrams in the final SCI have been simplified and reconfigured to make them legible and clearer.</p> <p>The OPDC has included the majority of suggested changes; most notably the SCI is restructured and reformatted to avoid the use of lengthy tables so that information is presented in a clear and concise manner. The inclusion of ground rules will help guide all those undertaking community involvement activities</p> <p>The OPDC says that the approach to engagement at a corporation-wide level will be developed through the Communication and Engagement Strategy.</p>
<p>Introduction</p> <p><u>Suggestion:</u> Even if the community charter is to be used outside the OPDC's planning remit (as is suggested in the draft SCI), it should nonetheless be include in the SCI. The charter needs to be stronger; it is currently deficient as highlighted previously in response to the first OPDC community charter consultation (see previous comments attached).</p>	<p>All responses related to community charter in this and previous consultation will (where appropriate) be incorporated into the charter and the Communications and Engagement Strategy.</p>

<p>Previously suggested the GUA should be the Community Champion/ Working group and could have facilitated involvement of the community in the formative stages of development of the Local Plan.</p> <p>The community should be effectively involved in the formative stages of plan-making. The OPDC must set out how it will incorporate the views of the community having consulted with them.</p>	<p>OPDC has responsibility to plan and organise ongoing engagement channels and will work with local networks including the GUA to ensure it meets the needs of local people and businesses within local networks and beyond. (Not really a response to the comment made)</p> <p>OPDC includes a commitment to involve the community in the formative stages of plan-making and the SCI sets out the stages at which consultation will take place.</p> <p>Information about how the community will be involved 'in the formative stages' will be shared in Jan 2016.</p> <p><u>NB The formative stages would have been prior to the publication of the first formal consultation on the OPDC's Local Plan.</u> In most instances the OPDC refers to early rather than 'formative' stages. (Is this enough?) **</p>
<p>Old Oak and Park Royal Overview</p> <p><u>Suggestion:</u> The SCI could / should set out how it will effectively utilise the rich wealth of knowledge and understanding of existing communities from within and at the edges of the OPDC area in formulating planning policy particularly around positively addressing the existing communities' needs (rather than simply providing a description of the area's demographics, which is more appropriate in planning policy documents). It should highlight that since the impact of the large scale development will impact on both those within and on the edges of the OPDC area and that both should be involved in development of planning policy. It should also set out how existing and new communities (mentioned in section 2) will be brought together to inform the OPDC's planning policy.</p>	<p>The OPPDC says (in the feedback section) that the SCI explains how it involves the community in deciding planning applications and preparing planning policy and that it sets out how it will effectively utilise the rich wealth of knowledge that existing communities have in and around the OPDC area.</p> <p>It says that it is committed to delivering effective community involvement. As a result it has adopted 10 ground rules which are intended to ensure a consistent and minimum standard for community involvement. These have been developed from suggestions from community groups, received during the SCI consultation and are based on those included in Bristol City SCI adopted in November 2015.</p>
<p>Consultation on planning policy</p> <p><u>Suggestion:</u> The SCI should –</p> <ul style="list-style-type: none"> • set out clearly the OPDC's duties and responsibilities / obligations around community involvement as distinct to those of the local authorities. There is some confusion amongst the local community around: the remit of the OPDC as a planning authority, what remit 	<p>The OPDC says (in the feedback section) that 'the SCI is specific to the OPDC and what our requirements are for community involvement. In the SCI introduction we will explain the role of the OPDC in context to that of the London Boroughs'.</p>

<p>it may have other than that as a planning authority and the responsible that lie with the three boroughs.</p> <p>This is very important for residents and community groups, some of who report having being given the 'run around' between the boroughs and the OPDC and, on occasions, being given incorrect information around the responsibilities of each. This information (more generally on service delivery – and who deals with what) could also be included in separate, community friendly document produced by the boroughs and the OPCD and be accessible on their websites.</p> <ul style="list-style-type: none"> • set out precisely how it will involve communities in developing planning policy - particularly hard-to-reach groups or people who do not usually engage in consultations in order to conform with the National Planning Policy Framework; • use words such as collaboration, co-creation and pro-active involvement (again to conform with the NPPF); • Supporting text (paragraph 7.6) of the London Plan policy 7.1 Lifetime Neighbourhoods is clear that boroughs (presumably all planning authorities) should be clear about the expectations for their communities and Neighbourhoods. • Paragraph 7.6 makes it clear that authorities should work not just with neighbouring authorities, relevant infrastructure service providers, but also with local communities to prepare and communicate strategies for meeting those expectations, ensuring that all sections of the community, including local businesses, are engaged in shaping and delivering their local strategies and therefore encouraging a sense of belonging to their neighbourhood. While, as paragraph 7.6 suggests, 	<p>The SCI introduction defines the area and which boroughs the area covers. It contains a section on its duty to co-operate with neighbouring boroughs and others (which was included in the draft). (Does this cover what GUA members wanted?）