
Peer Review of London Borough of Ealing Adopted SCI and Draft Engagement Plan

1. Introduction

The London Borough of Ealing (LBE) is currently developing its Local Development Framework (LDF) and as part of this process is seeking to refresh its Statement of Community Involvement (SCI) which was adopted in June 2006. Furthermore the Borough has recently produced a draft engagement plan for the Local Development Framework (LDF) and Local Implementation Plan (LIP), with a view to adopting a finalised Engagement Plan within 2010.

The Planning Advisory Service (PAS) through a self referral from LBE identified the need for additional support, advice and guidance with regards to community consultation and engagement for the LBE. In this context, Entec UK Ltd (hereafter referred to as Entec), on behalf of PAS, has delivered module 1 engagement support and continues to provide support in the role of ‘critical friend’ with a view to seeking more robust community involvement and as part of this role has been commissioned to undertake a peer review and critical assessment of the adopted SCI and draft Engagement Plan.

1.1 Purpose of this report

This technical note provides an assessment in order to support further development of the draft Plan and forthcoming revised SCI. The review has considered whether the existing SCI, accords with current national planning policy and legislation including Planning Policy Statement 12: Local Spatial Planning (PPS12) and the regulations set out in the Planning Act in 2008, both of which are directly relevant to consultation and engagement as we understand them today. Furthermore, best practice is set out to assist LBE in developing the documents further.

1.2 Report structure

As a basic structure we have followed an approach considering the following points:

- How documents can respond to the current planning context within Ealing;
- A review of whether the SCI conforms to legislative requirements;
- A review of the draft Engagement Plan;
- Cross cutting recommendations; and a
- Summary of key findings.

2. How documents can respond to the current planning context within the London Borough of Ealing

2.1 Introduction

Prior to conducting an appraisal of the existing SCI, this section provides an outline of the planning context in which the LBE LDF operates. The purpose of this brief review is to identify the opportunities to enhance the Council's SCI and develop an understanding of the key challenges (for example, based on local demographics) faced in developing a robust strategy.

2.2 Regional planning policy

The draft Mayor's London Plan sets out an integrated economic, environmental, transport and social framework for the development of the capital over the next 20-25 years. However given the ongoing reform of the planning system and the removal of Regional Spatial Strategies as policy considerations, whether the London Plan will ever be adopted is currently unclear and uncertain. It is however inevitable that any delay and uncertainty surrounding the London Plan will have a bearing on the preparation of the Council's LDF and in particular the Core Strategy. For instance in terms of Development Plan Document (DPD) housing allocations.

There is significant pressure for development within the borough of Ealing as reflected within the draft London Plan which makes provision for 8,900 homes (Policy 3.3) to be provided within Ealing over the period 2011-2021. With consideration of the existing scale of housing and the built environment within LBE this may prove to be a significant challenge.

2.3 Local planning policy

Revisions to national level policy and legislation including the publication of PPS12 in 2008 and associated amendments to the regulations have served to streamline the plan making process by effectively removing the requirement for Local Planning Authorities (LPAs) to undertake consultation on Preferred Options as part of the preparation of Development Plan Documents (DPDs). This provides a greater degree of flexibility with respect to the consultation methods employed to support plan production.

In theory, this means that there is one less stage to consult upon in the plan making process; however we consider that there is now greater onus on the Planning Authority to ensure there is an appropriate level of consultation to prepare a sound DPD. This should involve ongoing consultation that is tailored to the local context and is seen to be inclusive of the key stakeholders. For example, any major applications that are submitted over the period could feed into policy development and therefore initiate greater consultation feedback or even resource demands of the individual Planning Authority. The need for flexibility is summarised in PAS guidance covering Regulation 25 (Issues and Options):

'You do not have to regard this as an isolated stage of consultation that takes a set period of time. Instead, the local authority may choose to encompass a variety of activities which happen more than once and at different times'.

2.4 The people of Ealing

The existing SCI provides a detailed contextual section on the make-up of Ealing's population. Points of note within this include the sheer size of the Borough and the high percentage of the

population that are from an ethnic minority. In 2001 this figure stood at 41.3%. There is a significant South Asian population (24.5% of total population) and a further multitude of other ethnic groups. On this basis the SCI states that Ealing is the 4th most diverse borough in London. There is also recognition within the SCI of more transient communities such as students and travellers. It is also of note that there are pockets of both significant deprivation and wealth within Ealing often within close proximity. In such areas, it is critical that consultation feedback (or at least the opportunity to) is equal and representation doesn't fall only upon the 'usual suspects'. All of these factors must be taken into account in the drafting of the Plan and SCI. For instance consultation methods may need to be tailored using methods that consultees are more likely to access or respond to and in some cases may require translation. Many of these factors will need to be considered from a logistical and budgetary context.

2.5 Development Management

With regard to Development Management, it is considered inevitable that some major applications will come forward within Ealing over the LDF plan period and thus engagement processes and methods must be robust and appropriate. Such examples may include Crossrail, which we understand will have 5 new stations within the borough by 2015, or the pressure for residential development within the Borough. Entec's experience is that in order to ensure there is local community support, it is vital that engagement is initiated at the earliest possible stage, by building capacity and sharing information with stakeholders. By informing the general public of the need for developments, community acceptance or at least understanding is considerably enhanced. Naturally a strong SCI embracing pre-application consultation and a diverse approach to engagement will foster greater public and stakeholder understanding and in turn benefit LBE (by meeting housing/employment requirements and delivering infrastructure).

