

COMMUNITY ENGAGEMENT

Supplementary Planning Guidance Note Ref: SPG.16 NLLP Policy DSP.4

Copies available from Planning & Development, Fleming House, Cumbernauld G67 1JW - or esdesign@northlan.gov.uk

WHY EFFECTIVE COMMUNITY ENGAGEMENT IS IMPORTANT

1. The Council and Scottish Government recognise that effective Community Engagement is an important part of delivering an effective planning service. Section A outlines the various national and local policies that support this.
2. The aim is to encourage effective engagement and involvement with the planning system at two key stages, namely, when policy is being prepared and when planning applications are being made. Thus this Guidance aims to explain the requirements for community engagement for both Development Management (Section B & D) and Local Plan Policy proposals (Section B & C). Whilst in certain situations there is a legal requirement to undertake community engagement (see Section B) - it can be useful in other situations to have regard to this good practice and involve the local community.
3. This guidance goes on to set out some of the many ways of promoting good community engagement - that are often more effective than the traditional public meeting (see section F). Developers are encouraged to consider the full range of ways to engage communities - by communicating information and using the most appropriate methods to obtain local views on the issues.



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A. NATIONAL STANDARDS

1. The commitment to effective Community Engagement is set out in:
 - National Standards for Community Engagement (p.2)
 - North Lanarkshire Partnership - Community Engagement Strategy (Sept 2009).
2. Good practice advice is also set out in:-
 - PAN.3/2010 Community Engagement (superseding PAN81)
 - PAN.78 Inclusive Design
 - Planning Aid Scotland (PAS) - SP=EED Scottish Planning = Effective Engagement and Delivery and other Planning Aid guidance.
 - RTPI Good Practice Note.1 - Effective Community Involvement and Consultation
3. The Council expects all Community Engagement to comply with the National Standards for Community Engagement and the following principles:-
 - To be fair, open and transparent**
 - To be meaningful, proportionate and timely - at an early stage to influence the shape of plans and proposals**
 - To promote equality and inclusion - demonstrating that a real effort has been made to involve "hard-to-reach" groups.**
 - To ensure accurate and timely information is available to all involved**

The council will seek to ensure these principles are achieved through the development management process

A.4 Scottish Planning Policy (SPP)

Delivering Planning Reform set out the shared commitments to speeding up reform of the planning system - informed by early and wide engagement. The SPP sets out the current expectations:-

COMMUNITY ENGAGEMENT

35. Community engagement has an enhanced role in the modernised planning system, and key requirements are now established through legislation. Where effectively undertaken, **early community engagement** can speed up planning processes and lead to better plans, decisions and more satisfactory outcomes. It will also improve confidence in the fairness of the planning system.

The ways in which those with an interest can get engaged early and fully in the development plan preparation process will be set out by planning authorities in **participation statements**.

In development management, both statutory pre-application consultation with communities and pre-application discussions between developers and the planning authority are intended to add value at the start of the process. Statutory pre-application consultation will provide communities with an opportunity to contribute their views before a formal application for planning permission is made.

Better engagement cannot guarantee that everyone gets the decisions or outcomes that they desire but it can provide opportunities for:

- communities to become involved in shaping the future of their area,
- clearly explaining the basis and justification for policies, land allocations, infrastructure priorities and decisions, &
- making the consideration between competing and, in some cases, conflicting interests explicit and transparent.

Planning authorities and developers should ensure appropriate and proportionate steps are taken to engage with communities when planning policies and guidance are being developed, when development proposals are being formed and when applications for planning permission are made.

A.5 NATIONAL STANDARDS FOR COMMUNITY ENGAGEMENT

1. INVOLVEMENT: identify and involve the people and organisations who have an interest in the focus of the engagement

2. SUPPORT: identify and overcome any barriers to involvement

3. PLANNING: gather evidence of the needs and available resources and use this evidence to agree the purpose, scope and timescale of the engagement and the actions to be taken

4. METHODS: agree and use methods of engagement that are fit for purpose

5. WORKING TOGETHER: agree and use clear procedures that enable the participants to work with one another effectively and efficiently

6. SHARING INFORMATION: ensure that necessary information is communicated between the participants

7. WORKING WITH OTHERS: work effectively with others with an interest in the engagement

8. IMPROVEMENT: develop actively the skills, knowledge and confidence of all the participants

9. FEEDBACK: feed back the results of the engagement to the wider community and agencies affected

10. MONITORING AND EVALUATION: monitor and evaluate whether engagement achieves its purposes and meets the national standards for community engagement.

