

Scrutiny Task Group on Public Consultation Key Recommendation

SUMMARY OF KEY RECOMMENDATIONS		
R	Recommendation	Response
1	<ul style="list-style-type: none"> The purpose of consultations and their relationship with the public should always be clearly stated. 	<ul style="list-style-type: none"> Accepted The Council's developing Toolkit and Community Engagement Strategy will provide the Council with a framework for meeting the requirements of the new Duty to Involve. The Toolkit will contain a section entitled "What we wish to achieve". The developing checklist will require confirmation that the purpose of consultation is being clearly stated to the public. Consideration is being given to a requirement that all consultation checklists are signed off at Assistant Director level. Once agreed, the toolkit will be available across the authority and distributed to all officers involved in consultation activities. Departmental Management Teams are now responsible for reviewing consultation activity every quarter as part of the consultation diary process. In the Planning Department a key part of the process in developing a consultation schedule is to have an internal officer meeting at a very early stage to consider likely issues which may arise in the consultation and how they may be handled.
2	<ul style="list-style-type: none"> Corporate strategy should explain how, when and why it consults the public on pre-selected options and how, when and why it is seeking to engage in partnership with the public on open-ended options. 	<ul style="list-style-type: none"> Accepted The developing consultation toolkit and checklist will cover this explaining the difference between consultation on open-ended options and when we are consulting on options arising from a decision which has already been made. The toolkit will also provide officers with guidance and templates focusing on

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		engagement methods.
3	<ul style="list-style-type: none"> The Council should develop a strategy on how to react if, during consultation, the public develops its own option in contrast to the Council's preferred range, and to ensure that such options are treated fairly and that the Council should provide resources to cost it. 	<ul style="list-style-type: none"> Partly accepted. The approach will depend very much on the service, function or issue being consulted upon, and whether the alternative options are within the framework agreed by the Council so far as viability and priorities are concerned. The Community Engagement Strategy, when developed, will ensure that residents are involved at the earliest possible stage of any development in appropriate ways and their views taken into account. In the Planning Department they usually consult on briefs for sites prior to working up detailed proposals. The Council needs to concentrate on ensuring that this is always undertaken in a sensible and reasonable manner in line with the developing Community Engagement Strategy and in a manner that includes a full description of the policy based opportunities and constraints for each site. It is not sensible use of scarce public money to instead spend significant sums on the detailing up of alternative options, many of which would be bound to be non-compliant with either planning policy or the Council as landowner's objectives for the site or both. In cases where the Council is landowner there will have been considerable costs incurred in preparing a proposal to meet the Council's corporate objectives and planning policies. It will be unrealistic to take on more options work at what will usually be late stages of the development process and where the Council will often be in the midst of a marketing or procurement process for sale or construction. To the public at large the delay that this options work would lead to could be frustrating given that it is

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		<p>public money that is being used.</p> <ul style="list-style-type: none"> In respect of deciding planning applications, the Council, as Local Planning Authority, can only consider the submitted application proposals before it, and not alternative options that might be preferred by third parties. The only legitimate way that may occur is for an alternative to be formally submitted as a planning application to be determined by the council in its role as LPA. The implementation would then be a matter for the land owner to resolve, not the Council. It is thus inappropriate for the Council to commit any resources in such circumstances.
<p>4</p>	<ul style="list-style-type: none"> Those undertaking consultations should anticipate and pay particular need to those likely to be the most challenging. 	<ul style="list-style-type: none"> Accepted The developing consultation toolkit will provide officers with corporate guidance and templates for project managing consultation projects. The checklist will ensure early identification and consideration of consultations likely to be contentious and these will receive specific attention at the quarterly review meetings. In the Planning Department a key part of the process in developing a consultation schedule is to have an internal officers' meeting at a very early stage. At this stage officers are asked to consider likely issues which may arise in the consultation and how they may be handled. 'Environment Directorate Public Consultation Officer Guide' p.8 and 'Public Space Design Guide' p.23.
<p>5</p>	<ul style="list-style-type: none"> The Council's training managers should look closely at the RHP training model. 	<ul style="list-style-type: none"> Partly accepted. RHP have confirmed that there is no 'model' for their staff training on resident engagement as it is part of an ongoing staff training

