



Planning shapes the places where people live and work. So it is right that people should be enabled and empowered to take an active part in the process. Strengthening community involvement is a key part of the Government's planning reforms.

PLANNING



Office of the
Deputy Prime Minister

Creating sustainable communities

Community Involvement in Planning: The Government's Objectives

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Introduction

Planning shapes the places where people live and work. So it is right that people should be enabled and empowered to take an active part in the process. Community involvement is vitally important to planning.

The planning system already provides many opportunities for local people to participate in key decisions about their areas. The Government wants to build on these strong foundations. An accessible and transparent planning system, which provides continuing opportunities for local people to participate, is essential to deliver our objective of creating inclusive, accessible, safe and sustainable communities.

The Government is currently undertaking a major programme to reform the planning system in England to make it more flexible and responsive, set out in the Planning Green Paper, published in December 2001¹ and policy statement published in July 2002.² Strengthening community involvement is a key part of that programme.

Planning policy statements (PPS) set out the Government's specific policy on community involvement relevant to the policy area covered in the PPS. PPS1 – Creating Sustainable Communities (being published alongside this paper³) sets out the Government's overarching principles for community involvement in planning. This paper sets out the Government's general objectives for community involvement in planning to provide the context for the changes being made to the way that the planning system operates at national, regional and local levels. It does not replace guidance in specific planning policy statements.

The paper sets out:

- The importance of greater community involvement in planning and how this fits with the Government's broader agenda.
- The principles underpinning our approach.
- How the reform programme will strengthen community involvement.

The Government published in the Autumn draft regulations and policy statements on regional and local planning arrangements, and drafts of changes to the General Development Procedure Order and rules for Major Infrastructure Projects. This paper cross refers to the specific proposals in those documents where appropriate.

¹ *Planning: delivering a fundamental change* (DTLR: December 2001)

² *Sustainable communities: delivering through planning* (ODPM: July 2002)

³ *Consultation Paper on Planning Policy Statement 1 – Creating Sustainable Communities* (ODPM February 2004)

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1 Community Involvement in Planning



Delivering Sustainable Communities

- 1.1 Changing the way people think and feel about the planning system is a vital part of the planning reform agenda. We want to promote a positive view of planning as a strategic, proactive force for sustainable development. The Sustainable Communities Plan⁴ sets out a vision for sustainable communities. Effective community involvement is central to delivering the Plan.
- 1.2 The Government's planning reforms are designed to deliver a more speedy, flexible and responsive planning system. They are intended also to build on the opportunities the system already provides for involvement. Our aim is that planning should provide opportunities for people, irrespective of age, sex, ability, ethnicity or background, business, the voluntary sector and others to make their views known and have their say in how their community is planned and developed.
- 1.3 Community involvement in planning should not be a reactive, tick-box, process. It should enable the local community to say what sort of place they want to live in at a stage when this can make a difference. The reforms are designed to provide an accessible system with clear formal stages for participation, which reaches out to groups that have not, historically, easily engaged with planning. Information about plans and policies will be made readily available, in a form that is easy to understand and encourages participation. It will be clear who is responsible for the decisions that are made.

The Case for Community Involvement in Planning

- 1.4 The views of local people have always been an integral part of the planning process and the case for the community's voice to be heard is clear:
 - Involvement leads to outcomes that better reflect the views and aspirations and meet the needs of the wider community in all its diversity.
 - Public involvement is valuable as a key element of a vibrant, open and participatory democracy.
 - Involvement improves the quality and efficiency of decisions by drawing on local knowledge and minimising unnecessary and costly conflict.
 - Involvement educates all participants about the needs of communities, the business sector and how local government works.
 - Involvement helps promote social cohesion by making real connections with communities and offering them a tangible stake in decision making.
- 1.5 But there are barriers:
 - The costs of participation for local communities (and for the planning authorities running community involvement exercises).
 - The complexity of many of the issues.
 - Planning can seem a remote, bureaucratic process which does not encourage involvement.
 - The difficulties of identifying and reaching the different groups within a community.