2 **See also para 64-83 of PAN 3/2010**

B. WHEN MUST COMMUNITY...

1. All national and major developments (see table on next page) are now **required to undertake** Pre-application Consultation with Communities (PAC). If you are in doubt as to whether such consultation is required for a proposed development, then there is a

"Pre-Application Screening Notice" that you can use to get a definitive view from the Council within 21 days. The screening notice requires a description of the proposed development, its location and postal address with a plan of the site, contact details, and whether an opinion has ever been provided on the need for an Environmental Impact Assessment (EIA). Note that "the site" includes all the land forming part of the development - whether forming part of SUDS, access, landscape, etc.

PRE-APPLICATION CONSULTATION WITH COMMUNITIES (PAC).

2. Applicants and agents need to submit, **12 weeks before** the lodging of the planning application, a formal "Proposal of Application Notices" setting out the proposed methods of community consultation to be carried out (see C.4 and G).

3. Following this the Council is required to respond within 21 days either accepting the proposed consultation process, or specifying any required additional consultation. Any additional consultation requirements will have regard to this guidance and should be proportionate, specific, and reasonable in the circumstances.

4. The minimum requirement is for:

- all affected Community Councils (and community fora in North Lanarkshire) to be consulted (see C.7)
- that there be a public event open to ALL interested parties providing information on the proposed development. This public event must be formally publicised in the public notices section of the local paper.

5. In order for the subsequent submission of a relevant planning application to be valid the applicant must then include a written Community Engagement Statement. As well as confirming that the consultation has taken place as agreed this should set out:-

- who has been consulted
- confirmation of compliance with this guidance
- details of all comments made and how the applicant has responded to the comments made
- what effect this has had on the proposal (if any).

PLANNING POLICY & SUPPLEMENTARY GUIDANCE

6. To be a material planning consideration it is required to have a minimum 6 week public consultation period. The Council maintains a register of parties interested in being notified of any such policy developments - see C.7 for details of how to be included in such consultations.



see SP=EED document at www.planningaidscotland.org.uk

COMMUNITY COUNCIL CONTACTS:

7. In North Lanarkshire the key vehicle for community engagement is through the community fora and related Local Area Partnerships - as well as directly with the relevant Community Council (20+).

Boundary maps and contact details of each Community Forum and Community Council can be found at: www.northlanarkshire.gov.uk/index.aspx?articleid=16798

These are arranged by whether the area is north, south or central.

... ENGAGEMENT TAKE PLACE?

Definition of Major Developments: (where community engagement is legally required)

	Description	Threshold or Criteria
1	Schedule 1 Development Development of a description mentioned in Schedule 1 to the Environmental Impact Assessment (Scotland) Regulations 1999(a) (other than exempt development within the meaning of the regulations).	All development within Schedule 1
2	Housing Construction of Buildings, structures or erections for use as residential accommodation	a) The development comprises 50 or more dwellings; or b) The area of the site is or exceeds 2 Hectares.
3	Business & General Industry, Storage and Distribution Construction of a building, structure or other erection for use for any of the following purposes- A) as an office; B) for research and development of products or processes; C) for any industrial process; or D) for use for storage or as a distribution centre	a) The gross floor space of the building, structure or other erection is or exceeds 10,000 sq metres; or b) The area of the site is or exceeds 2 hectares
4	Electricity Generation - Construction of an electricity generating station.	The capacity of the generating station is or exceeds 20 Megawatts.
5	Waste Management Facilities Construction of facilities for use for the purpose of waste management or disposal	The capacity of the facility is or exceeds 25,000 tonnes per annum. In relation to facilities for use for the purpose of sludge treatment, a capacity to treat more than 50 tonnes (wet weight) per day of residual sludge.
6	Transport and Infrastructure Projects Construction of new or replacement roads, railways, tramways, waterways, aqueducts or pipelines.	The length of the road, railway, tramway, waterway, aqueduct or pipeline exceeds 8 Kilometres.
7	Fish Farming The placing or assembly of equipment for the purpose of fish farming within the meaning of section 26(6) of the Act	The surface area of water covered is or exceeds 2 hectares.
8	Minerals Extraction of Minerals	The area of the site is or exceeds 2 hectares.
9	Other developments Any development not falling wholly within any single class of development described in sections 1 to 8 above but including development comprising a combination of those classes of development.	a) The gross floor space of any building, structure or erection constructed as a result of such development is or exceeds 5,000 square metres; or b) The area of the site is or exceeds 2 hectares.