3. SCI Review

3.1 Introduction

This section sets out Entec's review of the adopted SCI for Ealing. This begins with a consideration of how the SCI conforms to legislative/policy requirements as a pre-cursor to considering more overarching issues.

3.2 Conformity vis-a-vis legislative requirements

The Planning and Compulsory Purchase Act 2004 places a direct requirement on LPAs to produce SCIs for the purpose of setting out requirements for consultation when preparing DPDs and for consulting on planning applications. The SCI will constitute part of the LDF. A definition of the role of the SCI is provided by PAS:

'This sets out how, when and where the council will consult with local and statutory stakeholders in the process of planning for the local authority area, both in producing development plan documents and in carrying out the development control function. A Statement of Community Involvement is no

*longer considered a development plan document and is therefore not subject to examination*¹.

Furthermore Planning Policy Statement 1: Delivering Sustainable Development (PPS1) states that:

'more effective community involvement...is best achieved where there is early engagement of all the stakeholders in the process of plan making and bringing forward development proposals. This helps to identify issues and problems at an early stage and allows dialogue and discussion of the options to take place before proposals are too far advanced'.

The principal document of consideration when writing an SCI is PPS 12: Local Spatial Planning (2008). This expands on the participatory elements of PPS1 by providing eight objectives which an SCI should fulfil. These objectives have been taken forward to form a framework against which the SCI has been assessed. The assessment process has been developed using the following scoring system:

- ++ Meets PPS 12 objective
- + Meets PPS 12 objective, but SCI could be improved
- Does not meet PPS 12 objective

Table 3.1 below presents the results of this initial appraisal and identifies a number of associated key challenges and opportunities. Where relevant, recommendations are made with further reference to the draft Engagement Plan.

Table 3.1 – Assessment of PPS12 Criteria against LBE’s SCI

| PPS 12 Objective | Score | Commentary | Key Challenges/ Opportunities |
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| 1. Explain clearly the process and methods for community involvement for different types of local development documents and for the different stages of plan preparation. This needs to include details of how the diverse sections of the community are engaged, in particular those groups which have been underrepresented in previous consultation exercises. | ++ | <p>A breakdown of how planning policy is developed in the form of the forthcoming Local Development Framework (LDF) is provided in Section 3.1 of the SCI. This provides detail on the make up of the LDF.</p> <p>Table 3 (on page 31) provides an indication of how a number of stakeholders will be involved in the preparation of different forms of Local Development Documents.</p> <p>Table 2 provides a detailed breakdown of community involvement in DPDs at 4 stages; pre-production, production,</p> | <p>The diagram on page 2 contains a lot of information relating to Section 3.1. This could be moved to this section and referred to within the text. Furthermore the diagram could be simplified to ease the reader's understanding. An example of such a diagram is taken from the Walsall SCI provided within Appendix A.</p> <p>There is significant discussion within Section 3.2 on how LBE will consult upon the various stages of the DPD process. This could include a right brain visual in the form of a diagram such as that used within the Bristol CC SCI (see Appendix A).</p> <p>A number of diagrams/text within</p> |

