

IF YOU ASK ME: A GUIDE TO GOOD PLANNING CONSULTATION



A report by Baroness Barker

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ABOUT THE AUTHOR



Baroness Barker

Liz Barker, born in 1961, was created a Life Peer in 1999. She attended Dalziel High School in Motherwell, Lanarkshire, Scotland and after going to Broadway School in Oldham went on to Southampton University.

Baroness Barker joined the Liberal Party in 1979, when she also became a member of the Union of Liberal Students, which she chaired from 1982 to 1983. During the same year, she took membership of the Liberal Party National Executive, and joined, from 1983 to 1986, the Liberator Collective which produces the *Liberator* magazine. Liz became a member of the Federal Policy Committee in 1997, and was chair of the Liberal Democrat Federal Conference Committee. She is a member of various party policy working groups, including those on the Future of Social Services, Liberal Democracy, Freedom and Fairness for Women, and An Age of Opportunity. She is also a member of the ACCTS trade union.

ABOUT MEETING PLACE COMMUNICATIONS

Meeting Place Communications is a public affairs consultancy specialising in local government politics and community consultation. Much of their work is focused on understanding and acting on the planning system and in particular the increasing influence of politicians and communities.

Founded in 2006 by its Director, Ian Thorn, Meeting Place Communications works on projects all over the country on behalf of some of the biggest names in development.

Meeting Place Communication's website is www.meetingplacecommunications.com



FOREWORD

The Government says we must build five million new homes in Britain by 2026 in order to meet the ever increasing demand for housing. Yet to a large extent it is local politicians who must take the tough decisions in identifying sites for development and, of course, approving or refusing planning consent on individual applications.

As mindful of their electorate as the average politician must be, the need to engage local communities in the planning process is set to become more important than ever. But what constitutes a genuine consultation and who, when and how should we consult?

In order to address some of the many issues surrounding community consultation, Meeting Place Communications commissioned Baroness Barker to conduct a review on consultation in the UK and report back on what works and what does not work. The findings of this research will not only shape the way in which Meeting Place Communications conducts consultations on behalf of developers but also – it is hoped – make a contribution in spreading best practice across the country.

EXECUTIVE SUMMARY

Baroness Barker was commissioned by Meeting Place Communications to undertake a review of community consultation in the UK in order to contribute to the understanding of what constitutes good consultation. The emphasis was on consultation in relation to the planning system and included an examination of what consultation is, who should be consulted and when and where consultation should occur.

Interviews were conducted with councillors, planning consultants, developers and other professionals involved in community consultation between March and August 2008. Three case studies were also produced to allow for an in-depth review of actual consultations. As well as this primary research, Baroness Barker also conducted an extensive literature review.

This report concludes by making 10 key recommendations for effective and valuable consultation. They are:

1. Work out in advance what is merely information, and what is the subject of consultation, and subsequently what is negotiable and to what extent - if something is not negotiable always be ready with an explanation about why this is so.
2. State clearly at the outset how long the consultation will last, what it will entail, and how and when everyone who takes part will know the results.
3. Confirm with a sample of people what the consultation process will be and be prepared to take on board any suggestions they may make about how it could be better run.
4. Think about who is likely to be involved and who should be involved, and then start from where those people are – use different venues, the places where people go in everyday life.
5. Check that the people carrying out the consultation have visited and are familiar with the area and have experience of facilitation and the requisite skills to engage groups of people. Ensure that someone is on hand who can answer technical questions immediately.
6. Make sure that people have access to key documents such as Local Development Frameworks or Regional Strategies before discussion of any specific site begins.
7. Use a variety of methods of communication, some visual some oral, both to advertise the consultation and at consultation events. Put any consultation

documents through a jargon busting process before they are made public and use everyday comparators to convey size, heights and lengths.

8. Be honest with people about what will happen when concerns are raised which are outside the planning process. How will they be resolved, by whom and when?
9. Work out how you will feedback to everyone who has taken part and acknowledge their participation.
10. Put yourself in the shoes of different people who will be involved and imagine how you would feel.

IF YOU ASK ME:

A GUIDE TO GOOD PLANNING CONSULTATION

INTRODUCTION

If, centuries ago, a group of people had sat down to devise a system for resolving controversial disputes which must be: complex, confusing, full of people with roles and responsibilities which are unclear and misunderstood, and which must also be time consuming and expensive, they would have come up with our current planning system. It is no surprise that planning is the single biggest subject of complaints to the Local Government Ombudsman.

Nevertheless, all around the country, developers (to whom cash flow management is essential) and councillors and community groups (for whom uncertainty has a social cost) recognise the importance and cost effectiveness of successful consultation. However, if consultation is well designed and executed it can cut down the curse of developers and local authorities alike – delay.

Any planning consultation which is to succeed has to be based on recognition that there are two transactions happening in parallel; the relationship between the developer and the community is being established and negotiated at the same time as discussion of the detail of the development itself.