C. PLANNING POLICY

1. The Council also seeks to ensure that appropriate and proportionate steps are taken to engage with communities when planning policies and guidance are being developed and development proposals are being formed. The Council will apply the 7 point checklist at para.35 of PAN3/2010.

- Annual Development Plan Scheme & Participation Statement
- Prepare Main Issues Report with early targeted engagement
- Strengthen support for the plan through negotiation or mediation
- Review representations and publish proposed Action Programme
- Notify those affected by site specific proposals & previous respondees
- Take into account responses to consultation on SEA
- Report on engagement - assessing against Participation Statement

2. Involvement at the Development Planning and Masterplanning stage is crucial to enabling community views to be reflected in development plans. Better engagement cannot guarantee that everyone gets the decisions or outcomes that they desire but it can provide opportunities for:

- involving communities in shaping the future of their area,
- clearly explaining the basis and justification for policies, land allocations, infrastructure priorities and decisions, and
- making the consideration between competing and, in some cases, conflicting interests explicit and transparent.

3. The Council will apply the Community Engagement requirements set out in the SPP, PAN3/2010, PAN.81 and 78. This will lead to a Community Engagement Participation Statement and Equality Impact Assessment accompanying new policy proposals. This will set out how local people have been informed and involved in the preparation of the policy - and how their views have been taken into account in the submitted scheme.

4. In terms of developing planning policy we want to involve as many people as possible in the planning process. This means not only people who live in North Lanarkshire but those whose work, leisure or other activities bring them to the area. People may belong to more than one interest group when it comes to specific planning issues or proposals. We will seek to involve these groups as appropriate in developing and producing planning policies.

5. Where a need is identified documents and consultation material can be made available in other languages, in large print, Braille or on audio cassette to assist people with visual disabilities and people who find reading English challenging.



KEY GROUPS TO INVOLVE:

6. Generally, the key groups to be involved are:
- Government and statutory bodies - including central and local government; statutory bodies and infrastructure providers; and local councils and community partnerships
 - Interest groups - including local firms and business organisations; developers, agents and landowners; environmental, amenity & local history groups; and community and voluntary groups
 - Residents and local businesses or traders
 - Specific interest groups such as young and older people, parents, women, ethnic minority groups, people with disabilities, and any other relevant 'hard to reach' groups.

These groups should be involved as appropriate in developing and producing planning policies.

7. We will seek to monitor information on participation to identify the most useful way of ensuring effective engagement. We will comply with the requirements of the Data Protection Act if we need to collect any personal data for this purpose. To be added to the mailing list call 01236 618133 or email PENLLP@northlan.gov.uk. Neighbours will be notified of proposals in any case.

D. DEVELOPMENT MANAGEMENT

1. The Council is committed to ensuring that appropriate and proportionate steps are taken to engage with communities when applications for planning permission are made. Refer to paras 36 - 59 of PAN 3/2009.
2. The Council encourages an open and transparent approach which seeks to:-
 - process applications speedily and efficiently (within the 2 month or 3 month targets)
 - ensure affected neighbours are notified of all applications and given a 21 day period to comment
 - make application drawings accessible and available on-line and at the local planning offices
 - increase the information available by seeking to post all application comments on-line within 5 working days.
 - meet the checklist at para.57 of PAN 3/2009
3. All comments made on an application are therefore in the public domain. Anonymous or abusive comments cannot be considered. However personal contact information will be removed (redacted) from submissions.
4. The Council's web site sets out further information to help explain the planning process and how you can comment on applications and influence the process. Other useful contact points are on the back page.