**</p> <p>In the feedback section the OPDC says it 'will provide more detail about how it will work with trusted organisations to develop engagement programmes and ensure communication is tailored for different audiences'.</p> <p>In section 2 of the SCI it sets out a table with a list of involvement methods including consultation documents, OPDC website, discussion events, drop-in events / exhibitions, emails and letters, meetings, press releases, questionnaires and social media. It also sets out (much clearer) diagrams of the consultation processes for development of the Local Plan and the Community Infrastructure Levy along and text on its legal duties around consultation and what it will do in addition to this.</p> <p>In the feedback section the OPDC says that its SCI clearly sets out the process for this engagement. Also in the corporation's Communication and Engagement Strategy there is recognition of the benefits of collaboration and co-creation in order to produce projects that have local support and benefit.</p> <p><u>There is, however, no inclusion anywhere of the words collaborative or co-produce (in relation to policy) with the community in the SCI.</u></p> <p><u>The OPDC 'strongly encourages applications to be <i>pro-active</i> in respect of engaging the community (section on encouraging effective pre-application involvement). Pro-active is not used elsewhere in the document.</u></p>
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<p>Neighbourhood Plans are one mechanism for both boroughs and community-led groups to agree on local priorities, resident and community groups might also be involved in co-production or co-creation of the authority's planning policy.</p> <ul style="list-style-type: none"> the community charter should inform and be incorporated into the SCI. The charter is a much weaker document if it is separated from the SC1. 	<p>The OPDC says that it will explore the role of the Community Charter and direction will be taken by the corporate Communication and Engagement Strategy on its role. (Why not in the SCI?)</p>
<p>Consultation on planning applications:</p> <p><u>Suggestion:</u> The organisation of Planning Fora is positive. The SCI should also set out clearly that:</p> <ul style="list-style-type: none"> the OPDC will operate an open book policy relating to any pre-application advice provided to developers, and public bodies [i.e. Network Rail / TFL] and on negotiations around viability of schemes (particularly regarding affordable housing proposals and section 106 agreements); the OPDC will provide support and guidance to the community to assist them in responding to planning applications; the community will be protected from poor consultation by developers particularly prior to the OPDC Local Plan being adopted; define what is meant by a major development. This should be sensitive not just to the size of a development but the scale of impact that developments may have on individual neighbourhoods; 	<p><u>OPDC says (in the feedback section)m - 'financial viability information provided by developers is normally deemed to be commercially sensitive and exempt from release into the public domain. However OPDC will seek legal advice on the matter as appropriate'.</u></p> <p>In the feedback section the OPDC says 'neighbours that are located in close proximity to development proposals will be notified in writing when a valid planning application is received. The letter will explain how representations can be submitted and contain advice on the range of planning issues that can be considered by the OPDC. Tel and email contact details will be provided for anyone who required info or assistance with submitting a representation. ** (Does this provide sufficient and equal support for community members?)</p> <p>OPDC says (in the feedback section) that it will provide advice to developers on consultation processes at the pre-application stage and will encourage developers to undertake meaningful consultation with the community. However this is not a pre-requisite to submission of a planning application and OPDC will undertake its own consultation on submission of a planning application. (Again perhaps not sufficient?)</p> <p>This is defined in table in Section 3 of the SCI as being: 10 or more homes or on a site of at least 0.5 hectares; 1,000 m2 or</p>

<ul style="list-style-type: none"> clear information should be provided to which authority (OPDC or boroughs) that community members should submit their objections to planning applications. 	<p>more of non-residential floorspace or on a site of at least 1 hectare; waste development.</p> <p>The feedback section says 'Notification about planning applications will be made by the relevant authority that is processing and determining the application. Therefore residents will always know where to send their representations.' (Is this OK?)**</p>