⁴ *Sustainable Communities: building for the future* (ODPM: February 2003)

- The language of planning, with its reliance on technical expressions and jargon, can be off-putting. Sometimes planners can inadvertently reinforce the barrier through the way they communicate.
 - The perception that community involvement exercises will be captured by individuals or articulate groups which dominate proceedings. Community involvement is not about giving a free hand to unrepresentative vocal groups to block development irrespective of the case for it. Nor is it about talking to a few, favoured organisations.
- 1.6 Effective community involvement is a challenge to all parties. Planning is often seen as conflict laden, but with creativity and good will, solutions can be found and consensus reached. Even so, hard choices have to be made and it is the role of the responsible decision-makers – local planning authorities, Regional Planning Bodies and the Secretary of State – to do that. It would be unrealistic to think that all sections of the community will be completely satisfied by all plans and planning decisions all of the time.
- 1.7 Never-ending consultation exercises cannot be used as an excuse to avoid decisions or lead to situations where the community's input becomes out of date and therefore less relevant. At some point the process must end. A balance has to be struck and boundaries drawn. For planning to be seen as positive, all sections of the community must believe that the process is legitimate, operates in a timely manner, and that the outcomes are in the public interest. The process should be simple to follow, and delivered in a fair, transparent and efficient manner. Community involvement is a key part in achieving this.
- 1.8 Community involvement does take time and resource. We recognise that there are real pressures on local authorities, particularly on achieving targets for dealing with planning applications and getting local plans in place. But we believe that effective community involvement, though it may require up front investment, can have real benefits which will enable local authorities to manage better the process for preparing local plans and dealing with planning applications

Planning and Governance

- 1.9 The Government has set out in a series of White Papers⁵ its vision for improving governance at regional and local level. Decentralised decision making, community participation and accountability are all important themes. The aim is to build strong, empowered and active communities, in which people increasingly make decisions for themselves, with the state acting to facilitate, support and enable citizens to lead self-determined, fulfilled lives. Effective local governance is an important condition for achieving our aims of renewal and regeneration in both rural and urban areas.

⁵ The Local Government White Paper, *Modern Local Government: In Touch with the People*, (CM 4014 July 1998), set out our vision for councils to promote the economic, social and environmental well-being of their area, and to work with other public, private and voluntary organisations, and local people to do this.

The Urban White Paper *Our Towns and Cities: The Future* (CM 4911, November 2000) sets out our blueprint for an urban renaissance. The paper stresses that people must be given the opportunity to shape the future of their community, supported by strong and truly representative local leaders.

The White Paper *Your Region, Your Choice* (CM 5511, May 2002) has set out the commitment that directly elected regional government should go ahead in regions where people have decided in a referendum to support it. The Regional Assemblies (Preparations) Act is now on the statute book.

- 1.10 Planning can be a tool for actively promoting civil renewal. Planning should set a vision for the area which will deliver sustainable development, responding to economic, social and environmental needs. It should be a mechanism for bringing together local regeneration, economic, social and environmental objectives into an integrated planning and delivery process. The Planning and Compulsory Purchase Bill specifically requires that Local Development Documents must have regard to the Community Strategy, giving spatial expression to those elements that relate to the physical development and use of land.
- 1.11 Planning plays an important part in local governance. Decisions about local plans and planning applications are taken by local representatives, accountable to their local electorates. The way in which local planning authorities discharge these responsibilities is important for the health of their local democracy. It is also a signal of the role the authority sees for itself in leading its community, and in setting the strategic direction for the community, including facing up to the hard choices which sustainable development often brings.
- 1.12 Local authorities cannot fulfil these roles without enabling and leading processes of participation and involvement. But participation cannot substitute for proper decision making through the accountable institutions. To be legitimate, that process must allow communities to feel that they have had a real influence. The processes for community involvement, enshrined in the Statement of Community Involvement (described in chapter 3), are designed to help achieve that and provide real opportunities for communities to shape the critical decisions about their future.
- 1.13 Excellent local authorities and good developers already involve communities in plan making and planning proposals in many creative ways, which is valued by those who participate. The Government is committed also to a programme of capacity building to enable communities to grow and fulfil their potential. The strengthened framework for community involvement and the action being taken to support this, described later in this paper, will contribute to that capacity building programme.
- 1.14 Planning does not operate in a vacuum. A wide range of policies, initiatives and legislation, which have a broad focus on community planning, access to information, opportunities for participation, and rights of redress, impact on community involvement in planning. Details of some of the most important initiatives are set out in Annex B.

