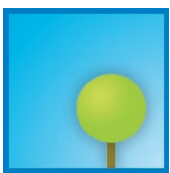


And you thought
planning wasn't
about politics?



Meeting
Place

communications

Sorry...and you thought planning wasn't about politics?

A Guide

A Practical Guide to the planning process, or how to get a planning consent, deal with the politicians and local community without going mad!

1. Introduction

The purpose of this guide is to achieve three things: first, to confirm, if confirmation is needed that the planning process is increasingly political. Secondly to get inside the mind of the politicians and local communities who affect our industry and thirdly to set out what those of us in the development industry can do about it.

My starting point is that local democracy is a good thing, politicians should be central to the decisions affecting their communities and so should the local community. Most importantly, councillors, as locally elected representatives, should be responsible for the final decision on a planning application and it's unlikely to change. It was, after all, Sir Winston Churchill who said: 'democracy is the worst form of government except all the others that have been tried.'

Consultation is a good thing, if it is done properly. There is a consensus for good quality and well planned development. Unfortunately the consensus is rarely heard because poor consultation allows those most able to influence the process to be heard and everyone else is ignored. This has to change.

It is vital that local politicians and the communities they serve are encouraged to understand the real issues of development and planning from all sides, including the developer. For their part, developers need to engage and play an active part in the communities in which they develop, or lose out.

I am sympathetic to the inconsistencies, parochialism and the sheer human nature of local politicians. I am one. Most of my insights and views are based not on the hard-nosed career driven politicians sitting at Westminster, but those people who choose, are persuaded or simply find themselves standing for election and being elected to the local council.

The development industry has shown time and again that it is dynamic and flexible enough to take advantage of changes in circumstance even if they appear wholly negative at first sight. This has certainly been the case with PPG3, now PPCS 3 for house builders. Asked to develop schemes alien to many, some flung up their hands and announced imminent bankruptcy. That of course, did not happen, indeed the industry has thrived. It can thrive in this post professional planning period but only, again, by being willing to change, to think in new ways and see and seize the opportunity.

The guide has a range of 'top tips' and advice which I hope will come in handy at some point.

A little bit of history

In a land far, far away, there were planning committees and committee members that almost always did what they were told by their officers. An application came before them, the planning policies were set out and the officers made a recommendation. There would be a good natured debate and the members would follow their officers' advice. The applicant would breathe a sigh of relief and reflect on how wise the officers' advice was. For some today, this description of a planning committee will seem far fetched. It certainly isn't, I should know, having been a member of a planning committee in the early 1990s. At that time the officers argued their case firmly and if their view was under threat they would often bring out the insurance policy: the threat of costs, not to the council, but directly to the members, should the members vote against the recommendation and it went to Appeal. The possibility of having to spend your own money at an Appeal rather than the council's had a rather sobering effect.

However, perhaps something's don't change. During the entire period of my planning committee membership, at no point did any developer, large or small make contact to explain the benefits of their scheme. More oddly, at no point did any officer contact me on any scheme. I would arrive at the committee; open my envelop and try to stay a few pages ahead, but not much more. Any interest shown by a developer or the planning officer would have had a powerful effect on my views and likely voting intentions.

So what's changed?

Like so many sections of society, in many local authorities there has been a breakdown in the levels of respect between members and officers and the basis on which decisions are taken. Poor salaries and working conditions see too many excellent officers recruited into the private sector. Those left are under enormous pressure, are often inexperienced. Frequently, important applications are managed by agency staff. This in turn reduces the credibility of the officers and their recommendations - however solid and policy based those recommendations are. Our next problem is the planning committee itself. The recent changes in the way local councils operate means that almost all of the old committees have gone. All the big decisions are taken by a small number of powerful executive councillors. The principle exception is, of course, the planning committee. This committee is one of the few places where back bench councillors still wield considerable power. It is an opportunity to score political points and make a name for yourself. Not helpful if you simply want a planning consent. The third reason is the impact of the community. With reduced credibility amongst officers and the planning committee providing a platform, small well organised campaigns from sections of the community have a disproportionate effect on decisionmaking.

Finally, it is easier and easier to defeat a local politician with an anti-development campaign. Smaller turnouts mean smaller majorities and again disproportionate impacts of small campaigns. No longer are politicians able to read the papers, asked their questions and vote. They now have to look over their shoulders at the next marauding campaign group opposing a scheme.

The Planning Act 2004

The Planning Act contains a raft of policy and guidelines that affect the development industry - that is the idea. One powerful message that comes from it is the vigorous emphasis placed on engaging the community in the planning process. No longer is it acceptable to only consult the statutory bodies, planning officers and immediate neighbours. Now developers proposing schemes of ten units or more or 1,000 square metres of commercial or retail must engage the community, talk to the residents, hold exhibitions and respond to the feedback. The larger the scheme, the more is expected.

Local authorities have now produced their Statements of Community Involvement, plans setting out what they expect, and more important, what the community should expect of developers in their areas.

This presents all developers with a challenge and an opportunity. The challenge, to change the way developers do things and approach the planning process. Nothing new here. The opportunity, to create a positive image and perhaps a competitive advantage in local authorities where they develop regularly.

Of course a planning committee should consider each application on its merits. However, a developer recognised for a willingness to consult and amend their schemes based on feedback (profitably) will be better received than a developer who does not.

2. The forces against development

Developers and planners face increasing opposition to their plans. Campaign groups appear overnight to prevent as they would see it, 'the concreting over the countryside', the 'loss of another area of open space' or 'a vital local landmark'. These groups are increasingly effective and credible. They may represent no one but themselves - but the impact they create cannot be ignored.

So where do campaign groups come from?