<p>Assessments and monitoring:</p> <p><u>Suggestion:</u> It is essential that the SCI set outs how it will measure and monitor the effectiveness of its strategies around community involvement, including monitoring of level involvement in -</p> <ul style="list-style-type: none"> co-production of planning policy; levels of submissions to consultations; what changes have been made as a result of community involvement <p>The OPDC should carry out annual tracking of the views and experiences of a representative survey group of resident and community organisations and small businesses from within and surrounding the OPDC area over the next 10–15 years.</p>	<p>OPDC says (in the feedback section) that it will provide more detail regarding measurement and monitoring of the effectiveness of community engagement within the SCI, where engagement relates to planning and within the Communications and Engagement Strategy where it relates to wider policy and project engagement.</p> <p>OPDC says it will investigate options of annual tracking of views and experience to inform corporate-wide monitoring. <u>But this is not included in the SCI</u></p> <p>Section 4 of the SCI says that they will assess the effectiveness of the SCI periodically and monitor the success rate of various methods being used. This will be carried out through the analysis of feedback to consultation on policy and applications requested via feedback forms or other methods. It says the SCI will be reviewed and regularly updated. The first review date will follow the publication of the Local Plan and where material changes are made there will be consultation.</p>
GUA model response suggested Ground Rules	Sections that the OPDC has / has not included
<p>1. Inclusive invitation</p> <ol style="list-style-type: none"> Reasonable attempts should be made by prospective planning applicants and / or the OPDC to ensure that a representative cross-section of the community is invited to the same community involvement event(s) to ensure that all participants are aware of each other's views. Invitations should go to every household in and around the OPDC area as well as to community groups (e.g. local residents associations, neighbourhood planning forums and amenity societies) where they exist or are formed as a result of a proposal. 	<p>1. Inclusive invitation</p> <ul style="list-style-type: none"> Sections (a) and (b) are included with an additional section to saying "Where community groups or individuals are unable to attend events but nevertheless wish to participate, engagement by written dialogue should be pursued." <u>(C) is not included</u> (d) is included but slightly amended to say the OPDC will liaise with trusted organisations to devise activities which cater for hard to reach groups. <u>(e) is not included</u>

<ul style="list-style-type: none"> c) Information provided by the OPDC and planning applicants will highlight the importance of community members and groups being involved in the development of planning policy and determining planning applications. Community participation in the planning process should be recognised as a central way of promoting vibrant democratic governance that encourages active citizenship. d) It may be necessary to hold additional events for those groups not traditionally involved in the planning process. This will include young and older people, people with disabilities or who have learning difficulties or black and minority ethnic communities. e) The OPDC will seek out active involvement of the community within and surrounding the OPDC area. Gaps in involvement, particularly of those who would not usually engage in planning policy will be identified and attempts will be made to address the gaps. f) Events should be held in accessible locations. Absence of accessible meeting spaces at the neighbourhood level will be identified and new provision will be made. g) All participants in the involvement process should be asked to provide their contact details to ensure they receive feedback on the results of involvement. h) The OPDC will make the best use of existing ways of talking to the community such as established local forums in each of the three boroughs; i) The OPDC will promote understanding of the planning process through schools and collages; j) Regular provision of information and feedback from open engagement events will be made available in accessible formats for all sections of the community by the OPDC and planning applicants; k) All consultation documents should be available free of cost to the public; l) The OPDC will avoid holding consultations during public or popular holiday time periods. 	<ul style="list-style-type: none"> • (f) is included with slight amendment • (g) is included with an addition saying that that ' participants should be provided with a rationale for the development proposals and a plan for how comments will be considered and a response given. • <u>(h) – (l) are not included</u>
<p>2. Authorisation</p>	<p>2. Authorisation (a) Is included with a slight amendment removing 'individual'</p>

<ul style="list-style-type: none"> a) Those representing community groups, the prospective planning applicant and the OPDC at community involvement events should be able to show that they are authorised to speak for their individual organisations or networks of organisations that they may be involved with. b) The scale and remit of those organisations should also be made clear. 	<p>(b) Is included</p>
<p>3. Continuity, collaboration and co-production</p> <ul style="list-style-type: none"> a) Involvement should be a continuous two way process for all interested parties, with the timetable for the period of preparing the plan or making the planning application, made clear. b) Where involvement is intended to include a series of meetings or events then, as far as possible, the same individuals that represent the community, the prospective planning applicant and the OPDC should be invited, to ensure some continuity. Minutes of meeting should be made available to ensure that there is no re-run of meetings when new groups and individuals engage. c) The OPDC will seek to work collaboratively with community groups and engage them in co-production of planning policy 	<p>3. Continuity (NB collaboration and co-production are removed) (a) is mostly included except that <u>'two-way' and 'all interested parties'</u> are excluded. Additional text is added saying it is desirable that the timetable allow adequate time for participants to engage in the process. (b) is mostly included although <u>reference to minutes of meetings is not included</u> <u>(c) is not included</u></p>