PRE-APPLICATION CONSULTATION

5. As well as the pre-application consultation legally required on all major applications (see section B) the Council encourages pre-application discussion and community consultation on all applications.
6. On householder applications pre-application advice can best be obtained by completing the on-line form and attaching any draft proposals. The more detailed information or photos submitted with the form, the better the Council will be to provide comments.
7. Large or controversial (i.e. outwith the Local Plan) applications these will normally be assisted by tabling a suggested Community Engagement Strategy - that will lead in due course to the submission of a Community Engagement statement with the planning application.
8. Consultation with the key agencies (SEPA, SNH, Historic Scotland, etc) and utilities should also take place at this stage. See for example www.sepa.org.uk/planning
9. Where applicants have undertaken community engagement then this should be submitted as a **Community Engagement Statement** (see section E) with their application. Such Community Engagement Statements should comply with this guidance - ensuring that the process has been open, transparent and sought to inform people and seek their views. It should summarise accurately the views expressed and, where appropriate, indicate how these views have been taken into account or the scheme amended in the light of comments made.

10. **Appeals:** The Council has a **Scheme of Delegation** identifying which applications can be delegated to officers - and where there is a **Local Review Body** to consider appeals (see separate note). All other appeals go to the **Scottish Government Directorate for Planning and Environmental Appeals** (DPEA) T: 01324 696 400 or E: DPEA@scotland.gsi.gov.uk or at www.dpea.scotland.gov.uk. Note that there is a time limit (typically 3 months) within which appeals have to be submitted.

11. **Enforcement:** All complaints about apparent breaches of planning requirements are considered by the Enforcement Team (see back page). See Circular 10/2009 and the **Planning Enforcement Charter** on the Council's web site.

12. COUNCIL CHECKLIST FOR APPLICATIONS:

- Pre-application consultation? - Participation Statement
 - Maintain a list of applications to be determined
 - Prepare a Weekly List of applications received
 - Notify neighbours of planning applications - giving at least 21 days to comment - or at least 14 days from any newspaper ad.
 - Provide opportunity for pre-determination hearings for national developments and for major developments significantly contrary to the development plan.
 - Give reasons for all decisions - approvals as well as refusals
 - Follow procedures for development proposals where there is a Council interest
 - Place more info on the Planning Register - including decision notices and reports
- from Para.57 of PAN 3/2010 - most info is now on-line - see forms at <https://eplanning.scotland.gov.uk> or view and/or comment on Planning pages at www.northlanarkshire.gov.uk

E. COMMUNITY ENGAGEMENT STATEMENT

1. The **Community Engagement Statement** sets out in writing how local people have been informed and involved in the preparation of the proposal - and how their views have been taken into account in the submitted scheme. Such Community Engagement Statements should comply with this guidance - ensuring that the process has been open, transparent and sought to inform people and seek their views. It should summarise accurately the views expressed and, where appropriate, indicate how these views have been taken into account or the scheme amended in the light of comments made.
2. The Council will expect to see that:-
 - accurate and timely information or copies of the proposal have been made publicly available at an affordable price and are available on-line.
 - the most appropriate method(s) of engagement have been used (see section G)
 - a genuine dialogue has taken place
 - the key issues or concerns have been identified - including assessing how they can be minimised or mitigated.
 - the scheme has sought to take account of comments made where possible.Where the consultation is considered inadequate by failing to comply with this SPG or the requirements of PAN3/2010 then re-consultation may be required.



F. METHODS OF ENGAGEMENT

1. The key point to make is that there are many effective ways of engaging with local communities - not just the traditional public meeting. Creating effective two-way discussions through exhibitions, workshops, questionnaires and many of the other methods in G.7 can help create a constructive dialogue. Engagement should be fit for purpose. Mechanisms that promote dialogue, rather than one-way communication, are more effective, less confrontational and more valued by participants. Making information available as handouts or on-line helps. However where consultation is one-way, tokenistic or simply a PR exercise then it can itself lead to objections and delays to a scheme.