As if construction of new buildings was not contentious enough in itself, the planning process also attracts suspicion. The conflation of the two is highly combustible.

This research distils the experience of people involved in planning consultation across the UK. The research looks at:

- What are the key elements of successful consultation?
- Who should be involved?
- What do successful consultation strategies look like?
- When is it best to consult?
- Where are sources of consultation resources?

WHAT IS CONSULTATION?

Consultation, as defined in the Oxford English Dictionary, is “a conference at which advice is given or views are exchanged”. At its best, consultation is a mutual exchange of views and advice between developers and the people who know the area best – the community. At its worst, it is two groups of people engaged in combat, using the blunt instrument of planning law, to do the other down.

In 1994 the Joseph Rowntree Foundation published *‘Community participation and empowerment: putting theory into practice’*.¹ This comprehensive toolkit described a ladder of levels of community engagement:

Information: merely telling people what is planned.

Consultation: offering some options, listening to feedback, but not allowing new ideas.

Deciding together: encouraging additional options and ideas, and providing opportunities for joint decision-making.

Acting together: not only do different interests decide together on what is best, they form a partnership to carry it out.

Supporting independent community interests: local groups or organisations are offered funds, advice or other support to develop their own agendas within guidelines.

The involvement of developers in a locality is rarely long term, so the ongoing support of community interests is usually discharged by other entities such as endowment trusts, which means that supporting independent community interests is rarely part of most developments. However, the first three rungs of the ladder are relevant to the process of gaining planning consent. The most common mistake made by those seeking to build is to fail to distinguish clearly between information and consultation, and to then demonstrate how the results relate to the decision-making process. Most good practice rests on how well the distinction between information and consultation is drawn and communicated.

In addition to the levels of engagement outlined above, another principle could be added – proportionality. At times, particularly in the public sector, consultation is evaluated by its length rather than its quality. At others, it can be overdone to the extent that participants grow resentful about the amount of resources spent on consultation rather than provision of

¹ www.jrf.org.uk/knowledge/findings/housing/H4.asp

services. That said, the best of services always have user involvement at their heart. The commercial world recognises that the customers who complain are less of a concern than those who say nothing and take their business elsewhere. Consultation which is well-designed need not be onerous, but it will always be valuable.

Often consultation processes are incomplete. In some instances what is held is not a consultation but simply an opportunity for information to be given about plans. In many others, developers hold a consultation session and, even if the suggestions put forward by people in the community are accepted and incorporated into the plan, that fact is not fed back directly. So even if the objectives have been achieved, the process is incomplete.

WHO SHOULD BE CONSULTED?

“98% of people are blissfully unaware of planning. The others wake up one day to find someone has stuck through their letterbox an announcement that their immediate environment is going to change. Even if the language seems benign, the official nature of the document replete with technical terms gives the impression that the whole thing is stitched up already. No wonder people go ballistic.”

Lord Hart of Chilton, former specialist planning solicitor

“If you were to propose a housing development in an area, the people who would complain would be those aged 30 to 50 living in houses nearby. The people who would actively do something about it would be those aged 50 to 70 living nearby. The people most likely to be impacted by the development, and least likely to be involved in any consultation, are those aged 15 to 30 living in houses nearby.”

Gareth Capner, former senior partner, Barton Willmore.

How do we get beyond the usual suspects? That is the recurrent question in any form of public consultation. The answer usually lies in how the consultation process is planned and conducted. Many consultations are planned around the object of the exercises, rather than the people who need to be involved. Furthermore, they are often designed by people who lack detailed knowledge of the locality.

“Who really has knowledge of the community? Reports are technical, and neutral. They are not produced by people who live there and who know what it feels like, let alone what it will feel like to live there once the development is complete.”

Nigel Mellor, Chair, Comtechsa

A pre-consultation process should start with a visit to the area to plot the demographics and list the existing community facilities and groups. Consultation sessions should be built around the daily or weekly rhythm of the community, not the working hours and culture of the organisations making the application.

For example, if you want to involve children and young people, school councils will usually welcome involvement as part of the National Curriculum. Youth groups and local youth councils will usually be pleased to be involved. The London Borough of Camden has worked

with local young people to produce a charter for their consultation. The council has also started to use *YouTube* as means of engaging young people in its work.

In rural areas people are often dispersed, but there are strong local networks which can be used as a consultation resource. For example the Women's Institute, village hall committees or local shops and businesses are often already part of rural community networks. There are additional factors, such as seasonality and timing of transport which have an added importance in some rural communities. Derbyshire County Council has produced a good toolkit about consultation and planning in rural areas entitled 'Local Voices, Local Action'².

From the outset it is advisable to have two different consultations. The first, a pre-consultation with community groups and leaders, should be about the consultation process.

However long the duration of planned consultation, the pre-consultation phase must include:

- Identification of key groups to be involved
- Discussion about how best to manage face to face consultation sessions
- Agreement about how feedback will be given directly to participants.