2 The Principles



Sustainable Development

- 2.1 The Planning and Compulsory Purchase Bill requires Regional Planning Bodies and local planning authorities to exercise their plan making functions with a view to contributing to the achievement of sustainable development. One of the principles set out in the Government's strategy for sustainable development⁶ is transparency, information, participation and access to justice. These fundamentals, which reflect the UN Aarhus Convention,⁷ which the UK has signed, underpin our approach.
- 2.2 There are many models of community involvement. At its most simple level, a community involvement process should ensure that people:
- Have access to information.
 - Can put forward their own ideas and feel confident that there is a process for considering ideas.
 - Can take an active part in developing proposals and options.
 - Can comment on formal proposals.
 - Get feedback and be informed about progress and outcomes.

Access to Information

- 2.3 Without information communities cannot make informed choices or understand the context. The planning process must provide information in a timely manner, in accessible ways and in ways which communities can understand to encourage participation. That is why there is a statutory framework for making information available; why considerable effort is being put into new ways of making information available, for example through e-planning; and why the Government supports intermediaries like Planning Aid, which can help local communities understand how to engage with the process.

Participation

- 2.4 It is not enough to focus on providing information and consultation on proposals that have already been developed to the point where it is difficult to take other views on board.
- 2.5 Active participation in the development of options and proposals should be at the heart of the process. The community must be able to put forward and debate options and help mould proposals before they are settled. People need to feel that their participation can make a difference. This is challenging in terms of resources and effort, and means that councillors and planners have to be ready to listen and to adapt their own ideas. It is also important that all sides know just what to expect at each stage of the process, especially when there will be open debate on wide ranging options, or when consultation is focussed on specific propositions.

⁶ *A better quality of life. A strategy for sustainable development for the UK: CM 4345 (1999)*

⁷ See Annex B for a description of the requirements of the Aarhus Convention.

People's Rights in Planning

- 2.6 Planning affects people's property rights and can impact on their rights under the Human Rights Act 1998. The planning system allows people to exercise their rights to make formal representations on plans when they are being developed, and plans at both the regional and local levels are subject to independent public examination or inquiry. There are opportunities for representations to be made and taken into account in the consideration of planning applications and on appeals. The public can make representations on appeals and be heard at inquiries or hearings, including for those significant planning applications called in for the Secretary of State's decision.
- 2.7 But many people may feel excluded in such a system because the process appears bureaucratic and forbidding, and because it seems too difficult and expensive to obtain legal information or advice. By simplifying processes, with clear opportunities for community involvement, we create a more effective, efficient and user-friendly service.
- 2.8 There are protections against decisions which are in breach of natural justice or are unreasonable, either through processes of statutory challenge available under planning legislation, or through judicial review.
- 2.9 The processes for community involvement described later in this paper, along with the rights to make representations, statutory challenge and the right of appeal between them provide a strong framework for protecting rights. While some have argued for the addition of a third party right of appeal, we are not persuaded of the need to go further. The Planning Green Paper concluded that such a right would not be consistent with our democratically accountable system of planning and could add to the costs and uncertainties of planning. We remain of this view.

Understanding Communities

- 2.10 Within any area, the 'community' is likely to be made up of many different interest groups, which will come together for a whole variety of reasons. Community groups may focus on 'place' – the area where they live and work; or may focus on interests, principles, issues, values or religion. Both types of group may have an interest in planning issues. Some of these groups will be well established and represented. In other cases, however, interests may not be organised and therefore be less able to engage with the formal processes of planning. Individuals may be part of several different groups. Some groups may not be homogeneous, for example large and small businesses. Effective involvement cannot happen without a good understanding of the make up, needs and interests of all those different groups and their capacity to engage. An inclusive approach is needed to ensure that different groups have the opportunity to participate and are not disadvantaged in the process. Identifying and understanding the needs of groups who find it difficult to engage with the planning system is essential.

Operational Principles for Community Involvement

- 2.11 We believe that a set of operational principles can underpin community involvement in planning. The following principles are set out in the draft of PPS1 which we have issued for consultation.