2. The use of “**Good Neighbour Agreements**”, the “**Considerate Contractors Scheme**” (www.ccscheme.org.uk), or the use of **mediation** can all assist in resolving local concerns and reducing objections to a proposal.

3. **Planning Aid Scotland (PAS)** in their “**SP=EED**” document outline many ways that can be used to involve people - see www.planningaidscotland.org.uk. The **RTPI’s “Guide to Good Public Engagement in Development”** www.rtpi.org.uk/planningaid/ is another useful starting point. PAS can help contribute to improving public involvement and efficiency in the planning system, a key requirement of the Planning etc (Scotland) Act 2006. They provide a checklist and good practice examples of community engagement.

4. SP=EED identifies three levels of public engagement:
(1) INFORMING - give information and access; or
(2) CONSULTING - give information, access AND to consult and listen to views; or
(3) PARTNERSHIP - give information, access AND to consult and listen to views, AND to work with and involve communities as partners, in appropriate situations?

Whilst most Development Management schemes should seek to apply Level.2 best practice - on controversial applications (i.e. those contrary to the Local Plan) or in areas of major change, the Council will seek to apply Level.3 best practice. In particular the Council will wish to ensure that consultation is “relevant and proportionate” - whilst also “inclusive and reaching out” to involve “hard to reach” groups and others with an interest who seldom participate. Such a “participation ladder” also helps in moving from mere “informing” to a more active engagement process which tries to address and resolve differing views. Whatever the level - doing it well is essential.

5. Where there is an ongoing need to engage with the community, the **LEAP process** provides a framework so that lessons learnt can be re-applied to the project learning and development. This can be particularly valuable in situations where community engagement is a necessary part of project development and is taken place over a period of time. See www.greenspacescotland.org.uk/default.asp?page=271



Involving local schools can help increase local debate

6. Good practice is helped by being clear about the purposes of public engagement, and negotiating the kind of obstacles that can so easily cause frustration and distrust. All schemes should make information on the project easily available - in both hard copy that is affordable, and on-line. Early engagement and a clearly stated timetable help. Consultation should go beyond the traditional public meeting (still required for national and major schemes). An exhibition, a questionnaire or workshops may be useful in creating better 2-way communication - both explaining the scheme, hearing views, and in identifying key issues and gathering useful feedback. Does the community need to be resourced to develop their own proposals through workshops and appropriate events (like “charettes”)? Can any concerns voiced be addressed in the submitted scheme? **RIBA’s Urban Futures Game** is one way of helping to develop an understanding of the issues and options. The Scottish Government is also embarking on a training programme to develop “Better Community Engagement”.

7. The table below summarises various techniques that can be used. Providing handouts and information on the proposal for people to take away helps. Different methods of communication and engagement have their strengths and weaknesses - so careful consideration is needed to ensure the method is appropriate for the particular site or issues.