Pre-consultation, carried out properly, will not only begin to build credibility for the process but it will also begin to identify both the key issues and the key people who need to be involved in order to achieve a resolution.

HARD TO REACH GROUPS?

"There is no such thing as a hard to reach group. When the local authority wants you to pay your council tax you are not hard to find. There are only poor consultations which exclude people."

John Azah, Chair of Kingston Racial Equality Council.

"It's not us that are hard to reach, it's you. We can't turn up at your office door and talk to you when we've got something to say."

A participant in an English Partnerships consultation

² http://www.derbyshire.gov.uk/Images/community%20consultation%20toolkit_tcm2-39215.pdf

Every public service provider is under an obligation to consult whole communities and tackle social exclusion. Consequently there have been many research studies by government, both national and local, and voluntary organisations about how best to conduct inclusive events. Although the specific reasons why individual communities are excluded, or do not respond, varies in different cases, all the research comes to similar conclusions. Communities are excluded because:

- Information does not reach them; it is not available in the places where they congregate
- The language used does not convey messages appropriately
- Timing of meetings does not fit with their lives
- Travel is difficult
- They have experienced poor consultation in the past and have become disillusioned
- They are being overloaded with requests to take part in consultation.

Reasons why communities are not excluded, but do not take part, include:

- They have experienced discrimination in the past, they are unwilling to put themselves in situations where that might happen again
- They have issues which are more important to them which are not being addressed
- Assumptions are made about what they will think and want.

Anyone who wants to fully engage hard to reach groups needs not only to have thought through each of those issues and built solutions into the consultation process, but also to have made it evident from the outset that this has been done. The language, images, print size, venue and, crucially, the description of the consultation process itself, will all determine whether or not minority groups will consider investing any time in the exercise.

When a planning application is contentious, people who are opposed to the development, but not members of a minority group, will use any exclusion of minority groups to disparage the process. It is also worth noting that in other areas, such as provision of health and social care services, standards not just of consultation, but involvement of groups such as people with learning disabilities or mental health problems, have improved markedly. There is now an expectation that consultation will be designed to actively include minority groups.

Anyone who wants or needs to engage with a group which does not usually take part needs to prepare by finding and talking to community leaders in order to get to know what their concerns are. That said, it is easy to fall into a trap of thinking that communities only have one or two leaders when there is no good reason why they should be any less heterogeneous than the majority population. Anyone who wants to make a relationship with any minority community is likely to be more successful if they research beforehand their cultural beliefs and practices e.g. faith communities or travellers.

Building trust usually takes time and it may be that issues which are unrelated have to be cleared before consultation about planning can begin. Acceptance of the planning proposal by the community and the planning committee may well be conditional upon how the consultation process is conducted.

A real skill in consultation is to ensure, without being patronising, that people being consulted understand the process and the legal parameters within which it is conducted. Part of the groundwork which needs to be done is to check out the experience of people in minority groups and work with them to ensure that they have the requisite knowledge and skills to participate fully.

A key question which anyone who wants to engage with a minority group should ask themselves before they design a consultation process is 'How would I feel if I were in their position and this were happening to me?'

INCLUDING OPPONENTS

In any contentious process there will those who object at the outset. Some will continue to object right to the end. However, if the basic plan is reasonable, proponents have more to gain than to lose by actively engaging opponents in discussion. Whilst some opposition is genuine and well founded, some is fuelled by misinformation, misapprehension or fear. In those cases open debate, preferably managed by a neutral chair, will be to the advantage of the proponent. Being seen to be prepared to engage opponents will add to the credibility of the consultation process because it gives the impression that nothing is being hidden.

WHO SHOULD CARRY OUT THE CONSULTATION?

"We're talking about community development. It is a serious business because you are proposing to make changes to the places where people live. It needs thorough preparation and it needs to be done by people who understand consultation. Consultation is a skill and builders, planners are not trained in it. Time and again developers send out people who are technically good, but don't know the first thing about communication. Is it any wonder that it all goes wrong?"

Nigel Mellor, Chair, Comtechsa

Whenever a planning application is made there are two issues running in parallel, simultaneously. The first is the proposal to construct the development itself. The second is the decision-making process. The fate of either is dependent on the integrity, or perceived integrity, of the other.

During a consultation session people in attendance want three main things:

- Information about the development which is accurate and comprehensible
- Reassurance that their views will be listened to and taken into account
- Assistance which will help them to contend with what they consider to be well-resourced outsiders who have only a temporary interest in their area.

Whoever they may be, the person, or people, running a consultation will find themselves subjected to questions designed to test their honesty and capability. They will have to pass the following tests:

- Do they have the technical knowledge to answer questions?
- Can they explain things in language which people understand?
- Do they know and understand the area, its surroundings and the people who live there?
- Whose side are they on?
- Are they really serious about consultation, or is it a foregone conclusion?
- Are they willing to engage in open debate with objectors?
- Do they have the authority to change things?
- Do they get paid whatever the outcome of the consultation?