<p>4. Independent advice</p> <ul style="list-style-type: none"> a) Where technical or professional advisers or private consultants are employed as independent facilitators to manage involvement processes, they should have a client duty of care to all parties equally and should be instructed to follow these ground rules, irrespective of the party employing them. Where facilitators or advisers are not independent, this should be declared. 	<p>4. Independent advice (a) is included.</p>
<p>5. Early Involvement</p> <ul style="list-style-type: none"> a) Arrangements should be made for the community involvement process to begin at the formative stages of plan making and for all parties to meet at the early 'ideas' stage of the plan or development proposal process. This is before specific proposals are made, when significant options are still open and can be identified and while there is still the potential to make a difference to the final options selected. 	<p>5. Early Involvement (a) is included but amended removing <u>'formative'</u> and replacing with <u>'early'</u>. <u>'This should be before specific proposals are made'</u> is removed. Additional text is added saying that <u>'where community groups and individuals are unable to attend the initial meeting but none the less wish</u></p>

<p>b) The OPDC will seek to facilitate communities' desires to be proactive.</p>	<p>to participate, engagement by written dialogue should be pursued'. <u>(b) is not included.</u></p>
<p>6. Presenting options</p> <p>a) The aim should be to set out options or choices that are possible in the way that specific development is carried out, including those suggested by the community and that reflect the community's needs, ambitions and experience.</p> <p>b) For development proposals, purely oral or written presentations should be avoided so that, wherever possible, options are also presented visually. This should include the use of three dimensional models. Written materials may need to be translated into other languages.</p> <p>c) Options presented in flyers and or newsheets and which are widely distributed will present options in an accessible format.</p> <p>d) The OPDC should encourage the development of community based options.</p>	<p>6. Presenting options</p> <p>(a) is in part included – OPDC refers to 'reasonable' options or choices and 'where reasonable' is added in respect of community's needs ambitions and experience.</p> <p>(b) is mostly include – with alternations that are more positively what they will do rather than what should be avoided. They talk about accessible presentation materials and as well as three dimensional models include drawings, videos and aerial photographs. <u>The section on translation of written material is not included.</u></p> <p><u>(c) and (d) are excluded</u></p>
<p>7. Choosing between options</p> <p>a) The planning criteria for choosing between options should be made clear and transparent.</p> <p>b) The OPDC will explain why any alternatives may have been rejected.</p> <p>c) It is expected that developers will provide a range of options for community consultations and reasons for rejecting any that are favoured by the community. These should not include leading questions.</p> <p>d) The OPDC and developers will provide some open questions which invite comment – for example around potential heights of buildings.</p>	<p>7. Choosing between options</p> <p>a) is included</p> <p><u>GUA sections b), c) and d) are not included.</u></p>
<p>8. Consensus</p> <p>a) Best endeavours should be made to reach consensus, making it clear and specific how far the involvement has resulted in agreement to adopt or to alter proposals. Where agreement has not been possible, the reasons and the scale of disagreement should be made clear and specific.</p> <p>b) The OPDC will also set out how it will conclude that a consensus has been reached.</p>	<p>8. Consensus</p> <p>a) is included</p> <p><u>b) is not included</u></p>

<p>9. Transparency and confidentiality</p> <p>a) For major planning applications, a Community Involvement Statement is required to be submitted by the planning applicant to the OPDC as a supporting document to their planning application. The statement will summarise</p> <ul style="list-style-type: none"> • the community involvement undertaken • the main issues raised by the community • how the proposal has been revised to take account of the issues raised and, where the proposal has not been revised, the reasons why not. <p>b) For OPDC Local Plan documents, a consultation statement will be made available alongside the Local Plan published for representations. This will set out</p> <ul style="list-style-type: none"> • who was consulted when preparing the Local Plan • a summary of the main issues raised by those persons; and • how those issues have been addressed in the Local Plan • full submissions will also be available via the OPDC's website (section of the Mayors website) <p>c) For Supplementary Planning Documents, a consultation statement will be published alongside the draft document. This will set out:</p> <ul style="list-style-type: none"> • who was consulted when preparing the draft document • a summary of the main issues raised by those persons; and • how those issues have been addressed in the draft document <p>d) Participants may provide a written statement of omissions and corrections which will be reported and considered by the OPDC along with the Community Involvement Statement and / or consultation statement. The availability of information submitted as a part of the planning process is important to ensure public participation in the planning process, confidence in the planning system and the accountability of those undertaking the assessments. The</p>	<p>9. Transparency and confidentiality</p> <p>a) is included with 'if necessary' (re policy revision) in the last bullet point.