¹ PAS (2009) <http://www.pas.gov.uk/pas/core/page.do?pageId=12545>

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| | <p>examination and adoption.</p> <p>Positively the importance of engaging harder to reach groups is acknowledged as a key issue within the SCI's six key objectives. This is then expanded upon in Table 1 that provides a range of possible methods for engaging with different groups and for different types of planning document. This is innovative and rare even within SCIs adopted this year.</p> <p>Two diagrams breakdown the consultation process for DPDs and Supplementary Planning Documents (SPDs) throughout Section 3. Again this is positive giving the reader a clear idea of when they will be able to respond to draft planning documents.</p> | <p>the SCI refer to the Preferred Options stage of developing DPDs. Revisions to national level policy and legislation and associated amendments to the regulations have served to streamline the plan making process by effectively removing the requirement for local planning authorities (LPAs) to undertake consultation on Preferred Options as part of the preparation of Development Plan Documents (DPDs). This should be reflected within the SCI and updated to reflect whether Ealing intend to carry out this stage of consultation.</p> <p>Section 2.4, covering how to engage different groups, could include reference to the benefits of undertaking a Community Impact Assessment in targeting specific groups for an explicit consultation stage. Such a mechanism could ensure all appropriate individuals, communities and groups are considered and engaged with to identify any impacts or potential impacts. This would enable LBE to recognise when a specific plan or programme affects a specific group and in turn develop appropriate engagement methods.</p> <p>Recognition of the silent majority (e.g. transient communities) may be of benefit to the document, identifying that it is also commonplace for the widest hard to reach group can be the silent majority and consideration of methods to involve a broad spectrum of the community can prove important to consultation response diversity levels.</p> <p>In general the current SCI is considered to be too long. Ultimately if a document is lengthy this will lead to the reader not paying it full attention. Information where possible should be moved to Appendices or taken out of the SCI entirely and placed on LBE's planning pages. Web-links could be provided so the useful detail is not lost but at the same time the SCI is as a whole streamlined. This issue generally runs through the document but one such example could be Section 4.15 on Conservation Area designations. Ultimately it should be remembered that the SCI needs to conform to the 8 PPS12 objectives rather than provide a rundown of every single element of planning.</p> |
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| | | | <p>As to be expected, references will need to be updated where appropriate to the 2008 Planning Act or an updated Community Strategy etc.</p> |
| <p>2. Identify which umbrella organisations and community groups need be involved at different stages of the planning process, with special consideration given to those groups not normally involved.</p> | <p style="text-align: center;">+</p> | <p>Table 2 within the SCI provides a thorough breakdown of how the community are involved in DPDs.</p> <p>Table 3 includes a rundown of how different stakeholders will be involved in the preparation of different types of Local Development Documents and the different methods suitable to each stage.</p> <p>Table 1 provides a range of possible methods for engaging with different groups and for different types of planning document. Positively this acknowledges a number of harder to reach groups and how engagement may differ depending upon the type of planning document being produced.</p> <p>Section 2.1 provides sound contextual background on Ealing's population. This provides an indication to the reader of the harder to reach groups that may exist in Ealing.</p> <p>Positive acknowledgement of the importance of when and where consultation exercises are undertaken. For example avoiding consultation exercises during school holiday periods or religious holiday dates reflective of the community.</p> <p>Page 3 of the SCI pays reference to the Ealing Community Network. Such networks provide an opportunity to widen community involvement in the Local Development Framework process and promote joint engagement activity.</p> | <p>The SCI could include a clearer breakdown of the role each DPD will play within the LDF. This could be achieved through the use of a separate table covering each document either following the revised figure on page 2 or within section 3. These tables would cover, a DPDs content, the stages in its production process and which consultation methods are recommended.</p> <p>Presentation could be improved by tabulating the various lists of consultation bodies within Appendix 1 for example.</p> |
| <p>3. Explain the process and appropriate methods for effective community involvement in the determination of planning applications and where appropriate refer to Planning Performance Agreements (PPAs).</p> | <p style="text-align: center;">-</p> | <p>A common problem with SCIs is the lack of recognition of the impact of scale with regards to planning applications and the level of consultation required. Table 4 includes a range of methods available for involving the public on planning applications of different sizes.</p> <p>There is no mention of PPAs within the document.</p> <p>Whilst the SCI outlines the</p> | <p>Forthcoming National Policy Statements (outcome of 2008 Planning Act) are set to outline suitable consultation requirements for nationally significant infrastructure developments. Reference to these requirements should be made in Chapter 4 - 'Planning Applications' to ensure developers are aware of these when preparing a planning application. The SCI should at least signpost best practice at the national level for developers to base their</p> |

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| | | <p>statutory consultation procedures with respect to a planning application it does not acknowledge that the breadth of consultees will vary with the nature of the proposal and its location.</p> | <p>engagement approach on major applications.</p> <p>PPAs are an increasingly useful tool in the planning of major development. The SCI offers a mechanism alongside other planning documents to foster their use. Greater detail as to their content and cross-reference to national guidance could be included within the SCI. Ultimately these in many cases are likely to be essential in major planning applications in the future.</p> <p>Additional support can be requested through the Advisory Team for Large Applications (ATLAS) if not already underway.</p> <p>One best practice approach could be to include a worked example of a planning application and stages the application would go through before and throughout its determination.</p> |
| <p>4. Include details of the Local Planning Authorities (LPAs) approach to pre-application discussions.</p> | <p>+</p> | <p>Reference is made to LBE's approach to pre-application discussions on pages 38-39. The SCI strongly recommends that developers consult the Planning & Development Service on applications. By doing this an agreed level of pre-application consultation can be agreed between a developer and the planning authority.</p> | <p>There is potential to remove the negotiable element and set out an exemplar of the good practice pre-application expectations for developers in writing, in particular for major applications. This would save LBE resources in terms of negotiation time. The pre-application section as it stands could provide an indication of the scale of development that requires pre-application consultation as a guide to developers.</p> <p>Some pre-application measures (including an example of good practice) for major applications are recommended.</p> <p>A firmer approach to pre-application could be adopted such as in the Bristol SCI, which states that in the case of their major planning applications 'developers are expected to apply all 10 methods of community involvement as set out'. See Figure 3.1 below for Bristol's requirements.</p> <p>Whilst most applications are unlikely to fall into the 'nationally significant infrastructure' category as considered within the Planning Act, some of the new pre-application requirements upon promoters could be recommended as best practice within the SCI for major applications that fall under the nationally significant threshold. Further detail provided in Section 3.4.</p> <p>It is noted that providing a robust</p> |