If the answer to any of those questions is no, then they are not the right people to be doing the consultation, because they will not be able to gain and maintain the trust of the community.

"I've watched developers hire big PR companies at vast expense to try to win over local opposition, but if they come over as slick PR people who are in the pockets of the developers, it is a waste of time and money. What you need is somebody who the local community feel they can trust to listen to them and take their views properly into account."

Lord Hart of Chilton, former planning solicitor, Herbert Smith

PLANNING OFFICERS

The role planning officers is often a cause of confusion. People who have had no prior involvement in planning assume that planning officers are employed by local authorities and therefore will assist local communities in whatever they want to achieve. Developers often expect planning officers to represent the council and its policies and to help those who want to construct new developments to make applications which are likely to succeed. Planning officers usually see themselves as technical advisers to everyone involved, albeit with a unique responsibility to ensure that elected members are not only fully informed, but have the capacity to make decisions which are compliant with the law.

Whilst in some authorities planning departments and officers within them play a proactive role within the development process, they are frequently constrained by their professional obligations. It is undoubtedly advisable to ensure that planning officers are involved in and informed of the process but it is unlikely that they can assume responsibility for consultation. Furthermore, it may be possible to infer something of the attitude of the authority by the way in which it describes the department. Is it the Development and Regeneration Department or is it the Department of Planning Control?

INVOLVEMENT OF COUNCILLORS

Understandably, councillors are cautious about their involvement in planning decisions. Councillors have a duty to uphold the law and implement the council's development policy. Yet they also represent the people of their ward. For example, in London, council groups

increasingly operate the 'Rule of Three' – a system whereby of the three councillors in a ward, one councillor will work with community organisations; one will work with officers, and the third will play no part in the application in order to remain neutral on the planning committee.

USING PR PROFESSIONALS

Whilst it can be helpful to bring in people who are experienced in delivering messages, it is important to select people who can vary their mode of delivery to suit different audiences. It is also important to select people who are sufficiently knowledgeable about planning because if they are not then there is a risk that they will compound the sense which community groups sometimes have that they find themselves up against a gang of professionals in an unfair fight.

HOW DO YOU LOOK?

What people wear may seem a trivial matter. It is not. If guests turned up to our individual homes we would judge their attire, especially if we did not know them well. The same thing applies to a consultation event. Casual wear might be appropriate, but equally it may be taken as sign of disrespect. On the other hand, the sight of a lot of business suits might just raise suspicions. It is worth taking time to think about how one's appearance might help or hinder the building of trust.

TALK IN THEIR LANGUAGE, NOT YOURS

Jargon is the shorthand of any profession and can kill consultation stone dead.

Jargon which arises from planning law and policy can be explained by providing explanations or glossaries before or during consultation sessions. When explaining initials, for example DCLG – Department for Communities and Local Government, LDF – Local Development Framework – it is necessary not just to explain what the letters stand for, but also what it is, what it does and how it relates to the process at hand. The chances are that if someone does not know what the initials stand for then neither will they know what they mean.

The thing which makes the language of planning more difficult than most is not only that policy jargon is combined with technical building and land law terminology, but that common words and phrases have particular meanings. The term ‘planning application’ means two entirely different things to a property developer and computer software developer. Since the end of the nineteenth century only people in the building trade talk about dwellings; the rest of the population talk about houses, flats and apartments. When developers talk about units of social housing, facilities and infrastructure, the people being consulted are thinking about rented houses, play areas and health centres.

When it comes to describing things such as size and scale it should be borne in mind that people who do not routinely work with measures cannot automatically visualise what they mean. That contributes, in part, to the supersize effect – a proposal build a small housing development assumes the dimensions of Terminal 5 in the minds of objectors. One effective way to address this is to talk in comparators. Two metres is the height of a garden fence. 105 metres is the length of a football pitch. 20.12m by 3.05m is a cricket pitch.

Whoever does the consultation, they should not be let loose on the public until their presentation has been rehearsed with someone else tasked with destruction-testing it for jargon and in-words.

“Developers need to start by working out what the parameters of the consultation are. What can be changed, what is non-negotiable and why. If you don’t do that you are on a hiding to nothing.”

Nigel Mellor, Chair, Comtechsa

WHEN ?

Time and timing are critical factors in any consultation, but particularly so in planning. There are valid commercial reasons why companies may not wish to reveal an interest in a particular site. Planning decisions can be such political hot potatoes that local authorities often have a need to disclose, or not disclose, information about planning applications at particular times e.g. in the run up to elections. When a development is contentious the timing of announcements can take on a significance all of its own, as objectors may interpret the timing of announcements as further evidence of alleged conspiracy between the developer and the local authority.