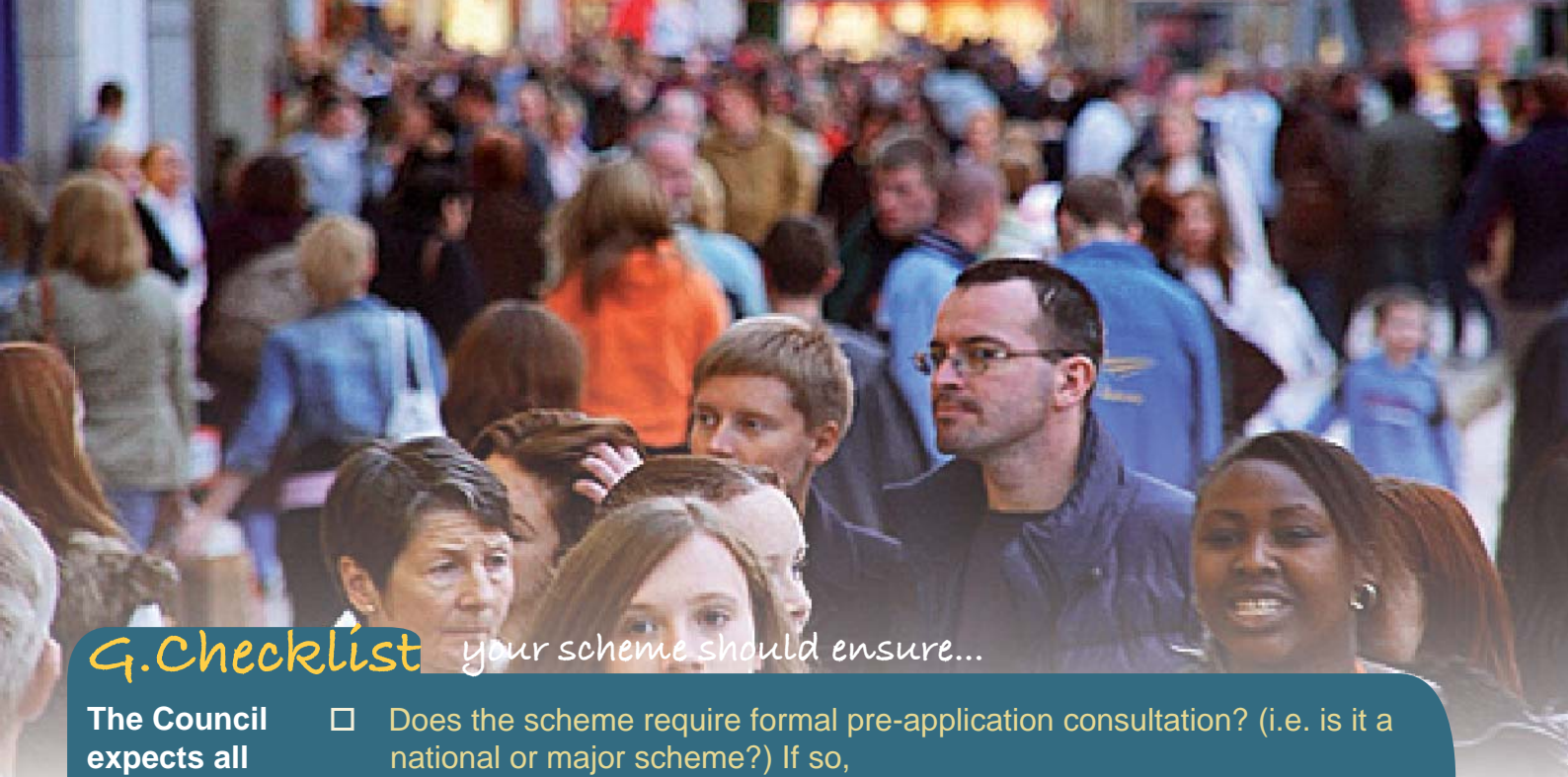
8. Community Engagement Techniques:

(A) The Council undertakes to	
A.1 provide documents for inspection at offices - with detailed information at other locations e.g. libraries, e-learning points	
A.2 post Statutory Notice in press/ on site / and on-line	
A.3 Notify statutory consultees and neighbours (see D)	
A.4 Post info on-line about the proposal on Website (ePlanning)	
A.5 Copy documents (for purchase) at Council Planning Offices	
(B) Developers can create opportunities through	
B.1 Public Meetings - with stakeholders? handouts?	
B.2 Unstaffed/ staffed exhibitions; newsletters, handouts	
B.3 Making drawings and info available - on-line, handouts, etc	
B.4 Questionnaires, surveys	
B.5 Presentations or documents, on-line & on request	
B.6 Workshops - structured to discuss key issues	
(C) Other methods of communicating	
C.1 Newsletter or Council Newspaper	
C.2 Media - TV, radio adverts, newspaper ads and articles	
C.3 Focus groups/ citizens’ panels	
C.4 Surgeries (held by Councillors)	
<i>Para 75 of PAN 3/2009 (p.32) sets out a variety of methods for engaging people. The approach adopted should reflect the scale and impact of the project, the interests of those participating, and the particular situation.</i>	