Property has always been, for most people, the largest single purchase they will make. Rising house prices, increased debt and the pensions crisis now means for many that their home is sheltering their debts and hopes of a decent retirement. Our entire futures are increasingly tied into our property. We have always wanted to protect our assets, perhaps we want to/ need to even more now. Any threat is likely to be repulsed with greater effort. An ageing population also brings more time. Effective campaigns require time and an increasing number of young retired people have large amounts of time on their hands. The combination of motivation and opportunity is powerful. However, there two more important reasons for the growth in campaign groups: new technology and the impact of emotion over experience. With a computer, a printer and access to the Internet anyone can research, launch and maintain a campaign cheaply for almost any length of time. We live in a society where expertise and knowledge counts for very little. Non technical feelings about issues seem to matter more than experience and professional qualification.

CASE STUDY - a district council planing committee

I had the unnerving experience of observing a planning committee in Essex two or three years ago. The applicant was applying for a change of use from office use to residential. All of the traffic and highways science tells us that at peak travel times there is generally less traffic generated from a residential scheme than offices. The application had a recommendation to approve. The officer spoke in favour with a considerable amount of enthusiasm. The county highways consultants spoke in favour, the applicants consultant, of course, spoke in favour. Twenty minutes elapsed and was followed by the normal request from the chairman for comments from the committee. Up rose the ward member who said: 'I have listened carefully to the array of experts this evening. However, I have local knowledge and this tells me there will be more traffic. I move we reject the application'. Out it went. Here, despite the combined decades of professional and practical expertise, the views of the experts proved nothing against the feelings of the ward councillor. The lesson is don't rely on facts and knowledge to make your case.

So what do campaign groups look like, what do they want and how important are they?

Campaign groups come in all sorts of shapes and sizes although their membership will generally take the following form: small in number, retired or soon to be retired, intelligent, able to access knowledge, affluent, managerial, living close by and confident of success. They take on a fairly typical group activity profile: letters to the press, lobbying of local politicians, calls for a public meeting and often a claim that they represent the views of the majority of the community. The latter is a very common claim, usually, without a great deal of justification.

Access to information is perhaps the most important issue today. These groups have the ability to access as much information as any firm of consultants and to be just as credible. My experience of a project at Castle Cary in Somerset showed that the local highways authority gave as much credibility to the opposition groups' views on likely levels of traffic as they did the clients' highways consultants. Add to this, the ability to cheaply write and publish information, the campaign groups can be increasingly powerful. In some ways this is a good thing; local people expressing their views effectively. However, this is fine provided developer, local authority and the media can understand they may represent no one but themselves and that there may be large numbers of residents without the same access or skills with a different view.

It is equally important to remember that these groups have one principle purpose: to stop your scheme. However they may sugar the pill with faint support, there is usually a never ending series of caveats which will never make support possible.

There is a whole world of potential supporters for your scheme but they will rarely be in the opposition group.

Top Tips

1. Campaign groups may be loud and persistent but they may represent no one but themselves
2. Few campaign groups end up backing a scheme. Devote no more than 10% of your time and money engaging them
3. The wider community may be far more supportive. Concentrate on them

3. The body politic

So who is mad enough to get into politics?

All the polls show that apart from estate agents no one is less trusted and more unpopular than politicians. Over paid, underworld and never prepared to answer the question is the general view. Of course this is the image of politicians the public see most, those at Westminster. What most of us miss most of the time is the small army of local politicians. Most will never earn a penny from politics, enjoy a spot on Question Time or receive an ovation at the party conference. Councillors allowances never cover the costs of being a councillor. Most will spend their time organising raffles and jumble sales, printing and delivering leaflets and engaging in what most double glazing salesmen would find difficult, political door knocking. Given the many distractions available in our society this sort of activity may seem very odd indeed.

The most important thing to understand is that people who get involved in politics are very similar regardless of their party colour. Far more unites political people than divides them. But why get involved? There are many reasons, but for most it boils down to the following: someone asked us to. Most of us find it hard to say no to a friendly request. We all need more friends and the opportunity to meet more without the need to have or acquire a skill, spend money or travel, is quite rare. We have the time. Many of us have spent some moment or two knocking the government, the council or a particular policy. Some see it as a chance to do something about this frustration. But most importantly people join political parties of all colours because, and I know this is terribly boring, they want to make a difference, to help their fellow man, to change the world for the better. Very few do it for power or prestige, certainly few make it if that is their aim. Naive, foolish perhaps, genuine certainly, human too. Most party members are happy to do their bit by paying their membership fee. Some attend social events, a small group stand for elections, a tiny group, a handful actually run things, in the party locally, on the council. It's a bit like a bee hive, a tiny number of queen bees leading and controlling the hive and a large number of workers. The only difference is that most political workers simply pay their membership fees and do no more.

In simple terms most people who get involved in politics are the same as those who join the National Trust, the Women's Institute or the local church. They want to make a difference, make some friends and be useful.

The size and organisation of any particular political party varies from area to area. Some are very professional with paid staff, many councillors and a Member of Parliament. Others are a complete shambles. What is important is you quickly understand who is important and why.

Meet your average councillor

Of course, there is no such thing as an average councillor. However, there are some features of candidates, councillors and local politicians that are pretty consistent across the parties.

For many members of political parties the biggest fear is being asked to stand for the council. This normally happens in the autumn before the May elections for organised local political parties, for the less organised it could be just hours before nominations close! All parties struggle to find candidates.

I spent a fraught couple of days trying to find a candidate to stand in a town council byelection in north

Somerset a few years ago. Failure to do so would have given some indication of our lack of organisation and raised questions as to whether we should be one of the party's top target seats. It was a cross between Time Team and Bargain Hunt. I had two days to persuade someone that they really should stand for the town council. I consulted the party membership lists for appropriate suspects and got on the phones - no one wanted to do it. I finally found a member who thought that his wife might like to do it - but wasn't sure. Time was now really ticking and the deadline getting close. I spent a stressful afternoon over countless cups of tea and pieces of cake ever so nicely persuading this lady that she should give up some of her life to sit on the town council. As beads of sweat began to appear she agreed. My next task was to find some local residents to sign her papers so that she would be nominated. We got her nomination papers in just before the deadline. Thankfully she won and went on to be an excellent councillor. However it wasn't a stress free experience.

