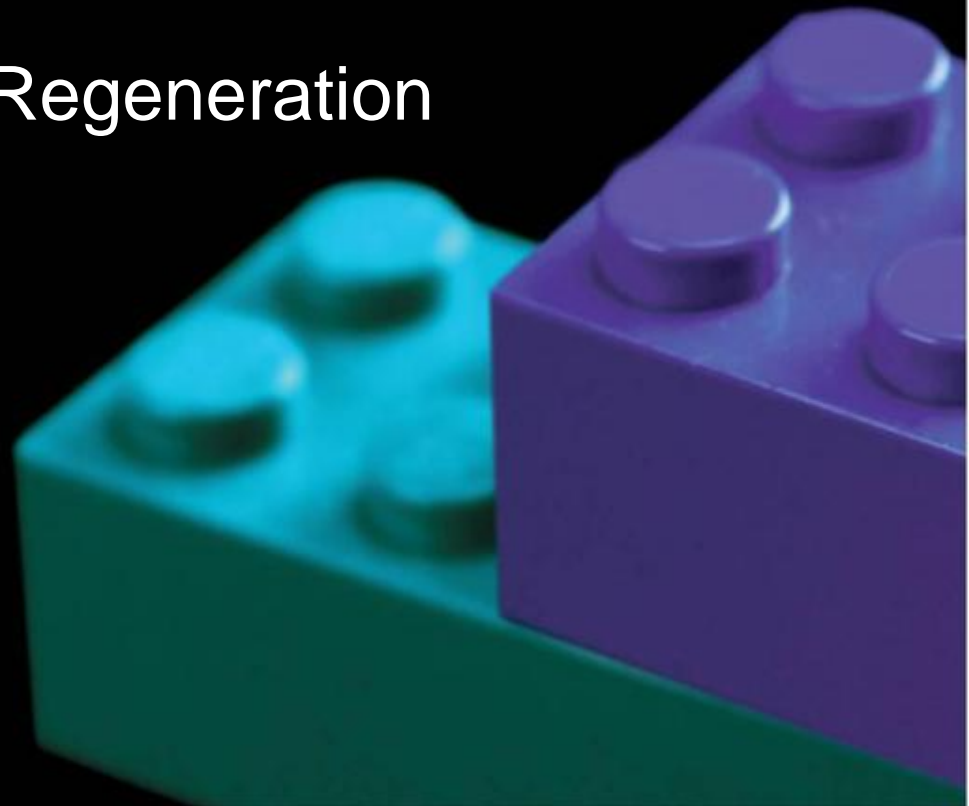


New “Models” for Community Involvement

Karen Cooksley

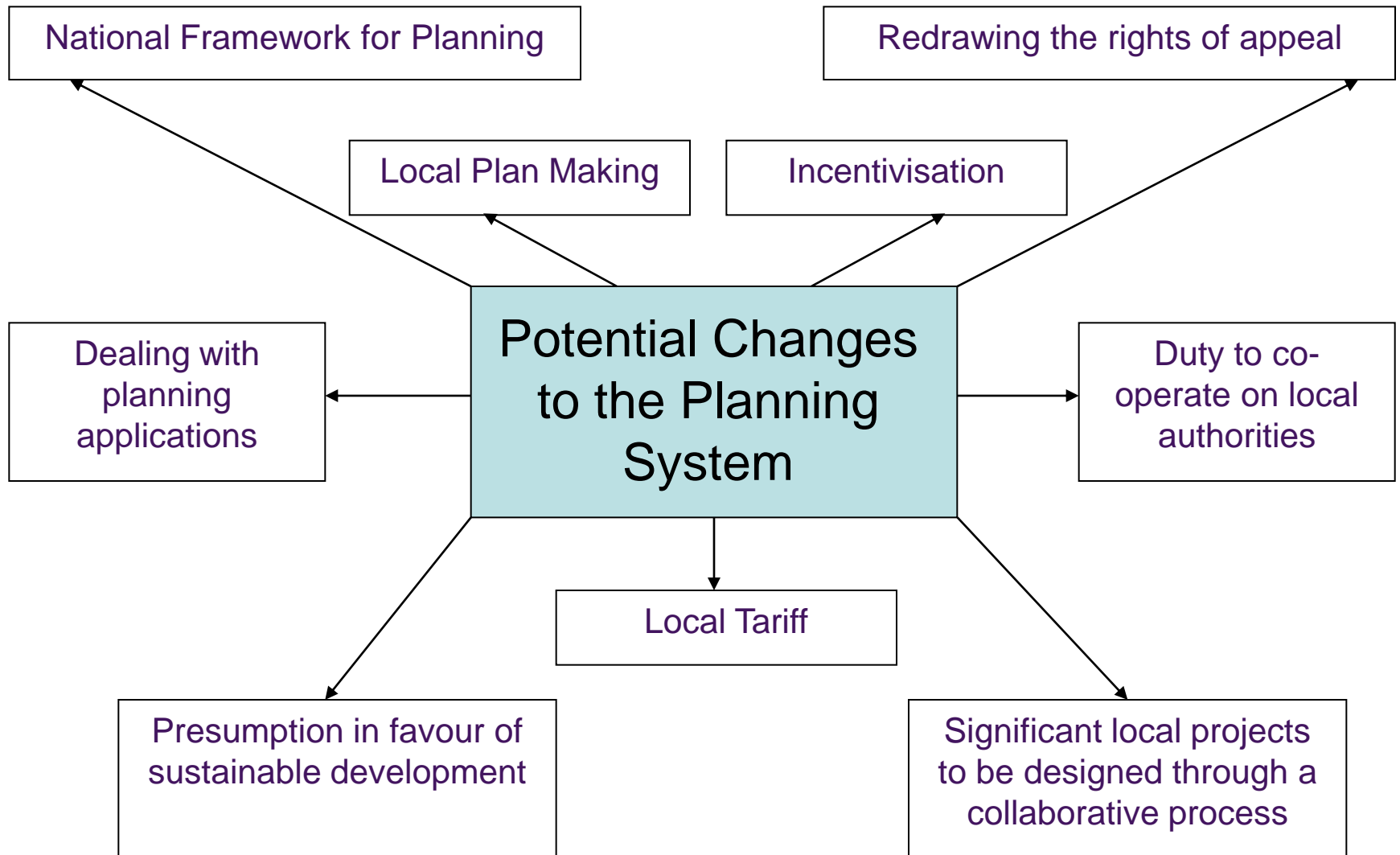
Partner

Planning and Head of Regeneration





“Excellent! So that’s all agreed, then! All we need do now is draft the consultation document.”



**Does public
consultation work?
*YOU DECIDE!***

YES NO

Simply email, text or phone with
your answer. And it will be ignored.
And don't bother posting a letter,
because we don't even open them.
They go straight into landfill.

UK GOVERNMENT

✓ **Helping you to
make the right choice...**

REye No. 1220, 3 Oct - 16 Oct 2008

The current requirements: Local Authorities

- The Statement of Community Involvement
- Duty to serve notice on adjoining occupiers, site display and newspaper notices (Article 13 Development Management Procedure Order 2010 (prior to 1 October 2010 Article 8 GDPO 1995))
- Duty to publish details on website (Article 13 Development Management Procedure Order 2010 (prior to 1 October 2010 Article 8 GDPO 1995))
- The Aarhus Convention

The current requirements: Applicants

- Policy requirement to consult with the community as per PPS1 (paras 40-44)
- Consultation as part of preparing the Design and Access Statement
- Exhibitions in the local town hall / on site if possible



- Leaflet dropping/questionnaires
- “Enquiry by Design”/“Planning for Real” for the most committed of developers

What happens in practice?

- Often a "Tick - box" exercise
- Patchy consultation depending on:
 - size/sensitivity of proposals
 - enthusiasm of developer/LPA
- Barriers to consultation:
 - cost
 - complexity of issues/technical documentation
 - difficulties of identifying and reaching groups
 - the language of planning

A shift in approach - the IPC

- S47 Planning Act 2008 - new legal duty on developer to consult the community
- S49 - new legal duty to take into account representations and consider whether the application should be changed