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| | | | section here covering pre-application consultation is critical to fostering community understanding/acceptance on developments. |
| 5. Include the LPAs approach to community involvement in planning obligations (S106 agreements). | + | <p>SCI sets out the purpose of Section 106 agreements (on page 47). The document recognises the role the Ealing Community Network can play on the type of contribution that may be required to mitigate social impacts.</p> <p>LBE also sets out that it will conduct an open approach to those wishing to comment on the desirability of a legal agreement in relation to a planning application.</p> | <p>SCI could provide a link to relevant policy regarding developer contributions (be it Local Plan, LDF or SPD) and how the community is to be involved in the negotiation process. A focus could be made on evolving these earlier in a planning application's progress.</p> <p>Furthermore it should be clear that an outcome of consultation on planning applications will be fed back into the developer contributions negotiated.</p> |
| 6. Include information on how the SCI will be monitored, evaluated and scrutinised at the local level. | + | <p>Section 5.5 of the SCI indicates that the SCI's performance will be monitored based on feedback from stakeholders, community/voluntary groups and the general public. The SCI sets out that the Council will work to establish good practice using a range of techniques set out in the SCI. Section 5.5 also includes reference to any alterations to the SCI in the Local Development Scheme.</p> <p>There isn't any reference to what circumstances will entail a review of the SCI, despite recognition that this will have to be done.</p> | <p>Potential to add an indication of the circumstances required to initiate a review of the SCI and link its success to the Annual Monitoring Report using clear objectives set out within section 5.5.</p> <p>There is potential to involve the public in the revision of the SCI. This was carried out in South Tyneside. Here in developing their SCI an open invitation to groups and individuals to get involved was placed in the regular community magazine.</p> <p>LBE could include:</p> <ul style="list-style-type: none"> • demonstrating how the commitments have been delivered in practice; • a review of individual approaches and their relative success; or • a review of how effective community engagement has been in shaping documents and influencing refinements to the SCI. <p>Potential factors that may initiate such a review include:</p> <ul style="list-style-type: none"> • changes to national planning policy; • demographic changes; and • identification of additional hard to reach groups. <p>There needs to be a clear statement that the outcomes of each round of consultation will be reviewed and, if necessary, amendments to the SCI made.</p> |
| 7. Include details of where | ++ | Section 5.6 of the SCI provides | SCI is sound in this respect. |

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| <p>community groups can get more information on the planning process, for example, from Planning Aid and other voluntary organisations.</p> | | <p>clear details of Planning Aid for London's remit and associated contact details.</p> <p>A set of useful contacts are provided within section 5.6 of the SCI to LBE's planning teams and the Customer Service Centre. This covers a number of methods (e.g. address, phone, email and website).</p> | <p>The use of Planning Aid for advice as to appropriate engagement techniques and referring applicants to them is of great benefit and could be cross referenced in the planning application chapter (section 4).</p> <p>For instance, a Planning Aid project in Yorkshire was used to raise awareness of planning and boost participation through the 'Planning for Black and Minority Ethnic Communities project' this featured training, workshops and activities to build local capacity within this traditionally 'hard to reach' group. The resources used on such projects could be of great benefit in an area as multicultural as Ealing.</p> |
| <p>8. Identify how landowner and developer interests will be engaged.</p> | <p>+</p> | <p>The SCI recognises the importance of involving developers at an early stage and provides opportunity for pre-application discussions and developing a pre-application consultation strategy with Planning Officers.</p> <p>Landowner interests will be engaged through the planning application process as set out in Section 4 of the SCI.</p> <p>Section 4 provides substantial detail on the planning application process with regard to consultation, of benefit to all stakeholders including landowners.</p> | <p>Reference is made to ensuring publicity is provided for key stakeholders of when draft DPDs, for instance, are coming forward. This could be facilitated through the Ealing Community Network. Once notified such groups are usually familiar with planning system in terms of submitting a suitable response. However, there could be scope within the SCI to provide model responses or user guides to assist responses particularly for landowners unfamiliar with the planning system.</p> <p>The use of the Limehouse database offers a progressive opportunity to publicise opportunities for engagement and in turn maximise consultation response from such interests. We recognise that this mechanism has been removed from LBE, however an appropriate alternative must be employed.</p> <p>Whilst the detail contained within Section 4 is excellent. Some of the sections are perhaps not needed to meet the SCI requirements as per PPS12. For instance conservation area designations (section 4.15) and in turn hyperlinks could be made to information housed on the Ealing Council website.</p> |

The LBE SCI is considered to be largely robust with regards to the objectives set out in PPS 12. The appraisal indicates that the document meets seven of the eight objectives. However given there are only two double positive scores there is clearly potential to improve the SCI.

There is much that works well within the existing SCI, although it should be recognised that there are always opportunities to enhance approaches. Key issues are covered including who

constitute 'harder to reach/seldom heard' groups and how they should be engaged; an indication of how different stakeholders will be consulted on forthcoming planning documents; LBE's approach to pre-application discussions; the role of Section 106 agreements; and information on how the SCI will be monitored. Furthermore, the SCI is clearly presented and structured in a progressive manner. The SCI is also comprehensive in the way it provides the reader with extensive details on how further planning advice can be acquired both from the Council and Planning Aid.

However, there are a number of opportunities for the SCI to build on this solid base by incorporating further best/good practice methods. For instance the SCI could provide a stronger breakdown on the documents that the LDF comprises and there is potential to build upon pre-application requirements within the SCI as it stands. It is also considered that whilst the SCI contains content of a high quality a number of its sections could be cut and either appended or hyperlinks used to refer to content contained on the website. Furthermore it is recommended that a section is added into the SCI on continuous involvement in the LDF as a whole i.e. e-briefs, newsletters etc and who they will be targeted at. There is also a need for reference to PPAs within the SCI as a tool for assisting the Local Planning Authority (LPA) and the developer when handling major development projects.

The following sections of the review provide a snapshot of best/good practice methods that offer potential to improve the existing SCI with regards to the points made both here and within the appraisal itself.