The prospect of spending meeting after meeting in the town hall, being told why something can't happen for a minimal allowance will not attract everybody. Candidates and therefore councillors tend to fall into three groups: the politicians, politically aware, ambitious for self and or party, organisers and energetic; the community champion, wants to help and change their community, has experience of activity on local residents' association or amenity groups; the social worker, a desire to help other people.

As a councillor in Islington it was quite common for one of my ward colleagues to give someone a bed for the night if they found themselves in trouble. She would also take a person or family who was homeless down to the council offices and refuse to leave until they were given somewhere to live. Some councillors can be all three, most fall into one group. What is important is that most councillors are not politicians in the way the public would understand.

Much of time councillors are referred to as members rather than councillors. This appears to be a reference to terms used in the House of Commons and in turn most reflect the club-like nature of that House.

Most people take some persuading to stand. Many don't want to be elected. 'I'm happy to stand provided I won't be elected' is a common point made. Many who do are quickly disappointed by what they find when they do. Many who have to be persuaded to stand love it and became passionate about the people they represent. Others go native and become part of the council machinery, seemingly more like officers than members.

Many councillors work for a living. For many members being a councillor is a leisure activity and can put enormous strain on relationships, families and their finances. Many councillors spend large sums of their own money financing campaigns, paying phone bills and simply losing pay while away from work. No one should think that councillors are in it for the money!

Many longer term councillors have been disappointed by the recent changes to local government. In the 1990s out went the old committee structure. Then every decision was taken by a committee that reflected the political composition of the council. The upside, real councillor involvement in decision taking and a degree of ownership across the council and political parties. The downside was slower decision making and perhaps greater compromise. The new system that most councils use is the cabinet model. Here the ruling party or parties select a small number of senior councillors to form a cabinet. Each cabinet member, perhaps seven or eight councillors will take responsibility for one part of the council's activities such as waste, regeneration or planning. They take the decisions. The upside, faster decision making. The downside, lots of back bench councillors with very little to do and very little ownership, even amongst councillors from the controlling group or groups.

The experience of the cabinet or executive way of running council's leaves many new as well as older councillors excluded from the process.

So what's the difference between councillors and officers?

In many ways the difference should be considerable. Officers are the paid civil servants. They should implement the policies of the politicians, providing advice on government policy, good practice and any legal considerations. All senior officers will have trained for their respective tasks and unlike most

of the politicians may have been at the council for many years. The authority of the officer comes with experience, qualification and professionalism. The councillor needs none of these characteristics. The one requirement for a politician is that they have won enough votes to be elected. In an ideal world the councillor listens to and takes advice from the officer but makes the decision.

Ultimately, away from the planning committee, the officers are responsible for delivering the political agenda of the ruling party. This often makes them no friend of the opposition councillors. In the planning context they must advise and inform councillors on planning policy and guidance, but will still be sympathetic to the views of councillors. Always be cautious of officers claiming to speak on behalf of members when it comes to future planning committees, particularly opposition councillors.

In some local authorities officers are stronger than members and in others it is the other way around. Indeed in many ways there is an unwritten and unspoken battle between councillors and officers. That battle is more obvious between opposition councillors and officers. At Islington council, as an opposition councillor, we often disliked the officers more than the opposing politicians. We knew that many of the senior officers were card carrying members of a political party or at the very least sympathetic.

Meet your average council

Again, of course, there are no average councils despite what the government might say. My experience of councils comes in two rather extreme forms: Maldon District Council and Islington Council in London. Both will have changed somewhat since I was there although I suspect not much.

Case study - Maldon district council

Maldon is a small local authority on the Essex coast. It is made up of two towns: Maldon and Burnham and hundreds of villages. There is a fairly even balance between representatives from the towns and countryside. Its members were and still are farmers, traders and retired folk. Joining this group at twenty six was certainly an experience. It was something akin, I would guess, to joining Rotary. Almost everyone wore suits for council meetings and the whole thing was conducted with an almost old fashioned etiquette.

Anyone who raised a voice would certainly look out of turn. The notion that any point should be party political caused audible gasps! It was conservative with a large and small c. Every officer was Mr this and Mrs that. Every councillor was addressed by an officer as councillor. Full council meetings, the ones where there were opportunities to be party political were dominated by the council leader. He had enormous command of the detail, particularly the finances. Any suggestion of error or political misjudgement was met with thunder. The leader had the habit of colouring his phrases with what for me were long and exotic words. Some I still use today.

My greatest claim to fame came early in my time on the council. It was early summer and time to select the councillors lucky enough to attend one of the Queen's garden parties. All councils, as well as many groups and organisations, are given tickets. At Maldon we received four tickets. Two went automatically to the Mayor and his or her consort. The other two were drawn in a ballot. Always up for a new experience I put my name in. To the consternation of many of the elderly members my name was drawn out. Having entered their names for years, I got lucky first time. Of course, being an honourable person, I took the tickets and had a great time.

The garden party ticket experience rather typified Maldon district council at the time. It may still. A sense of duty, of order and prudence, a reserved and dignified approach, but above all a deep seated conservatism.

Life as a councillor in Maldon involved surprisingly little case work, lots of committee meetings and the odd cricket match between the members and officers.

Case study - Islington council

If Maldon district council was reserved and conservative, Islington council was local politics freestyle. I hadn't expected to be elected, but found myself one of thirteen opposition councillors. The council was made up of a large number of seriously aspiring politicians.

Many MPs and members of the government have been Islington councillors. There were also a large number of councillors trying to live out their ideological aspirations through the council. Then there was us, a rag tag group fuelled with injustice and possibly a naive view that we would be so much better than the other lot.