</p> <p>b) is included <u>with the exception of the final bullet point.</u></p> <p>c) is included with slight amendment to final bullet point.</p> <p>d) is included up to 'undertaking assessments' at the end of line 8. <u>The remainder is excluded.</u></p> <p>They say (in the feedback section) – as already highlighted above - 'Financial viability information provided by developers is normally deemed to be commercially sensitive and exempt from release into the public domain.</p>
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<p>OPDC considers that information submitted as a part of, and in support of a viability assessment should be treated transparently and be available for wider scrutiny. In submitting information, applicants do so in the knowledge that this may be made publically available alongside other application documents. If an applicant considers that disclosure of an element of a viability assessment would cause harm to both their commercial interests and the public interest, and should be kept confidential, they should provide a full justification for this. The OPDC will consider this having regard to the 'adverse effect' test and overriding 'public interest' test in the EIR, decisions of the ICO and the First Tier Tribunal, and the specific circumstances</p> <p>e) The OPDC will</p> <ul style="list-style-type: none"> • provide advice and guidance to community members on how to effectively object to planning applications; • provide guidance for developers on involving the community around individual developments; • ensure that information on all section 106 agreements is easily accessible to the community via its website and • encourage community involvement in determining the content of individual section 106 agreements. <p>f) The OPDC will define what it means by a major planning application. The definition will be sensitive not just to the size of a development, but also to the impact it may have on any one particular community.</p>	<p>However OPDC will seek legal advice on the matter as appropriate.</p> <p>e) <u>is not included</u></p> <p>f) <u>is not included</u></p>
<p>10. Feedback on the outcome of community involvement</p> <p>a) For major planning applications, feedback is provided in the officer's report which recommends to the delegated officer or the Planning Committee whether planning permission should be granted. The report summarises the pre-application involvement undertaken by the applicant and how it has influenced the application. For applications below the 'major' threshold, the officer's report summarises the responses received to consultation on the planning application.</p>	<p>10. Feedback on the outcome of community involvement</p> <p>a) is included (amended and divided into two sections (a) re major planning applications and (b) re applications being considered by the planning committee.</p>

<p>b) For Local Plan documents, feedback is provided in the consultation statement referred to under 9b. For Supplementary Planning Documents this will be the consultation statement referred to under 9c</p> <p>(c) The OPDC should set out how it is conscientiously taken into account any representations, why it is disregarding comments made in any representations from the community and any proposed alternatives.</p>	<p>b) becomes c) and is included</p> <p>c) becomes d) and is amended to 'In making decisions on planning applications and planning policy documents, OPDC will carefully consider comments made during involvement and consultation on application or plan. (not quite what was asked for)</p>
<p>11 Responsibility</p> <p>a) The particular remit and responsibilities of both the OPDC and the boroughs in terms of planning policy and determining planning applications, and for involving the community in both, will be clearly expressed in explanatory documentation that is accessible to all community members.</p> <p>b) The OPDC will avoid confusion around its and the boroughs responsibilities for different types of planning applications in order to avoid community members having less than a reasonable period to respond to consultations. This will be set out clearly on the OPDC's and the boroughs' website.</p>	<p>11 Responsibility</p> <p><u>Section 11 This is not included</u></p>
<p>12. Measuring, monitoring and evaluating the effectiveness of community involvement</p> <p>a) The effectiveness of community involvement will be measured, monitored regularly and evaluated. This will include</p> <ul style="list-style-type: none"> • community involvement in co-producing planning policy; • levels of consultation submissions; • changes that have been made as a result of community involvement • annual tracking of the views of and experiences of a representative survey group of resident and community organisations and small businesses within the boundaries of the OPDC area over the next 10–15 years. 	<p>12. Measuring, monitoring and evaluating the effectiveness of community involvement</p> <p><u>Section 12 is not included in the ground rules.</u> Section 4 of the SCI covers assessment and monitoring.</p>