3.3 Continuous engagement

As discussed in Section 2, legislative change (i.e. the removal of the preferred options stage) has in Entec's view made LPAs increasingly responsible for ensuring consultation is ongoing throughout the planning process, so to ensure overall consultation does not decline. Continual engagement has a number of distinct advantages including the building of capacity to respond to more formal consultation documents and providing an opportunity to identify and address issues early in the plan preparation process. In this respect, it is recommended that the SCI sets out a strategy for ongoing engagement with the community and wider stakeholders. This would include a package of measures such as regular press releases, newsletters, e-briefs, member training and visits to community groups.

3.4 Potential to improve expectations for developers to conduct pre-application discussions within SCI

Table 3.1 highlighted that there is potential for a more formal approach to pre-application within the SCI. Chapter 4 covering 'Community Involvement in Planning Applications and Enforcement' of the existing SCI provides clear encouragement to developers to carry out pre-application discussions with the Council. Indeed given the pressure for development in Ealing, pre-application discussions offer an opportunity to foster community understanding and acceptance of proposals. Building upon this, there is potential to provide a clear best practice approach, as in the Bristol City Council SCI, whereby developers of major applications (as defined within the SCI) are expected to apply all 10 methods of community involvement as seen below.

Figure 3.1 Suggested Involvement techniques from Bristol CC SCI

| Suggested involvement techniques | |
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| 1. Consider employing specialist community involvement consultant to devise overall strategy and run specific events. | 6. Public Forums to debate and discuss proposals - open to a wide audience. |
| 2. Provide professional independent facilitator to host forums, workshops or debates on controversial issues | 7. Tailored media events publicising future applications, any involvement events taking place and how local communities can become involved. |
| 3. Meetings/ workshops to shape proposals involving targeted sections of the community e.g. planning groups | 8. Exhibitions/displays, questionnaires and information at local community centres or at accessible locations to the communities likely to be affected by the application. |
| 4. Mail drop to communities e.g. questionnaire and/or information on proposed future involvement events. | 9. Dedicated web pages (of the applicant and/or council), setting out proposals, any involvement events/initiatives and how to get involved on commenting at the pre-application stage. |
| 5. Postal or street survey questionnaires, (web-based questionnaires might also be considered, but these should be run alongside other styles of questionnaire) with subsequent feedback opportunities. | 10. Notify Neighbouring properties and send a copy of the plans, or better still call round early on. |

Source: Bristol CC (2008) Statement of Community Involvement

The Planning Act 2008 (the Act), seeks to provide a faster and fairer development consent system for nationally significant infrastructure projects. Whilst ‘nationally significant’ applications are to be dealt with under the jurisdiction of the Infrastructure Planning Commission (IPC) considerable best practice could be reflected within LBE’s SCI. The CLG publication, ‘Planning Act 2008 - Guidance on pre-application consultation’ sets out that in brief the Act requires promoters of major infrastructure to:

- *‘consult the relevant local authority on what should be in the promoter’s Statement of Community Consultation (SoCC), which will describe how the promoter proposes to consult the local community about the proposals;*
- *have regard to the local authority’s response to that consultation in preparing the SoCC;*
- *publish the statement in a locally circulating newspaper, and as required by secondary legislation, and carry out consultation in accordance with the SoCC;*
- *consult a range of statutory consultees;*
- *set a deadline of at least 28 days by which responses to consultation must be received;*
- *notify the IPC of the proposed application;*
- *publicise the proposed application in accordance with regulations in secondary legislation;*
- *have regard to relevant responses to publicity and consultation; and*

- *prepare consultation report and submit it to the IPC.'*

A combination of recognising both the Planning Act's requirements and identifying suggested involvement techniques within the SCI specifically for pre-application discussions (or cross-referencing to an Appendix) would provide greater encouragement to developers to undertake pre-application work and offer clarity to developers as to what this should entail. Whilst it is recognised that the Planning Act's requirements only apply to nationally significant infrastructure, Entec consider that reflecting its requirements for major applications is best practice. Ultimately by providing more vigorous early consultation requirements (frontloading), the opportunity for stakeholders (such as those identified in Appendix 1 of the SCI) to influence proposals will be maximised and in turn ensure they are in the wider public interest. It is considered inevitable that major applications will come forward both under and above the threshold set out within the Planning Act.

It is considered that the SCI could incorporate a good practice example within Ealing (or if relevant elsewhere) where a developer has taken a pro-active approach to pre-application discussions. Furthermore, it is considered that the SCI's robustness could be improved by providing an indication of the scale of consultation required depending on the size of a proposed development. In turn a table could be added into the SCI or Toolkit similar to that used in the Sedgemoor District Council SCI as seen below. This would provide an indication to a developer of the level of consultation likely to be required both in terms of pre-application and once submitted on an application. Figure 3.2 below provides an indication of how this may be presented.