Being a councillor in Islington was hard work. We had surgeries every Friday evening. My colleagues and I would sit in the local council offices and meet residents with their problems. If you wanted to understand how middle-class and affluent Islington isn't this was the place to be. In my ward there were, at the time, no private residents other than those who had bought their flats under the right to buy scheme. But even these people were still chained to the council by their yearly, and frighteningly high service charges.

During my four years I saw many of the same people again and again. It was common to be asked to read a letter from the council because the resident couldn't read it themselves. The squalor many people lived in had to be seen to be believed.

Against this back drop, the meetings of the council and in particular the full council was like light relief. In fact the full council meetings, when all the councillors met together, was the best free night out in town. Both parties would be prepared, the ruling group to defend, us to attack. It was a six weekly battle of Waterloo, although of course no one really won or lost. If there were to be Christians to be fed to the lions, just to mix my metaphors, it would be the officers who everyone blamed.

The crowning glory of the council's year was mayor making. Here, by political selection, one councillor was to become the borough's leading citizen for the year. The job would involve opening fetes, visiting old peoples homes and chairing the council's important meetings. The mayor was 'made' at a special meeting of the council. All the councillors would attend and friends and family of the mayor to be would be there in their Sunday best sitting snugly on chairs placed between the two normally warring political parties. Every year everything seemed to go well until the Labour group started singing the Red Flag. This, of course, wouldn't be allowed today. Even then most didn't know the words. Feeling the need to respond, my group would strike up with one or two ditties normally heard in the stands at nearby Arsenal Football Club. The friends and family in the middle were left completely bemused.

Islington was highly political. Many councillors of all parties wanted to do their best. It was possible to make a difference for individuals. To achieve more was, I think beyond all of us. At Islington there was little time for cricket, but lots of time for the countless pieces of case work and long and often stormy committee meetings.

Who sits on a planning committee?

Very few councillors ask to sit on the planning committee. Very few candidates dream of a place on the planning committee should they be elected. It is now one of the more time consuming roles on the council. It is one of the few meetings that must still have members proportionate to the various parties strength. In other words many are on the committee to make up the numbers. No one necessarily has any experience of planning. The level of councillor training these days is much improved but still limited.

Most councillors on the planning committee are completely at the mercy of the officers and campaign groups. Councillors have no idea of the cost of development or the risks developers take. Their views of developers are no more or less positive than your average member of the public - I'm afraid. What councillors do know is that local people elect them, developers on the whole don't.

Most councillors who sit on planning committees are often frozen by the fear of doing anything 'inappropriate' not knowing whether it is or not. I know many councillors who will be contacted by their constituents and feel unable to help or express a view about a scheme because of the pressure they feel they are under. This clearly makes no sense and undermines trust in local politicians.

At Maldon council I sat on the planning committee. Everyone did. I didn't know one end of a planning application from another. Unlike most of my colleagues I worked. This didn't leave much time for reading papers. As a result I would, shamefully, turn up at the planning committee with my envelope yet to be opened. If I could stay a few pages ahead I would. I would listen to the discussion and take note of what my party was saying - yes it was party political, even here. If it was an application for a dormer window or a conservatory in my ward I would listen with rapt attention. If it was 300 units on the other side of town my eyes would stray to the clock on the wall. Of course things have changed, haven't they?

Oh what a performance - the planning meeting

The planning committee must be one of the strangest bodies devised to make decisions on any matter. We're told it's semijudicial. Surely either something is or isn't. You can't be a little bit pregnant. If it is meant to be like a court and the councillors the jury, then of course the jury should hear all of the evidence not simply what is provided by the officers. I don't know a court in the land where the judge proffers his or her view before the evidence is heard. And yet every officer report has a recommendation before the committee hears from the applicant or opponents.

Of course the debates start before the planning committee meets. In many places there are meetings before the actual planning committee. We're told that the party groupings don't meet before the planning committee. But of course they do. To consider their own view and any political issues.

Once the committee gets underway its a bit like a good old fashioned theatrical performance. There are the goodies and the baddies. The goodies are of course the 'doughty campaigners' trying with every sinew to stop 'the latest proposal from an evil developer', regardless of the damage to the local community if the development fails to happen and how few people they may actually represent. The baddies, of course, are the developers. Fat cigars, Rolls Royce's and with an evident desire to concrete over the countryside. How on earth can any councillor give even grudging support for any proposal from someone like this!

This is the battleground. Rarely will any councillor have met someone in development, rarely will they know the social and economic cost of not supporting a scheme, more surprising perhaps, rarely will they understand that there are large numbers of people who support the scheme but don't have the time or motivation to set up a campaign group.

On your average major application a councillor will be sent the officers' report; will have received letters of opposition or phone calls from opponents. The councillor might have been invited or been able to attend a briefing or presentation on the scheme, but only if he/she was available. Most officers operate when they can during the day. They spend enough time at evening meetings. Councillors tend to operate in the evenings. With this and their own prejudices they enter the committee room.

What they see next is a gallery full of opponents. People they know. They see the applicant and his representatives. The opponents get their three or five minutes and fill it with tales of woe: too many units, not enough parking spaces, too much extra traffic. The applicant will normally put up an expert in a suit. Someone that no one believes - he (and it usually is) is paid by the applicant to be there. He would say that wouldn't he!

Top Tips - for the famous three minutes.

1. Don't rely on facts or evidence - no one believes them
2. Don't threaten the councillors - there's only one way they will vote then
3. Don't use your barrister - whatever you do.

I once spoke for an applicant on a small scheme in a London borough. We had three minutes as did our opponents. They used a barrister - what a mistake. He started by attacking the councillors, he moved on to the chief planning officer and finished with the council's most senior legal person. It was a disaster. The application was successful.