Planning Policy Statement 1 – Creating Sustainable Communities – principles for community involvement in planning

- **Community involvement that is appropriate to the level of planning.** Different arrangements for and levels of community involvement will be appropriate depending on the nature of the planning process involved and the authority's circumstances. Planning authorities should ensure that arrangements are built on a clear understanding of the needs of the community, and put in place arrangements which are fit for purpose.
- **Front loading of involvement.** Community involvement policies should provide opportunities for participation in identifying issues and debating options from the earliest stages. Community involvement should happen at a point at which people recognise that they have the potential to make a difference and, crucially, to experience a sense of ownership of local policy decisions.
- **The methods used to encourage involvement and participation should be relevant to their experience.** Consideration should be given to how people are most likely to get involved and what facilities are available to them and to working with agencies such as Planning Aid that can help communities. There is no 'one size fits all' solution if a genuine dialogue is to be established and maintained.
- **Clearly articulated opportunities for continuing involvement.** The process should allow local communities to see how ideas have developed at the various stages, with effective feedback. There should be clear formal stages when involvement should take place, based on the statutory requirements. These stages must occur as part of a continuous programme, not a series of disjointed, one off steps. A 'tick box' mentality, which regards community involvement as simply a process step to be ticked off, is not acceptable.
- **Transparency and accessibility.** The processes should be clear, so that people know when they will be able to participate, and the ground rules for doing so. Involvement in the planning system should extend beyond those who are familiar with the system, to difficult to reach groups.
- **Planning for involvement.** Community involvement should be planned in from the start of the process for plan preparation or consideration of significant development proposals, to enable timely involvement. Consideration should be given to how processes for community involvement in planning can best fit with other community involvement processes, particularly in respect of Community Strategies. Project plans should avoid unnecessarily long drawn out processes.

- 2.12 Mediation can play an important part in community involvement. Recent research undertaken for ODPM has shown its value.⁸ It is a process of dialogue as well as a means of trying to reconcile opposing viewpoints by identifying and building on common ground to build consensus. We commissioned research on the viability of introducing mediation effectively into the planning process at all stages and to determine if this would speed up decision making, reduce the pressure on public funds and the number of disputes which might otherwise result in appeals. These messages are being disseminated.

⁸ *Participatory Planning for Sustainable Communities: International experience in mediation, negotiation and engagement in making plans* (ODPM: September 2003)

3 Community Involvement in Planning: How it happens



- 3.1 Building effective community involvement in planning requires:
- A robust framework of legislation and guidance which sets clear standards.
 - The means to implement policy.
 - A culture which encourages and facilitates community involvement.

THE LEGISLATIVE FRAMEWORK

- 3.2 An extensive legislative framework already governs community involvement in planning. There are statutory requirements for making information available about plans and planning applications; allowing people to make representations on plans and planning applications; and governing independent examinations and inquiries.
- 3.3 The Government is seeking to build on these existing foundations in its reform proposals. Changes are being made at all levels; regional planning; local planning; and in handling planning applications. All of these are designed to strengthen the ability for people to access information and participate in decision making. They are based on the operational principles set out in the previous chapter. An outline of this framework is set out at Annex A.
- 3.4 The statutory requirements provide a framework of minimum standards. It is important that planning authorities do not just take a compliance approach, but look at the broader picture to see how community involvement processes can help develop better plans and achieve higher quality development, which is supported by the local community. Minimum standards are a floor, not a ceiling.

Regional Planning

- 3.5 Under the Planning and Compulsory Purchase Bill, statutory Regional Spatial Strategies (RSS) will replace Regional Planning Guidance (RPG). The draft RSS will be prepared by Regional Planning Bodies (RPBs). We propose that where an Elected Regional Assembly is established, it will be responsible both for preparing the draft RSS revision and issuing the final RSS.
- 3.6 The process for revising the RSS is built on the current arrangements, though they will be underpinned by statutory minimum requirements. We have published draft Regulations and guidance⁹ which set out the procedures for the RSS revision. These documents make clear that the RPB should work in close partnership with stakeholders on preparing the RSS and engage in innovative ways with the wider community to draw in views and opinions.