Figure 3.2 Sedgemoor DC SCI appropriate consultation methods

Figure 7 - Possible consultation techniques on major planning applications

| APPROACH | TIER LEVEL 1 | TIER LEVEL 2 |
|---|--------------|--------------|
| Public meetings - on larger and more controversial schemes, a wider audience can debate and discuss proposals | ✓ | |
| Public exhibition - on larger schemes, exhibitions held locally to the proposal can provide information and raise interest | ✓ | ✓ |
| Development Briefs - on larger schemes. Development Briefs prepared by the applicant and subject to consultation provide an opportunity to involve the public at an early stage in the principles of a proposal | ✓ | |
| Workshops - on larger schemes, allows stakeholders and community groups to discuss in detail particular issues at an early stage of a development proposal | ✓ | |
| Enquiry by Design - Intensive workshop exercise with stakeholders appropriate for very large sites with a complex series of issues that need subtle testing and examination to achieve the optimum design solution. | ✓ | |
| Planning for Real - uses simple models as a focus for people to put forward and prioritise ideas on how their area can be improved. | ✓ | |
| Town & Parish Councils - important way of raising interest locally and provides access to a network of local community groups. | ✓ | ✓ |
| Media - Radio and local press can enable a wide audience to be reached. Documents and processes can be explained in simple, appropriate language | ✓ | ✓ |
| Website - all relevant documents can be provided online through dedicated web pages facilitated through the Council or applicant, keeping residents informed of consultation events etc | ✓ | ✓ |
| Planning Aid - South West Planning Aid provides free, independent and impartial advice on town planning matters to community groups and individuals can prepare communities for involvement in the planning process | ✓ | ✓ |

It is considered that those involved in submitting or assisting the submission of planning applications for major projects in particular must ensure that at an early stage applicant's talk to local communities most affected by the proposals. Over the LDF plan period, large infrastructure projects such as major residential development, Crossrail and expansion of Heathrow Airport are likely to come forward within the London Borough of Ealing and the surrounding boroughs. These facilities are likely to have significant environmental impacts such as health risks, noise disturbance or additional traffic movements on local roads. In many cases such perceptions are ill founded given the development of technology to mitigate against such impacts. However acceptance is more likely to be generated if a community is informed and engaged on the provision of infrastructure, potentially giving them the opportunity to shape the proposals to be more acceptable to the local communities and those most affected. The methods outlined above will ensure developers complete this process effectively and ensure LBE has a robust strategy that fosters pre-application consultation and in turn community acceptance.

Furthermore educating the community is a key element of pre-application engagement. The community understanding of other options, for instance shifting waste management techniques away from landfill can help reduce the number of potential objectors to a scheme. The following stakeholder engagement and consultation activities can be useful when used by developers of major infrastructure at an early stage:

- **Stakeholder Briefings** – outline plans of the proposed development presented to an audience of elected members, officers, media and other interested parties;
- **Community Seminars** – independently facilitated seminars involving local residents and stakeholders considered the proposals in detail and provided recommendations for the developer to incorporate within the application; and
- **Public Exhibitions** – These events provided vital feedback on the key issues of concern that could be addressed within the application.

Referring to such good practice, even in the form of case study boxes or providing model responses, within the SCI would offer developers a benchmark for generating an appropriate Consultation Strategy. However a note of caution is offered in that the SCI should recognise the size of applications as it does within Section 5.14 and provide an indication of the scale to which pre-application engagement should be utilised depending on the scale of a proposal so that pre-application engagement is proportionate.

3.5 Planning Performance Agreements

Planning Performance Agreements (PPAs) could provide a useful tool for Ealing Council when assessing major applications and are becoming increasingly common in major projects. These form a voluntary agreement between the LPA and the developer for handling planning applications for complex development projects. PPAs were proposed in the Planning White Paper as a means of speeding up the delivery of large scale applications. This was after a successful pilot project which showed that PPAs added value to the planning system by improving the planning process through better project management. PPAs offer greater certainty on timescales, costs and requirements for all parties involved in the process. Given the likelihood of major applications being put forward in Ealing, section 4 of the SCI should set out the expectation for a PPA to be negotiated and ensure that the community is involved in its assembly.

4. Draft Engagement Plan

This section of the review considers the core Engagement Plan document. Entec consider that the Plan provides a concise and sound base from which to develop the supporting SCI. Unlike the SCI, there is no statutory guidance to follow in writing this document and Entec therefore consider that providing it reflects the SCI's principles it will be effective in its outcomes.

The Plan is of a sensible length and makes clear the two key points of why LBE are consulting and how. However it is considered that brief summaries could be provided at the start of the Plan to provide a springboard to the rest of the plan as presently it reads more like a brief than a wider Plan. These sections could include:

- contextual information on the make up of Ealing's population;
- detail on LBE's wider corporate vision;
- the Council's objectives with respect to engagement; and
- how the Council will monitor whether it is achieving its objectives with respect to engagement.

Rather than make distinct recommendations on this Plan, suggestions are made with regards to the SCI and Plan throughout the following discussion.

4.1 Hard to Reach Groups – engagement tools

First, it is to Ealing's credit that its ethnic diversity is acknowledged within the SCI. So on the basis that a number of harder to reach groups have already been identified and engagement methods set out specifically for them, Ealing's approach looks positive. It is therefore fundamental this is transferred into the Engagement Plan itself.