Political decision-making

Please be in no doubt that many applications are decided on political lines. I attended a planning committee a few years ago. An application was debated for retrospective consent for the extension of a back garden into farmland. This was totally against the council's policy. Encroaching onto farm land had been resisted for many years. This person had simply pushed his garden fence further from his backdoor and extended his garden.

Officers offered up all of the council's policy and a considerable number of examples where similar applications had been turned down. As the discussion continued it soon became clear that the applicant was known to a large number of those councillors present. We heard from a number what an outstanding member of the community he was and how he often had events in his back garden. The picture became clear: many of these events were for one political party. The application despite the exasperation of the officers was approved.

We all have similar stories.

Where does the local MP fit in?

As has been said before, the job of any politician is to get re-elected. For almost all MPs and indeed councillors that means opposing development. Unless they can be offered real benefits of the scheme, that opposition will continue.

There is a convention amongst members of Parliament that they don't get involved with planning issues. Why? Well it is primarily a matter for the local authority. Local councillors, even from the same party, don't like their MP pushing onto their turf. The more important reason is that almost always the MP will lose votes rather than gain them if they get involved.

However tempting it might be to meet the local MP, start at the bottom and work your way up. Don't accept smiles and a nice cup of tea as a sign of support.

Top tips

1. Local politicians are perfectly normal people who find themselves on the council for a host of non political reasons
2. Councillors are not planning or development experts or, in many cases, they may not know the economic and social issues and arguments
3. Councillors want to be engaged and involved in their local communities - engage them

4. The battle of facts over emotion

One of the evident features of our society is the increasing power of emotional argument over facts and experience. If we feel it, it must be right. Whatever the power of facts they 'can't compete with feeling'. There is nothing new about the power of emotional views. What is different is the effectiveness of these arguments. One of the best examples is the phenomena of mobile phone masts. Most people use mobile phones - fact. There is no evidence of any negative medical impact of mobile phone masts - fact. The more mobile phone masts, the lower the power emitting from each one and therefore the less impact from those masts - fact. There is more potential danger from handsets - fact. What do people campaign against - mobile phone handsets or the masts - the answer is known to all of us. The response to mobile phone masts is purely emotional but powerful none the less.

This success of emotional arguments is increasingly the case in the planning process. The simple reality of the process is that with increasing frequency emotional arguments will overcome facts and experience. Simply promoting an application which ticks all of the planning boxes may not be enough.

Many of the issues raised by campaign groups are not planning issues that relate to the site and the scheme. They are issues relating to design, traffic generation, overlooking - loss of visual amenity. The bottom line is of course that often local residents fear the value of their homes will decrease as a result of the scheme.

Because politicians are no more technically knowledgeable than the local residents, and many cases less so, they are often swayed by the power of the non technical argument. It is always important to remember that ultimately politicians have one objective - to be reelected. The weight of planning law, a great scheme and the advice of council officers is nothing compared to the need to survive.

He who speaks loudest

The public meeting is a microcosm of society. Many people may attend but few will speak. Few will express a view, most will be unable to participate. Those who speak rarely reflect the views of those there let alone the rest of the community. Most people simply cannot get to a public meeting. They may work, need child care or simply not be willing to go out at night. The very nature of a public meeting; those with power on the platform and those without set in rows of chairs makes the whole event extremely confrontational. Both sides are there to speak rather than listen.

Confrontation often leads to argument and future entrenched positions. Politicians are forced to express a view which is hard to retreat from. The developer becomes the target for all the frustrations individuals may feel well beyond the proposed development.

There are only two things you can be sure about a public meeting: most people will leave feeling even less attached to the consultation process than when they arrived. Secondly, if an opposition group hasn't been formed, it will now.

Public meetings are the result of lazy consultation and based on a failure to realise that everyone has a right to be consulted, not just those who shout the loudest. They should be avoided at all costs. Not because they are inconvenient, simply because as part of a programme of effective consultation, they don't work.

Top tips

1. Avoid public meetings like the plague. Their effect on a good consultation programme is normally negative for most people rather than positive
2. Debates about planning issues are increasingly about feelings and emotion. It is much more important to offer benefits that the community wants than defend an application on the basis of its technical qualities
3. Don't use consultants or council officers to decide what benefits a community wants or needs. Ask the community

5. What does all of this mean for the development industry?

For many schemes it is no longer enough to buy a site, design a profitable scheme, check the legal and remediation background, ensure it fits with national and local planning guidelines, submit the application and sit back with an officers' recommendation to approve. It was (perhaps) once, often it is not now.

The politicians and community now provide a legitimate hurdle that can't be avoided.

So what to do?

Based on my experience there is a process that can significantly increase the chances of a successful consent and properly engage the community. What I set out below will certainly make a difference. There

are no guarantees, but it could speed up the process and on many occasions give you the best chance of a planning consent.

Most programmes come neatly in three stages or ten steps. However, there is nothing neat about the planning process. What I set out are thirteen key questions you need to ask and what you should do with the answers.

1. Who makes the decisions?

A small number of people will make any important decision. This applies to any business, voluntary organisations and certainly the local planning committee. Members of the planning committee hold the future success of a business and those working for it in their hands. It is vital to know who they are and what interests them. Developers spend a fortune understanding what their customers want. It is simply common sense to understand what those who make the decisions want too. If you want to build any positive relationship, understanding what their interests and aspirations are, is important.

2. Who influences the decision makers?

Planning decisions are not made in isolation. Opposition groups know exactly who is on the planning committee. They write and they call. Councillors are by definition engaged in their communities, even if at times it may not seem the case. During their average day a councillor will meet the head teacher of the local school, the parish priest, members of the local WI. All of these individuals representing groups may express a view about an application. All of them will have a view based on a personal perspective but also a view based on the best interests of their respective groups and organisations.