9. Help is available from the contacts on the back page. See also the Council’s “Community Engagement Toolkit” & www.scotland.gov.uk/planning, www.planningportal.gov.uk www.planningaidscotland.org.uk, www.scottishcivictrust.org.uk www.scotland.gov.uk/Topics/Built-Environment/regeneration/engage/HowToGuide/Techniques

A Guide to the Planning System in Scotland – for those people who want to know more about how the planning system works, inc applying for planning permission www.scotland.gov.uk/Publications/2009/08/11133705/1

Community Engagement standards and policies can be found at www.scotland.gov.uk/Topics/Built-Environment/regeneration/engage - including a “How to” guide.



G. Checklist *your scheme should ensure...*

The Council expects all neighbours to be aware of proposed development and to have an opportunity to comment on and influence any proposal

- Does the scheme require formal pre-application consultation? (i.e. is it a national or major scheme?) If so,
 - has a "Proposal of Application" Notice been submitted to the Council for approval?
 - Is the proposed consultation proportionate, specific and reasonable in the circumstances?
 - Have the key agencies and utilities been involved in pre-app consultation?
- Have the principles and approaches set out in this guidance and related policies (including PAN 3/2009) been applied?
- That, where required or encouraged, the application includes a written Community Engagement Statement which sets out:
 - A. how local people have been informed and involved in the preparation of the scheme
 - B. the methods used to ensure the process has been open, transparent and sought to inform people and seek their views in a 2-way debate
 - C. an accurate summary of the views expressed and, where appropriate, indicate how these views have been taken into account or the scheme amended in the light of comments made.
 - D. how a genuine dialogue took place.

H. CONTACT DETAILS

North Lanarkshire Council
Development Management Northern Area Office
 Fleming House, 2 Tryst Road, Cumbernauld G67 1JW
 T: 01236 616469
esenquiries@northlan.gov.uk

North Lanarkshire Council
Development Management Southern Area Office
 Dalziel Building, Scott Street Motherwell ML1 1SX
 01698 274274
esenquiries@northlan.gov.uk

The latest Supplementary Planning Guidance and index can be found online at:-
www.northlanarkshire.gov.uk/spg-search for Supplementary Guidance

North Lanarkshire Council
Community Engagement Officers
 Chief Executive's Office, Civic Centre, Windmillhill Street, Motherwell ML1 1AB
 01698 302813

North Lanarkshire Council
Local Plans - Strategic Planning
 Fleming House, 2 Tryst Road, Cumbernauld G67 1JW
 01236 618133
PENLLP@northlan.gov.uk
www.lanarkshire.com

Scottish Civic Trust
 The Tobacco Merchant's House, 42 Miller Street, Glasgow, G1 1DT
 0141-221-1466
www.scottishcivictrust.org.uk
sct@scottishcivictrust.org.uk
 buildings at risk service
bar@scottishcivictrust.org.uk

Planning Aid Scotland (PAS)
 0845 603 7602 - see their leaflet SP=EED "Scottish Planning = Effective Engagement & Delivery"
www.planningaidscotland.org.uk
 Also www.scotland.rtpi.org.uk
www.rtpi.org.uk/planningaid/ has a useful Good Practice Guide to Public Engagement in Development

See also publications at:
www.scotland.gov.uk/Topics/built-environment/planning and
www.scotland.gov.uk/Topics/Built-Environment/regeneration/engage -and the "How To" guide.
 Planning Advisory Service
www.pas.gov.uk
www.planningportal.gov.uk

This is one of a series of Supplementary Guidance Leaflets aimed at encouraging good practice in the design and layout of new development. The advice supplements the policies in the emerging North Lanarkshire Local Plan. The Council will have regard to this Guidance when assessing the merits of planning applications. Following public consultation in Jan/ Feb 2010 and consideration of all comments made, it was formally approved as Supplementary Guidance on 28th July 2010. It is available on-line can be translated or provided in other languages or formats on request

Ref: SPG.16 Community Engagement - Approved 28 July 2010 - @ April 2011
www.northlanarkshire.gov.uk/spg
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