⁹ Consultation papers on *The Town and Country Planning (Regional Planning) (England) Regulations 2004* (ODPM: October 2003); and *Planning Policy Statement 11 (PPS11) – Regional Planning* (ODPM: October 2003)

- 3.7 Community involvement from the very beginning of the RSS process is promoted in a number of ways. The RPB, for example, should set out as an integral part of its project plan how it is going to involve the community throughout the process. The RPB must submit, along with the draft RSS, a statement setting out who and how it has consulted, the main issues raised, and how they have shaped the RSS.
- 3.8 Any group or individual can make representations on the RSS when it is published and the period for representations will, except in exceptional circumstances, be followed by an examination in public. This provides an opportunity for the discussion and testing of selected matters arising from consideration of the draft. A number of those who have made representations will be invited to appear but the Bill does not provide a right to be heard, because the RSS is dealing with strategic issues, rather than site specific development proposals.

Community Involvement at Local Level

- 3.9 New arrangements are also being introduced for local planning. Local Planning Authorities (LPAs) will be responsible for preparing Local Development Documents. Each LPA's set of Local Development Documents (the Local Development Framework or LDF) will replace its local or unitary development plan and linked supplementary planning guidance.
- 3.10 LPAs will prepare two types of Local Development Documents – those which are part of the Development Plan ('Development Plan Documents') and those which are not (which will be known as "Supplementary Planning Documents"). Development Plan Documents will be subject to independent examination. LPAs also have to produce an annual monitoring report which will report on progress with preparing Local Development Documents and the implementation of planning policies in their areas.
- 3.11 Each LPA will also prepare a **Statement of Community Involvement (SCI)**, a statement of their policy for involving interested parties in preparing and revising Local Development Documents and for consulting on planning applications. There will be an independent examination of the SCI. The LPA must comply with its SCI. The SCI does not have to be prepared before other Local Development Documents and not having an SCI does not invalidate the process for preparing them. But as the SCI is so important, we would expect it to be prepared at an early stage.
- 3.12 We have published regulations and guidance setting out the details of the processes for consulting on Local Development Documents.¹⁰ The regulations and the SCI will together determine how an LPA handles the process. Regulations will set down minimum requirements for public involvement with which every LPA must always comply (including during any period before it has adopted its SCI). The SCI will set out the LPA's policy for community involvement and consultation. It will describe how the LPA will implement the minimum standards in the regulations and include any extra measures the LPA intends to adopt.

¹⁰ Consultation papers on the *Town and Country Planning (Local Development) (England) Regulations 2004* (ODPM, October 2003); *Planning Policy Statement 12: Local Development Frameworks* (ODPM, October 2003); *Local Development Frameworks, Guide to Procedures and Code of Practice* (ODPM, October 2003); and *Creating Local Development Frameworks* (ODPM, October 2003).

Statement of Community Involvement

The SCI should set out a policy for community involvement which meets the statutory requirements for consultation while at the same time being tailored to the local authority's circumstances. The SCI cannot change the legal framework or impose direct conditions on others. An effective SCI would:

- Show that the LPA is meeting legal requirements.
- Set out the LPA's overall vision and strategy for community involvement, and how this links with other community involvement initiatives, e.g. the local authority's Community Strategy.
- Identify clearly the range of local community groups who need to be involved.
- Show that the LPA understands how best these communities can be involved in a timely and accessible way, and has identified suitable techniques to use.
- Be clear about the different stages of involvement – information, participation, consultation, feedback etc – and shows that these will be done in ways that work for the different stages and for the particular communities.
- Show that the LPA can resource and manage the process effectively. This should include a clear understanding of the roles of members and officers in the process.
- Show how the results are to be fed into preparation of Development Plan Documents and Supplementary Planning Documents.
- Set out how the LPA will learn from the experience and improve the arrangements where necessary.
- Set out the LPA's policy for consultation on planning applications.