Partly as a result of the structure of planning law, and partly as a result of past scandals, many local authorities have been reluctant to be involved either in proactive engagement of communities in planning or in the early stages of development. Understandably planning officers and councillors have to protect their neutrality as the people who will make any decision which is not referred to the Secretary of State.

Increasingly local authorities are willing to be involved in consultation provided that no specific application has been made. When a piece of land has been identified and it is clear that it will be developed, early involvement of the community about what will be built can avoid rejected applications.

Anybody setting up a consultation must walk round and familiarise themselves with the area beforehand - relying on plans and maps is not enough. Maps may tell you the topography, but they do not always accurately indicate current land use.

“There are some flats above shops. The planning proposal indicated no impairment of amenity. What they did not know was that over time people in the flats had made themselves little gardens and bike-stores on the roofs of the back store rooms of the shops. People would have been very upset.”

Councillor Derek Osborne, Kingston upon Thames Council

The advice which comes through time and again from successful consultations is: start early. The earlier people are involved in the process, the greater the chances of acceptance.

No matter what point consultation begins, it should not end until everyone who takes part is given feedback on what happened as a result of their input. Full consultation would include a call-back after the completion of the development to confirm that all commitments have been fulfilled. This is particularly important where Section 106 agreements (which may be given by the developer, but delivered by another body), are in place. It is important that any consultation involves councillors in a way which is consistent and does not compromise their approach as responsible elected members.

WHERE?

Location is an essential factor in any consultation, so sessions should be held in the places where people go. The development of a large supermarket in a London borough was the subject of a number of different types of consultations. By far the most successful were those held at a train station on evenings when there had been a leaflet drop between seven and 10 o'clock in the morning, and sessions held in a bingo hall and a local mosque.

Conversely, a consultation intended to involve older people was held at nine o'clock in the morning, before bus passes are valid, on a site half a mile away from the nearest bus stop. Attendance was sparse, but the few people who made along had the pleasure of giving it to the responsible officer with both barrels.

Many consultations take place in what ASSIST Architects, a community based architecture organisation based in Glasgow, call "the users' territory". The venues can be schools or shopping centres. They must be neutral, so often Housing Association premises are politically out of bounds. The important thing to remember is that it is their territory and those who are conducting the consultation should always be respectful visitors.

CASE STUDY 1: COMTECHSA, LIVERPOOL

Comtechsa is a community architecture organisation in Liverpool. It was founded as a charity in 1979 when local planning officers realised that community groups did not have the technical expertise to either make bids for capital projects or oversee capital projects when their bid was successful.

Reliance on informal advice was not enough for community groups which were becoming involved in sizeable capital developments. Comtechsa provided a fund which organisations could use to hire architects and it also employs architects to work with groups.

A central objective of Comtechsa is to demystify the professional processes of planning and construction by involving people from local areas. The organisation also pioneers new evaluation methods which quantify the social return on investment.

Comtechsa was brought in to rescue a community planning process which had gone wrong. The development was housing new build in area of Liverpool which had had multiple problems over many years. The council and the housing association had already organised six consultations and there had been no progress. There was no community buy in and everyone involved was at a loss to know what to do.

Comtechsa was brought in as a neutral player. From the outset it was made clear that their sole purpose was to engage the community in consultation and that their payment was not conditional on the achievement of any particular outcome.

"We change the game and we change the frame."

Rosie Jolly, Chief Executive, Comtechsa

Comtechsa set up a variety of consultation events at different times of day in order to meet different people. No sessions were held on Friday because it is an important day of religious observation and family ritual for both the Muslim and Jewish communities.

Sessions were held with school councils. Meetings were held in Age Concern centres with older people and their carers.

We used interactive methods – place things –to put the issues into the public realm and we achieved buy in by the whole community.

Rosie Jolly, Chief Executive, Comtechsa

Different consultation techniques and a variety of visualising tools were used including maps, models and photographs. Comtechsa ran ideas shops at local libraries and community halls during which people were invited to put forward their own suggestions about what would make their area a better place to live.

Comtechsa sets itself an objective of using plain English. There are ways of analysing the complexity of text. The length of words and sentences has a direct bearing on whether or not what is being said will be understood. Consider the difference between “We endeavour” and “We try”. Always try to keep it simple.

Comtechsa identified that the key issue was a fear that the development would lead to an increase in anti-social behaviour. So Comtechsa asked people what they thought would make the area more likely to suffer anti-social behaviour, and things which would make it more difficult for people to behave badly and get away with it. Where the suggestions related to the design of the buildings they were fed through to the architects. Other community issues were fed through to the council and the housing association with a promise that feedback would be given.

One issue which bothered a lot of people was that houses would be built on one side of a wall. They wanted the building to be on the other side of the wall so that a piece of green space would be preserved. Comtechsa had to explain that all the main utilities currently go in along the other side of the wall, and that the cost of altering the plans would make the whole scheme unviable. Once people had this explained they were happy to accept the plans.