I am a school governor of a primary school in Bath. An application for five units was submitted for a small site next door. The school represents a large and powerful audience: several hundred parents, the governors, one of whom represents the Local Authority, the teachers. At no point did the developer make contact. He got his consent over time but it took some time. He probably needs access to the school to build his scheme.

Equally, I was indirectly involved in a project in Brighton. The residential scheme will bring real benefits to the local church. How did the church get involved. We went and spoke to them and listened to their needs. Who spoke at the planning committee? The vicar. So much more powerful than any consultant.

Top tips

1. You need to know who the leaders of a community are. This is common sense
2. They need to be engaged and involved. They want this
3. The conversation with these key players need to be genuine and ongoing

3. How do you reach potential supporters?

There will always be supporters for any scheme. The key is to find them. Those opposed will almost always be first off the blocks and high profile. Those most likely to support a scheme will be those most likely to benefit and almost by definition be least easy to find. The difficulty is that those most likely to oppose a scheme are those affected by the presence of the scheme. They will be the new neighbours - it's a perfectly natural response.

They are easy to find because of their geographic emphasis to the site itself. Supporters may be much more diffuse. They may live some distance away and not be characterised by geography.

Given the huge demand for housing and the rising gap between average salaries and house prices there are substantial numbers of young people and young families desperate for their chance to live away from their parents and make a life of their own. Undoubtedly the parents are just as keen to see them go too!

The levels of hidden homeless is growing by the day. These people will be natural supporters, as will their families and friends. Indeed this group is nearly always larger than the smaller, older group of local residents opposing the scheme. The key is how to get hold of them.

The answer is to make your consultation as accessible to them as anyone else. This group will be working, may have young children and have busy social lives. Ensure your exhibitions run through the day and late into the evenings. Pick weekdays and weekends. Have things for the children to do and plenty of car parking. Make the consultation available on the web. This allows someone to look up your proposals while at work. Consider a programme of outreach. Where should you go to meet those least likely to visit a normal exhibition. Identify local play groups, the doctors' surgery, local pubs, the football ground. All provide opportunities to reach potential supporters who would not think twice about attending a public exhibition.

One leaflet is not enough. Don't expect one leaflet through a letter box to create a large turnout. As a politician, I have knocked on doors where I have personally delivered a dozen leaflets during a campaign. The resident will tell me that he hasn't seen anything. Some people, of course, are pulling your leg. Many however, simply don't read what comes through the letter box. Brown envelopes look like bills, window envelopes ditto, hand addresses letters - now you're getting there.

Ultimately the most credible consultation engages the widest audiences. Based on my experience, the larger the audience, the more likely the responses will be considered, balanced and positive. The overall objective must be to reach and engage the largest and widest possible group.

Top tips

1. There are always supporters for your scheme but you may need to work hard to find them
2. Good and enthusiastic consultation will bring them to your attention
3. Poor consultation will only help those opposed to you

4. What are models for good engagement?

As discussed above the principle of successful consultation is the level of participation. There is a limited number of NIMBYs for any scheme. The number of supporters is potentially unlimited.

The first principle for the best models is to want to engage the largest number of people and to be clear about who you are consulting, why and how. The days of holding a public exhibition on a Monday morning, hoping that no one will attend are long gone and rightly so. Short, half hearted consultation falls into the hands of the organised opponents and is a waste of money.

I was involved in a consultation on a marina scheme in East Sussex. The issue had divided the town. Our public exhibition took place over three days. Had we held it over half a day the response would have been almost wholly negative. The opponents had organised their supporters to turn up right at the beginning of the first day. It was only over the three day period that it became clear that the majority of those attending actually supported the proposals.

Always be clear about who the key players are and treat them accordingly. Many politicians have spent years trying to get elected and give up much of their private lives to serve the community. Make sure they are treated as important people. Set aside part of the exhibition just for them. Provide a preview of the opportunities and also be open about the problems and challenges too. Also recognise that politicians are involved in other activities too. Know what they are, engage them in a real and meaningful way. Also know who else is important and involve them.

Whatever you are consulting the public on, make sure they can understand. Use models, computers, drawings, verbal explanation and non technical language. Critically feedback your findings. Highlight what can be done to change a scheme and, just as importantly, what cannot and why. Don't be afraid to use the economic case for non action if it is true.

Top tips

1. With all consultation, avoid the head in the sand mentality. Try to engage the widest possible audience. The worse that will happen is problems and concerns will get to you at a time when you may be able to do something about them
2. Look for ways of reaching groups that simply wouldn't come to a public meeting
3. Be honest about the feedback you get and clear about what you can and cannot change

5. What are third party advocates?

The most effective advocates for your scheme will not be you, your staff, your consultants or the council officers. Unfortunately, along with politicians and estate agents, developers are rarely believed. 'They would say that wouldn't they'. The most important supporters are those who have no real axe to grind. They are not in the pay of the developers or benefit personally from the scheme. They are third party advocates. If they will benefit, their role changes. In Bath controversy recently raged over the construction of a mobile telephone mast, built into a flag pole and placed on a church. Local residents were up in arms accusing the vicar and church authorities with merry hell. The church was now seen, wrongly, as the developer, and ready to accept its thirty pieces of silver. They were not able to be third party advocates.

Third party advocates are only indirectly associated with a scheme. They have no financial interest, but can see and potentially receive some community benefits. These advocates may be a ward councillor, the local vicar, the head teacher, the chair of the tenants and residents' association. They provide advocacy no consultant can provide.

Of course, they must be sought out. They may appear at one of the public consultations or be recommended to you by the council or by a councillor. Always keep your eyes and ears open for third party advocates.

6. How do you address Statements of Community Involvement?

Every local authority has a Statement of Community Involvement (SCI). They have to produce one, the Planning Act tells them to. As you would expect some are extremely detailed and relevant to the local area. Some are very limited and pretty much what they have taken from the Planning Act web site.