- S55 - IPC can decide whether or not to accept the application depending on the "adequacy" of the consultation process
- *Guidance on Pre-application Consultation*

Avoiding the pitfalls: Western Power Distribution Electricity Line

- Description of development and plans must be correct and encompass all building operations
- Application should mirror development consulted upon
- Provide “before and after” explanation/drawings if changes made in response to consultation
- Appropriate use of requirements/planning obligations to secure consultation recommendations

Getting the model right: Covanta Rookery South Waste to Energy Station

- Identify your community
- Use a range of media to reach the public and local organisations
- Agree the area for the most intensive consultation with the local authorities
- Establish a Community Liaison Panel early as a mechanism for exchange of information/views
- At least two formal stages of consultation (and ongoing opportunities to comment)

What does this mean for the future?

- Legal duty likely to filter down for most applications for development (Coalition Government policies heading in that direction)
- Potential area for judicial challenge
- Further expense and possible cause for delay



What should you do next?

- Appropriate consultation for size/effects of your scheme
- Identify the local community
- Consider use of social media
- Apply sound methodologies
- Keep records/minutes
- How will you take representations into account
- Planning Statements/ES – explain consultation process and outcome

Your survey results tell us that you hate surveys. So our next survey will be much longer so we can discover if you:

- Mildly Hate
- Strongly Hate
- Totally Hate
- Hate So Much That Merely Checking A Box Cannot Possibly Express Your Feelings Of Despair And Bitterness



New “Models” for Community Involvement

Karen Cooksley

Partner

Planning and Head of Regeneration