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		<p>and development process. The developing community engagement strategy and consultation toolkit will cover staff training requirements and officers will continue to seek out good guidance from other authorities which might be applicable.</p>
<p>6</p>	<ul style="list-style-type: none"> Any local consultations should be communicated to all ward councillors (and neighbouring ward councillors as appropriate). 	<ul style="list-style-type: none"> Accepted Corporately, this approach will be detailed in the Council's developing consultation toolkit and included on the checklist. In the Planning Department, ward councillors are informed at a very early stage, at pre-consultation stage re schemes and policy. See 'Environment Directorate Public Consultation Officer Guide' p9 pt7 and 'Public Space Design Guide' p23. The difficulty is knowing which issues may elicit responses.
<p>7</p>	<ul style="list-style-type: none"> Residents who are informed or consulted at the outset of any exercise should be kept in touch with developments, and in particular the final outcome. 	<ul style="list-style-type: none"> Partly accepted The developing toolkit will give guidance on this recommending that a final report is prepared in all cases and made available to those that took part and more widely. The consultation diary contains details of how to access the report on the outcome of consultation activity and confirmation that it has been feed back to participants. For large scale consultations it may be reasonable to keep residents in touch as the consultations proceed but for smaller exercises a final report is considered reasonable. In the Planning Department feedback to consultees is part of the process and schedule. See 'Environment Directorate Public Consultation Officer Guide' Page 10 Pt 10.
<p>8</p>	<ul style="list-style-type: none"> When the Council is both landowner and 	<p>Partly accepted</p>

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	<p>planning authority, it should provide evidence that it is acting in accordance with the national statutory planning system.</p>	<p>Planning applications for Council-owned land are considered strictly in accordance with national planning law and procedures together with the policies in the Unitary Development Plan and the Local Development Framework, and any specific site briefs. All of these have been approved by an independent inspector from the Government's Planning Inspectorate. All Council's planning applications have to be treated in the same way as any other applications. However, providing actual 'evidence' of compliance with this complex framework would need lengthy reference to filed documents and the numerous legal requirements relevant to the national planning system and this is not considered to be a practical proposition or helpful to lay members of the public. However, the material planning considerations dictated by the national framework that are applied to such proposals, including reference to local, London and national planning policies and guidance are already set out in planning officers' reports. In addition, no objection is seen to making a covering statement in these reports confirming that, although the Council has a land ownership interest in the application site, the proposal has been considered and dealt with by the Council in its separate role as Local Planning Authority entirely on its planning merits and fully in accordance with the requirements of the national planning system.</p>
<p>9</p>	<ul style="list-style-type: none"> Residents should be helped to understand the wider good and the implicit gain when the Council is disposing of assets. 	<ul style="list-style-type: none"> Accepted Receipts generated from land disposals will always be used by the Council for re-investment in public services in one way or another, either via a contribution to the Council's general capital fund or via the direct delivery of specific new service buildings and amenities from linked development deals.

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		Officers acting for the Council as landowner should always be explicit on these matters through their scheme consultations.
10	<ul style="list-style-type: none"> Greater flexibility should be introduced into planning hearings, and the task group suggests that, for a trial period, speakers for and against applications should be alternated. 	<ul style="list-style-type: none"> Accepted Democratic Services has raised the issue of a pilot with the Chair of Planning Committee, who has no objection to alternating speakers on a trial basis although it should be noted that the number of speakers for and against is not always the same. It is proposed that this trial period should run from July onwards for six months.
11	<ul style="list-style-type: none"> Clearly stated guidance, for the public in addition to officers, to be provided on the process of notifying those immediately affected by planning applications. Thought should also be given to tailoring criteria according to the circumstances of the consultation in question. The group recommends that a common sense approach is taken regarding the depth and reach required for each consultation. 	<ul style="list-style-type: none"> Accepted Owing to the huge variance in application proposals in terms of type and scale, and therefore the degree that they affect neighbouring occupiers, the Task Group's recommendation that criteria for consultation should not be produced on a 'one size fits all' basis is agreed. There is no objection to publicising the process by which those considered to be most affected by application proposals are notified of their submission.
12	<ul style="list-style-type: none"> More 'educative' consultations should be undertaken. 	<ul style="list-style-type: none"> Partly accepted Generally, it is accepted that involving residents and service users in the design or delivery of services works well when it takes place at an early stage and through an educative approach. At the same time, it is important that the Council and partnerships have a focussed, coherent and well managed approach to consultation and community engagement. The type of consultation and actual methodology applied needs to be

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		<p>appropriate and proportionate.</p> <ul style="list-style-type: none"> • In the current climate there are two concerns about “educative” consultation. Firstly, it only reaches a few people at a time, and secondly it can be an expensive process to do it well. Officers will need to look at the cost and the reach in deciding on whether to take this forward. • The process for the 2010/11 budget setting will be considered as part of the wider business planning process and more innovative and educative methods of conveying the information and consulting with a wider range of residents will be used. This will contribute to improved performance for the NI4 target in the LAA • In the Planning Department the planning policy and conservation consultations provide background information and are about informing as well as consultation. Environmental Services Directorate follows this model where possible.
<p>13</p>	<ul style="list-style-type: none"> • The Commission should consider further work on developing guidance for local amenity groups to help them in their representative role. 	<ul style="list-style-type: none"> • Accepted • The Commission agreed to set up a Task Group to develop guidance for local amenity groups to help them in their representative role.