Within the Plan focus groups on key issues are scheduled (i.e. green spaces, heritage issues, access issues). These focus groups are anticipated to be of particular benefit to LBE in following a theme-based approach to engagement on the forthcoming LDF. Entec consider the use of focus groups best practice for engaging hard to reach groups particularly where resources are minimal given they provide targeted consultation specific to a harder to reach (HTR) group. It is noted that it is such HTR groups whom will be at a disadvantage if only statutory consultation procedures are employed and LBE is therefore commended for its recognition of HTR groups in the SCI. However in order to follow such an approach there could be a role for specific focus groups concerning the harder to reach groups identified. Of course when consulting on a specific application, engagement should be tailored to that locality, for instance a development may be located within an area comprising largely Asian populations. Furthermore it is fundamental that all consultation material be it verbal or written is available in different languages for the various ethnic groups living in Ealing.

The following best practice is provided with regards to the 'hard to reach' group, young people identified by LBE as a priority area within Table 1 of the SCI and in discussions with LBE themselves. In Entec's experience there are several options that could be considered by LBE which have been adopted elsewhere including:

- A drawing, writing or photograph competition seeking views on what children and young people want their area/town/village to look like in the future;

-
- Recognise community-specific cultural and access issues such as, literacy levels and willingness to attend public consultation events. Hold additional on site face-to-face meetings with the community and adapt the original consultation literature to include more visual information; and
 - As used in South Tyneside Local Development Scheme (LDS), organising the LDF work programme into a board game, with a view to making the LDS as accessible and interactive to the community as possible.

Naturally more innovative engagement will provide greater interest from young people, whilst maximising publicity will ensure more people are actually aware of the opportunity to respond. In general, it is recommended that the wider the forms of engagement used within LBE, the higher and more accurate the level of response. We recognise that there has been strong youth engagement within LBE in previous years, perhaps reviewing why these exercises were effective and taking guidance from this would prove effective in ensuring ongoing and meaningful youth representation continues.

4.2 Joint consultation

Positively the Plan recognises the benefits of a joined up approach to engagement and the benefits of providing a joint round of engagement on the five key LDF documents. By doing this the Plan in effect recognises the importance of avoiding consultation fatigue and coupled with an acknowledgement of the importance of continuous engagement provides an effective approach to engagement.

Furthermore Entec recognise the issue of working on a tight budget and consider it crucial that parallel work is maximised. The recognition of the need to join-up resources enables good practice approaches such as that undertaken by Liverpool City Council to be employed. Here a more corporate approach to engagement was carried out and thus ensured that there is no cross over between the commitments made within the SCI and any compact agreement determined by the Local Strategic Partnership (LSP) surrounding consultation periods or timings etc. A large joint consultation between planning, LSP, transport and neighbourhood management services was undertaken to investigate the sort of issues and possible solutions and opportunities relevant to all departments and partners. Although each was at different stages in programme delivery, the exercise was used to understand not just how the community felt but also how each department and partner was doing across the City. The outcomes fed into a revised Sustainable Community Strategy, the Core Strategy and the Local Area Agreement. The benefits of this approach were two-fold. First, a joined-up approach enabled the saving of resources financially. Second and critically, such an approach offers the potential to generate a wider 'consultation knowledge bank' covering the locality. As noted the draft Engagement Plan recognises the benefit of joint consultation, however the approach undertaken in Liverpool would perhaps provide a natural next step for LBE to work towards.

5. Cross cutting recommendations

5.1 Presentation

A number of cross-cutting presentational recommendations are made for the SCI and Plan in light of PAS guidance. The SCI's format is relatively engaging visually. PAS Guidance seeks to:

‘Make good use of tables and diagrams to aid clarity and be as jargon-free as possible’².

The SCI does use tables and diagrams effectively throughout. However, as noted in the Appraisal there is some potential to re-organise the document to include a table covering the content of each document within the LDF and revisions to a number of diagrams. In addition to these, it is recommended that the document is made colour and includes drawings and photographs. These could be produced at the local level, possibly through a competition geared towards young people and acknowledging LBE’s diversity (a group considered hard to reach). However it is noted that it is important that documents are easy to download from the LBE website. With this in mind, LBE may decide to produce in addition a black and white or low resolution version of the Plan and SCI. Furthermore Entec consider that hyperlinks could be used more regularly throughout the SCI, as this adds to the general legibility for those needing to access planning information not necessarily contained within the SCI or Engagement Plan. Furthermore as noted within the appraisal the more frequent use of appendices or hyperlinks could help with streamlining the SCI.

As identified in Table 3.1 the SCI is sound in terms of meeting legislative requirements and as identified in associated discussion the Engagement Plan is considered sound and proactive. However it is considered that some reference to best practice used in other Authorities could enhance the Plan and in particular the SCI further. For instance by referencing a case study where a specific engagement approach has been effective in another part of the country or including a couple of worked examples in the SCI of how a developer may choose to conduct pre-application consultation.

6. Summary of Key Findings

There is an increasing expectation on LPAs to be proactive in their approach to engagement. PPS12 sets out the following principles for community engagement in planning:

- *‘appropriate to the level of planning;*
- *from the outset – leading to a sense of ownership of local policy decisions;*
- *continuous – part of ongoing programme, not a one-off event, with clearly articulated opportunities for continuing involvement;*
- *transparent and accessible – using methods appropriate to the communities concerned; and*
- *planned – as an integral part of the process for making plans’³.*

With this in mind, a series of recommendations and associated best practice have been set out in this report relating to the LBE SCI and Engagement Plan which seek to generate greater scope for community involvement in both the development of LDF documents and in the determination of planning applications.