Over the years Comtechsa has developed methods to measure the community return on investment or community benefit. Some measures are straightforward such as the amount of regeneration money invested in an area. Others are less tangible, such as how good people feel about their area before and after developments have taken place. However they are integral to the planning and design process. On one development, teenagers were

encouraged to talk to architects about what they wanted for a 'hang out' area. Not only was this popular with teenagers, but it formed part of the evaluation of the whole development.

One other interesting insight offered by Comtechsa is that accountability within organisations is inwards and upwards, so to are reward mechanisms. However organisations provide services externally, people are rarely judged, or rewarded, by how well they relate to outsiders and deliver services.

"Feedback must be two way. You may be a professional, and you may be right, but you don't live there. You have to really understand that or you cannot do the job properly or successfully."

Nigel Mellor, Chair, Comtechsa

By using a variety of techniques suitable to different audiences and by ensuring that consultation is carried out at all stages of the development, and continues after construction, Comtechsa has developed a strong reputation for integrity and efficiency. The scheme which had previously been stalled went through approval in eight weeks. In 29 years the organisation has only ever received five bad recommendations and it is now expanding its operation.

CASE STUDY 2: HANHAM HALL, BRISTOL

BARRATT AND ENGLISH PARTNERSHIPS

English Partnerships has for many years been developing good practice about consultation. As a result of that work, English Partnerships has developed 10 guiding principles of community engagement³:

1. Get started early to get the best results.
2. Be clear about the aims and objectives including recognition of whether any community engagement has already taken place in the area and what capacity the community has to get involved.
3. Involve the right people by finding the facts about the communities where investment is being considered.
4. Develop and involve partners who can work alongside our investment activities to help broaden the outcomes.
5. Set effective ground rules with the community and partners including defining boundaries and agreeing lead agencies of strands of activity.
6. Have a robust delivery plan with realistic timescales and adequate funding but also effective risk management.
7. Consider different models of community engagement, learning from experiences elsewhere and depending on the capacity of the local groups.
8. Have a clear communications strategy with partners for the project and publicise channels of communication.
9. Be flexible about the exit strategy in helping to create a sustainable community.
10. Measure success and learn from this for future projects.

³ English Partnerships' approach to community engagement. Involving people in sustainable communities. July 2007.

It is essential to make clear from the outset the different people who are involved and what are their roles and responsibilities. So distinguishing planning officers from councillors and explaining what part they play in the decisions has to be clear.

“Having been involved in a number of schemes, my firm advice is to start early. There is rarely any benefit to be gained by the developer in excluding people from discussion at an early stage.”

Harriet Baldwin, Policy Manager, English Partnerships

A very common mistake which developers make is to confuse information with consultation. Any development has to have a period during which information about the proposed development is given; but that is not consultation. Consultation is discussion about possibilities and limitations.

English Partnerships has a broad remit to involve communities in design. It therefore works on each of the five levels of engagement as identified by the Joseph Rowntree Foundation (see page 8)

English Partnerships often use ‘Enquiry by Design methods’. ‘Enquiry by Design’ is a system of community involvement for new build projects. The system was pioneered by the Prince’s Trust and it is based on a series of interactive workshops. A key question which the workshops address is how the area will be looked after when the development has opened. A large part of the work is with Registered Social Landlords about issues of tenant engagement in maintenance of properties, communal spaces and facilities such as community centres.

Hanham Hall is in a valley between Bath and Bristol which, although close to two cities, is wooded and has a pleasant rural feel. It is just the sort of area where feelings about development run high. In addition, in the middle of the site is an existing hamlet which includes a 1666 listed building

All the proposals for development included proposals to incorporate the existing buildings into the new community. The winning bid, from Barratt Homes, included proposals to turn the Hall into a café, thereby providing a revenue stream, and a clinic.

Residents were kept fully involved formed through a series of workshops. The consultation was seen by local people to be independent and to have integrity. So much so, that when the developers stated that in order to finance the community projects they needed to build 188 houses, rather than the initial 150, there was no objection.

English Partnerships worked intensively with people in the area to develop the detail of the scheme. In particular they worked with residents to define what a green neighbourhood would look like. Residents were enabled to give their thoughts on matters such as stable urban drainage, space for pedestrians and cars, sites for allotments and orchards and how those sites would be maintained.

As a result of active community involvement Hanham Hall is the first zero-carbon *Code for Sustainable Homes Level 6* development in the country. An endowment trust has been set up to run renewable technologies. People in the trust will be trained skilled up to manage assets, generate income and manage innovative green technologies.

English Partnerships is also part of ATLAS – Advisory Team for Large Applications. It plays the role of honest broker and is brought in when large infrastructure project become stalled. It uses methods such as design codes, documents which are not required under planning law, but which include a high level of technical detail about design standards.