What is common amongst all of these documents is two points: how the local authority will consult on their Local Development Framework and what they expect in terms of consultation on major planning applications. As discussed before, a major application is anything over 10 units and 1,000 square metres for retail and office developers.

For most serious developers these are pretty minor projects. Based on the government's recommendations the SCI sets out what is expected for three tiers of project. The larger the project the more consultation is required. The largest projects seem to require enormous programmes of activity with almost every form of consultation suggested.

I would recommend that on a major project developers produce a statement of intent.

What should your statement of intent look like?

It should be short. It should set out what government wants, what the local authority wants (Statement of Community Involvement) and what you will do. The do bit should include a draft programme, audience and how you will promote the programme. It should also include what can be changed through consultation and what cannot. However much a community wants a swimming pool, if there will be houses in some shape, or form, say so.

Top tips

So what should developers do about Statements of Community Involvement?

1. Don't ignore them. This may lead to a bit of short term gain, but also some longer term pain in terms of costs and delays
2. Recognise that this process is completely new to the officers too and therefore everyone is feeling their way forward
3. Be proactive. The more you understand the system and how consultation works, the more of a lead you will play in the consultation process
4. Understand that the lists of potential consultation activities is a shopping list. You need to choose the activities that suit the site and why
5. Above all, you need to set out your agenda. Who you will consult, how you will consult and why before you begin the process (statement of intent)

This programme can become the Statement of Community Involvement for your scheme provided you engage and win support from officers, politicians and the community.

7. How do you to build evidence of support?

No developer would ever dream of presenting a technical case for a scheme without a substantial amount of expert written evidence and opinion. This will increasingly be the case for public consultation on a scheme. It will be necessary to produce a statement of community engagement that sets out everything that you have done. From an initial statement of intent through to the programme, community feedback and examples of literature, web sites, exhibition material etc.

8. How do you encourage community feedback?

The hardest and most important part of the consultation process is recording, judging and responding to community feedback. The reasons are clear: how do you accurately record community views when so much will be about non planning issues and individual opinions; how do you judge the importance of one person's comments against another, or one group's comments against another and what about everyone who did not respond. Finally what can you do to change a scheme in response to community views and will the officers be happy?

I spent a happy two days at a public exhibition in Northampton a few years ago. In the morning a group of very happy residents arrived. Happy because the proposed scheme would mean that their road would be become a cul-de-sac. In the afternoon another group arrived furious that their road would no longer be a cul-de-sac but open to traffic. It was a good job they both didn't turn up at the same time! But who was right, who was wrong, should the plans be changed because of this type of feedback?

I firmly believe that the more residents provide feedback, the more useful it is. This means opportunities for feedback that allow long essays, written and spoken rather than tick box forms. It means providing space at exhibitions to chat and drink tea. It means avoiding public meetings. It also means sitting down with your key players and spending time with them. They will provide their own views on the issues, their take on what the community thinks and feedback on the feedback from the community.

When it comes to the relative importance of feedback two points are vital: what you said in your Statement of Intent about the audiences you will consult and the number of responses you have received as a percentage of that audience. This is why the more people who are engaged and respond to the consultation the better. It's no good having hundreds attend an exhibition if they don't fill out the form. They won't fill out the form unless they have a place to sit and think.

And of course, the scary bit. Changing the scheme as a response to the consultation. This is made easy if you are clear what can and cannot be changed in your statement of intent. Of course at any stage a scheme can be constantly changing for technical and financial reasons.

Always be honest about what you can do and what you cannot. If the issue is your project budget, be honest. Most people will accept you have to make a profit and that this has to affect the nature of the scheme and how much you can change.

Don't be afraid of the community!

So what happens when the community propose changes to a scheme which will achieve support, you can deliver them but you know that the officers won't support them? This is quite common. In fact an awful lot of common ground exists between the developer and the community. Both tend to want low density development: semis with gardens and garages. Both want a sensible number of car parking spaces for each unit. Both want to provide family homes rather than flats. It is of course the officers who have to stick to policy that often demands the opposite.

Squaring the circle

So what do you do when you have community support for a scheme or a feature of a scheme but you know the officers will oppose it. This really depends on the relationship between the councillors and the officers. If the council is lead by the officers stick with their views. If the council has greater councillor leadership ensure that the councillors know the strength of local feeling and perhaps, stick to your guns.

Top tips

1. Be ambitious, want to engage the widest possible audience
2. Provide the opportunity to provide as much feedback as possible
3. Be prepared to change your programme based on feedback

Keeping everyone happy?

Of course in life and the planning process you can't. The more you work with a community the more it becomes clear who does reflect the wider community's views. Ultimately the key people are those who will make the decision, those who will advise them and those who will influence them. As always, believing that you have solved the concerns of your opponents is usually the first step on the road to failure.

9. How do you reach the silent majority?

The vast majority of local people don't have a personal reason for opposing a scheme. In fact they might have personal reasons for supporting. They may have sons and daughters desperate for a home of their own or know others in the same position. They may also recognise the benefits a scheme may bring. They are just as likely to vote and influence the decision makers as the opponents. The difficulty is reaching them. They are unlikely to attend a public meetings and even exhibitions. You need to find opportunities to meet them.

You need to advertise your public events very widely using leaflets, adverts and word of mouth. Identify events that would happen anyway and work with the organising groups. These could perhaps be the mother and toddler group, the local WI or local school. Seek to work with a range of local residents' associations or tenants' groups, not simply those close to the site.

Seek to create a community steering group. This will provide an opportunity to engage a wide range of participants including key stakeholders. Such a group will also provide the opportunity to test wider community views and act as an interface with the council.