² PAS (2007) Local Development Frameworks - Effective Community Involvement

³ CLG (2008) Planning Policy Statement 12: creating strong safe and prosperous communities through Local Spatial Planning

The key recommendations for the SCI and Engagement Plan that run through this peer review are considered to be:

- Provide stronger requirements within the SCI for the pre-application requirements of developers, with particular regard to the outcomes of the Planning Act 2008;
- Acknowledge and recognise the importance of, ongoing consultation within the SCI and Engagement Plan, particularly given adoption of PPS12;
- Include recognition within the SCI of the importance of ensuring consultation techniques are geared towards the appropriate locality within Ealing (i.e. rich/poor, ethnicity etc.);
- Streamline the SCI where possible using Appendices and hyperlinks where appropriate, bearing in mind the SCI must conform to PPS12's requirements;
- There may be scope within the SCI to provide model responses or user guides to assist stakeholders particularly those unfamiliar with the planning system;
- Acknowledge within the SCI, the role Planning Performance Agreements can play in handling planning applications for complex development projects; and
- Provide a contextual section at the start of the Engagement Plan covering its objectives and the population characteristics within Ealing.

6.1 Taking the Engagement Plan/SCI forward

It is considered that there is much work to be undertaken by LBE on both the SCI and the engagement plan. None the less, Entec also recognise that with the recent changes politically at a national level there is a period of uncertainty as to how the planning system will change over time.

The key messages which are emerging at this point appears to be that localism will play a stronger role in determining the spatial context of planning within an area. We therefore anticipate that this in turn may increase the emphasis on strong engagement and consultation with the community. Further to this it is unclear at this point as to whether the National Planning Policy Statements identified within 2008 will come forward in regard to infrastructure projects as planned. As well, it remains unclear whether the content of PPS 12 will change in time, being strengthened or if national planning policy will be revised to bring back the preferred options stage of progressing DPD's.

At this stage however we believe that it is clear that the RSS's (although uncertainty remains over the London plan itself) will be abolished over time and until the way forward is made clear and it is understood what will replace them it will be important for LPA's to be pragmatic and light-footed with their approach towards LDF development. We are confident that with many LPA's having made good progress with their LDF's it would be a considerable step backwards if the new national administration chose to ignore all of this good work.

In light of the above commentary, it would be useful to determine whether there may be opportunity for PAS/Entec to provide future critical friend support to the London Borough of Ealing. At this point we consider that this could include developing a more detailed Engagement Plan with you which sets out specific events with timescales for each stage, and further supporting the development of activities. This could be linked to the Engagement Strategy

perhaps as a future amendment or be made available on-line. In this respect, the Strategy itself should include a link to where this more detailed timetable will be – e.g. an on-line consultation plan.

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Appendix A

Best Practice Diagrams from adopted SCI's

1 Page

Figure A.1 – LDF Diagram within Adopted Walsall SCI

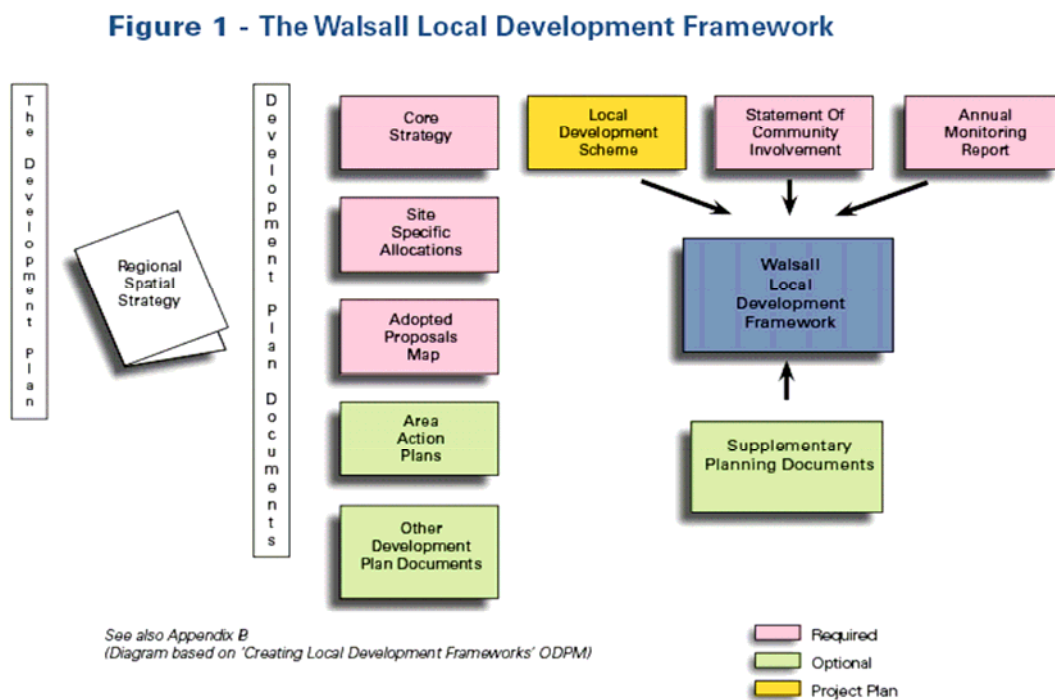


Figure A.2 – DPD Preparation Process figure taken from Bristol CC SCI