“You find that time is very important. You do a lot of pre-consultation and then there is a lull. If then a developer comes on board and the design changes, that can alter the rhythm of the project and it is easy to lose momentum and support. ”

Harriet Baldwin, Policy Manager, English Partnerships

“The order in which things are built is very important. Why is it that the Section 106 agreement is the last thing to be implemented? If people cannot see evidence of the community facilities they can become somewhat sceptical. You also need to show the existing population that developments are for their benefit as well the new community. New people can reinvigorate the local economy, and the viability of services such as buses and shops. It is just that that is not always how people see it at first.”

Steve Carr, Director of Policy and Economics, English Partnerships.

CASE STUDY 3: WALSALL COUNCIL

“The really difficult situations arise when people want councillors to change their Local Development Plans or ignore planning law because they don’t fit with what the community wants.”

Councillor Derek Osborne, Kingston Upon Thames Council

“If land is zoned for retail, it is zoned for retail. Arguing about it is pointless, but sometimes people have to do that, possibly just to get it out of their system.”

Harriet Baldwin, Policy Manager, English Partnerships

Councils strive to explain planning law, policy and procedures to a wide range of stakeholders: developers, residents and community organisations. Simultaneously their performance is monitored by central government and they are under pressure to release so that national house building targets can be met. Complaints about planning are the single biggest source of referrals to the Local Government Ombudsman.

Many local councils have good examples of elements of the planning process, for example, the process by which they will consult with minority groups. However, few manage to show the whole of their planning work in a way which is concise and clear. A very good example of one which does is Walsall Council. The Council’s Statement of Community Involvement, produced as part of the Local Development Framework, is a model of comprehensive, high quality guide to understanding the key elements of consultation, and actively involving citizens in development.⁴

Walsall Council is one of the country’s fifty most deprived boroughs. Ethnically diverse, it has a strong commitment to development and regeneration which includes the community. It works with a range of partners including Walsall Regeneration Company to raise the environmental, economic and social objectives of the Borough. The Council is explicitly committed to developing schemes which help people into employment, by improving the town centre and supporting business development.

⁴ Walsall Council www.walsall.gov.uk Local Development Framework, Statement of Community Involvement.

Walsall has a Statement of Community Involvement which was adopted in 2006. The document sets out the Council's policy approach. It explains how its development plan is drawn up and the different stages at which people can be involved. In addition it sets out clearly the processes by which people can be involved in the drawing up of the Development Plan and the Supplementary Planning Document.

The Council explains what the Local Development Framework and Local Development Documents, such as Area Action Plans are, how they are drawn up and how they relate to one another.

The Council states that its approach is to go beyond its legal obligation to enable reaction to developer's proposals by involving the community in strategic planning and policy formation. Their reasoning is that if they do this, not only will it make life better for its residents, but the Council is less likely to find itself bound up in disputes about land designation or specific developments. Walsall is clear from the outset that they have to take account of national government policies, regional and sub-regional policies and legal rulings. They undertake to explain these when they are engaged in community consultation.

In 2008 Walsall Council set out its vision to listen to what local people want. As part of that they identify two levels of involvement:

- Information - telling people what is planned – low level involvement
- Consultation – offering options, listening and reacting to feedback – high level involvement
- Deciding together - other people add ideas which are subject to joint decision – high level involvement

Walsall's commitment to including minority communities is strong. They use SPIR (Shared Partnership Information Resource) a databank of indicators which provides in depth information about Walsall's communities. They are also committed to producing documents in plain English and other languages to reach as many people as possible.

Walsall tries to be transparent about what happens to comments which are submitted during consultation. They have a comments matrix, which shows how feedback will be given to individuals, published on the internet and posted in public venues.

Using simple diagrams the stages of production of the Local Development Plan are set out and people are told how they can submit comments. In parallel, diagrams show how community involvement, carried out with the assistance of a number of partner organisations, will be carried out. A six month timetable of events surrounding the development plan is included. The same thing is done for community involvement in supplementary planning documents.

Walsall set out minimum types of pre-application consultation by developers and minimum levels of consultation which will be carried out by the Council following submission of an application. The amount of consultation is determined by which of four tiers of development the application falls into; Tier 1 being a proposal which departs from the Development Plan, Tier 4 being development of a listed building or conservation area.

A variety of techniques are used for consultation including:

- Website
- Articles in libraries
- Texting
- A consultation bus
- Surveys
- Public meetings

The suitability of techniques, as well as the cost, is laid out in relation to the level of involvement which the technique can achieve. Participants agree at a launch event which techniques would be appropriate.

Walsall Council operates a development team which will discuss potential applications on a 'without prejudice' basis. However, it is made clear that any comments made by officers or councillors at that stage will not prejudice the outcome of any subsequent application. A commitment is given that any specific proposals made at that stage remain confidential.

Dissemination of information is seen as key to the success of the strategy. Therefore, partner organisations are offered training in planning and community involvement. The Council is also undertaking a review of how information can be disseminated more widely using e-communications.