Top tips

1. The silent majority are silent for a reason - what will engage them?
2. Work with groups that do reach different audiences
3. Be prepared to go out of your way to meet people

10. How do you ignore the opponents?

As we've said before don't expect to convert your organised opponents. Any organisation set up to oppose will almost certainly do so whatever you do. It's easy to spend a fortune in time and money and waste it on these groups. Individuals and in particular councillors are another matter. They will often instinctively oppose, but for perfectly if misinformed reasons. A scheme may threaten their own project and they will remain opposed until they understand that in fact the scheme could help it.

I have worked on a number of projects where the councillors took an opposing position simply because they didn't understand the details of the scheme. Once they did, it became apparent that the scheme worked for them.

11. How should you prepare for the committee?

Too much time is spent rehearsing and preparing the script and not enough time spent understanding who is on the committee and what their interests and focus are. The greater the preparation, usually, the more detail, the less the councillors will remember. Don't design presentations by committee. I have sat in countless committees of clients and consultants discussing the contents of a short presentation. It really is the route to disaster. It should really just be the client and the person/ people who will present.

Agree with the officers in advance when you will arrive, what equipment is available and who will speak. Leave the posh car at home and avoid city pinstripe suits. Every 'wealthy house builder' stereo type should be avoided. Be prepared to smile and nice to your opponents however unpleasant they are to you. The vast majority of what an audience notes from a speaker is what they look like and what they are wearing. What is said is the least important part of the impact achieved by a presentation.

Top tips

1. Reduce the importance you place on the committee meeting by a factor of ten
2. Encourage those who will benefit from the scheme to speak on your behalf
3. Smile, be nice, don't get angry

12. How should you present to the planning committee?

I believe that the present structure for presenting views for and against a scheme at a planning committee is farcical. Why, because it provides little opportunity to do anything of the kind. It has become an almost pointless ritual played for the benefit of no one. But, of course, we have to deal with what we have rather than what we would like.

What is vital is that you don't treat the councillors as officers. They are not. Whatever may have been discussed between the committee chair and senior officers may not 'stick' when it comes to the committee. This is made worse because so many councils now have no party with a majority. This means that no party has a majority on the planning committee. This in turn means you need support, if political, from more than one party, one of which may be the smallest. It is therefore important to do your homework. Who is on the committee and what party are they from. Don't be told that councillors from political parties don't meet before hand to agree party lines - they do. And why not, the decisions these committees make could have a considerable impact on the political futures of those councillors.

Don't forget that many of the 'campaigners' opposing your scheme will be known to the councillors. This might not be a bad thing. For many councillors these individuals are as difficult and unpleasant to them as they are to you.

At committee it is vital to recognise that you will not be believed - you're in it to make money (rightly) and will present your arguments accordingly. The same applies to consultants or indeed anyone on your payroll. The greatest advocate for your scheme is someone who has no direct benefit, but will express the benefits to the community from their experience. This will make for a more human face and also

undermine the view presented by the opponents that everyone in the community is against the scheme. It might seem strange that councillors would not already know that there are mixed views, but councillors are busy and rely on others to tell them what is happening. If the only views they hear are anti they will assume that this is the broad view.

Avoid the facts. Again this might sound strange, but if you are replying on facts and technical evidence to win on the night you have probably already lost. The opponents will use emotion and so should you.

Above all use your three minutes, or whatever time you are allowed to make one or two points and nothing more. Do it in a friendly and engaging way. Don't threaten the councillors with an appeal or an even 'worse' scheme. Don't storm out if it goes badly. You may need those councillors again in the near future.

Above all treat the committee members as you would your customers. Understand what they want and need and base your presentation around these issues. Even with a difficult customer you will remain polite and positive, apply this to the planning committee.

Top tips

1. Recognise that the opponents will almost always be more credible with councillors than you
2. Recognise that emotion is more important than facts
3. Communicate the benefits of the scheme and the changes you have made

13. What do you do after your consent?

Most developers breathe a huge sigh of relief on obtaining a planning consent and think 'well at least the politicians and the community are now out of our hair'. This in many instances is no longer the case. Many schemes require changes to the original terms of the consent or simply co-operation from the residents in order to smoothly deliver the project.

The simple message is keep talking. Provide a contact on the site who can lead a dialogue with the community. Particularly if the scheme is large and will take time to build out, produce the occasion newsletter, take the officers of the residents' association or the local councillor around the site (health and safety permitting).

Any programme can be limited but it will often save time and money in the long run.

6. Conclusion

When I set out to write this booklet I had three objectives: to make as clear as possible the political and community dimension that is now at the heart of the planning process and try to provide some understanding of what local politics and politicians are all about. In addition I hope that against this backdrop I have offered some ideas that can make the process work from the view point of a developer.

The most important word in effective consultation is trust. The purpose of good consultation is to build trust with the community. Most initial community views are based, sometimes justifiably on a lack of trust. If trust can be built, a dialogue can follow and a scheme that delivers for the developer and community is possible. Without getting the trust bit sorted little is possible.

I don't believe that the hurdle, if it is a hurdle, of political and community consultation can be got around. You need to get over it as efficiently and effectively as possible. I have no doubt that ignoring this process will increasingly lead to greater delays and extra costs. Embracing this process, however foreign, will create extra costs early but save them over the period of the planning promotion.

I certainly don't have all of the answers. In fact the more I do this the more questions and issues it raises. However, I hope that some of my experience, mostly borne out of trial and error is of use.

I have to say I have problems reading long business books. I tend to pick them up and put them down and rarely read them. I hope this book isn't in that category.

Finally, if all of this has left you slightly depressed, let me share a thought from a client recently.

'Look, if it was easy everyone would do it and none of us would make any money'.

The author

The author is a former councillor in London and Essex. He worked for a political party for three years and has stood for Parliament on two occasions. He was director of Groundwork, the UK's largest community regeneration agency. For five years he was a director of Green Issues Communications, one of the UK's leading political and community consultation businesses. Ian is now Director of MeetingPlace Communications.