The techniques being used to involve the community are about to be evaluated against the following criteria:

1. Comprehensive – are all relevant matters subject to consultation?
2. Inclusive – have all groups been involved?
3. Focused - have groups been given what they need in order to take part?
4. Effective – has the consultation influenced policy?
5. Technically competent – have the techniques used been fit for purpose?
6. Cost effectiveness.

Walsall has included a jargon buster in the Statement of Community Involvement. They also set out who their key partners are and a full list of organisations that they would expect to involve in any relevant consultation – everyone from faith communities and small businesses, through District Councils to the National Playing Fields Association.

Anyone who has undertaken a pre-application consultation has to complete a statement which shows how they have involved communities. They have to show:

- How they have targeted communities
- How they made information accessible
- How they advertised opportunities for involvement
- Methods by which people can contribute comments
- The process for considering comments
- How feedback will be provided
- How work in partnership has been achieved.

CONCLUSION

By Ian Thorn, Director of Meeting Place Communications

There can be little doubt that the energy and enthusiasm applied to consulting the community on proposals for development shows no sign of ending. Our report reveals a raft of different approaches and ideas designed to reach communities and respond to their agendas. It also highlights new opportunities and challenges in achieving real community engagement on often difficult and controversial schemes.

Above all there is considerable good practice coming from all parts of the country and notably from a range of private and public sector bodies.

This report provides a survey of consultation practice and delivery. It suggests key factors that improve the quality of consultation, including top 10 tips. However, it raises many questions beyond the scope of this report.

The more one understands the challenges of public consultation, the more one can identify the opportunities and challenges explicit in this report:

- Sharing good practice – how do we ensure that there is real consistency of delivery throughout the UK and by both the private and public sectors?
- Reaching hard to reach groups – the report makes clear that there are no hard to reach groups, simply unimaginative ways to consult. But what more can be done to ensure that more than the ‘normal’ suspects and groups are heard in the process?
- Balancing contributions – whose views matter most, those who live in the area or those who will, with development, live there? How do we judge and how should we respond?
- Providing feedback – how do we maintain a dialogue from initial discussion to making a decision?
- Managing expectations – how do we ensure that we avoid raising expectations of what can be achieved?

These key questions must, and will, form the core of the next report in this series. If you wish to contribute to this publication please call me on 01225 422243.

RESOURCES

General Consultation

The Consultation Institute seeks to promote the highest standards of public, stakeholder and employee consultation by initiating research, publications and specialist events in order to disseminate best practice and improve subsequent decision making. It offers definitions, illustrates classic consultation scenarios and establishes and explains seven clear principles of best practice. By publishing specialist papers and briefings, and organising a range of events on many aspects of consultation, it helps both those consulting and those being consulted gain more from the process.

<http://www.consultationinstitute.org/>

People & Participation is a website run by two organisations, Involve and Headshift. Involve is a not for profit organisation which specialises in understanding and promoting new forms of public participation. Headshift is an innovative new media company which specialises in designing participative sites. It specialises in up to date information about new participatory methods and practice. It is funded by the Department for Communities and Local Government, the Ministry of Justice and the Sustainable Development Commission.

<http://www.peopleandparticipation.net>

Planning Specific Consultation

The Audit Commission produced a review of consultations carried out by local authorities and distilled from it various examples of good practice.

Listen Up – Effective Community Consultation. A source of guidance for public authorities and those who work in partnership with them.

www.audit-commission.gov.uk/.../NATIONAL-REPORT/EA01768C-AA8E-4a2f-99DB-83BB58790E34/archive_breffect.pdf

An early commitment of the Scottish Parliament was that it would involve all of Scotland's different and disparate communities in the development of policy and priorities. It therefore

published 'Good Practice on Consultation with Equalities Groups – a guide to consulting with people from excluded groups such as people on low incomes, religious minorities'.

<http://openscotland.gov.uk/Publications/2002/06/14851/5336>

The Royal Town Planning Institute is along established body which promotes research and policy development concerning all aspects of planning. Two documents in particular will be useful to anyone with an interest in improving consultation about housing development.

[RTPI Guidelines on Effective Community Consultation and Involvement.](#)

<http://www.rtpi.org.uk/item/1007/23/5/3>

[Housing and Ageing Population – Developing Guidance for Planners.](#)

<http://www.rtpi.org.uk/item/353/23/5/3>

Support4learning is an organisation committed to community development. The organisation's website contains a large selection of resources and links to bodies which are expert in different aspects of community consultation and development.

http://www.support4learning.org.uk/community/community_development_and_regeneration.cfm

Community Planning is an online resource dedicated to community planning. It is a treasure trove of resources including:

- Principles
- Glossaries
- Case Studies
- Scenarios
- Methods
- Checklists

<http://www.communityplanning.net>

Regen.net is a website which covers all aspects of regeneration In addition to news about regeneration and transport it includes examples of good practice as well as a library of planning policy.

<http://www.regen.net/resources/>

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I take full responsibility for any errors.

Baroness Barker