Community Involvement in Planning Application Decisions

- 3.13 Most people become involved in the planning system when specific applications are made. Planning decisions are made in line with the development plan unless material considerations indicate otherwise.
- 3.14 Under the new planning system planning authorities will be able to issue a standard planning application form to improve the quality of planning applications and the information needed to support them. The form will provide a mechanism for developers to focus pre-application consultation, working with communities on development proposals before applying for planning permission.
- 3.15 We are also making changes to the requirements for statutory consultees and the types of development on which they should be consulted. We will consult on the changes.
- 3.16 Statutory requirements also exist for publicity on planning applications and we intend to consult in due course on possible changes to the arrangements for publicising applications for planning permission, listed building consent and conservation area consents.

- 3.17 Decisions on planning applications are taken by the planning committee of the LPA or are delegated to officers. The Government believes that it is right that reasons should be given both when decisions are turned down and also when applications are granted. Therefore changes have been made to the Town and Country Planning (General Development Procedure) Order 1995 to require LPAs to give reasons for all decisions on planning applications. This will improve transparency and accountability.
- 3.18 Pre application discussions are particularly important for major applications. Some applications will be of such importance that the Secretary of State will designate them as a major infrastructure project. They will be subject to an inquiry process. The inquiry process will remain firmly grounded in the principles of openness, fairness and impartiality. New draft rules have been issued for consultation.¹¹

The SCI and Planning Applications

The SCI should set out the authority's policy for consulting the community on planning applications. As with the plan making process, the SCI will need to cover the minimum legal requirements for consultation and publicity. It should set out how the LPA intends to implement these at a local level. For example, the SCI might set out the groups who the local authority would consult about applications and the ways this would take place.

Different policies might be needed for different types of application. For smaller applications, it is likely to be sufficient to meet the statutory requirements. We would expect the SCI to encourage developers to undertake pre-application discussions and early community consultation on significant applications, but the SCI cannot prescribe that this is done.

A local authority could not refuse to accept a valid application because it disagrees with the way in which a developer has consulted the community, but failure by the developer to consult could lead to objections being made which could be material to the determination. The aim of the process should be to encourage discussion before a formal application is made and therefore to avoid unnecessary objections being made at a later stage.

There is a tension between the need to meet best value targets for handling major planning applications, while allowing for community involvement. An effective pre-application process is the best way to resolve these tensions.

¹¹ Consultation paper on the *Town and Country Planning (Major Infrastructure Project Inquiries Procedure) (England) Rules 2004* (ODPM, October 2003)

Local Development Orders

- 3.19 Under proposals in the Planning and Compulsory Purchase Bill, LPAs will be able, at their discretion, to introduce Local Development Orders (LDOs) which expand on the national permitted development rights. They give permitted development rights to developers who bring forward proposals in line with a policy in a Development Plan Document.
- 3.20 We expect LDOs to be considered as part of the process of drawing up the Development Plan Document to which they relate. This will allow involvement through the processes described above. Consultation on LDOs might be addressed in the SCI also. It is important that the community is involved in the process, to see at an early stage how the authority intends to use the LDO to implement policies contained in the Development Plan Document.

Business Planning Zones

- 3.21 The Planning and Compulsory Purchase Bill includes provisions for Business Planning Zones (BPZs). These are special zones where planning permission will not be needed for developments that meet specified criteria. The need for a BPZ must be set out in the RSS. The relevant LPAs will, in most cases, then specify the actual location and nature of the BPZ in a Local Development Document. The consultation arrangements for the RSS and for Local Development Documents will cover proposals for BPZs set out in these documents. However, as a BPZ could also be brought forward separately as a free-standing proposal, existing requirements will require LPAs to notify the community of the proposals, consider any objections received and decide whether to hold an inquiry.

IMPLEMENTATION AND CAPACITY BUILDING

- 3.22 Effective community involvement will only take place if the tools are available to make it happen. Community capacity building is a key element. The Government has a broader programme for community capacity building, so that people have the skills, confidence and opportunities in their communities to engage with institutions and processes, including planning. Action to build the capacity of communities to engage with the planning system follows this agenda.
- 3.23 Local authorities are engaged with their communities in many different ways. We encourage the transfer of good practice from different areas to avoid reinventing the wheel, and to make best use of existing mechanisms and resources.

- 3.24 The Government has a number of actions planned to support more effective community involvement in planning:
- We have increased the resources available to local planning authorities through the new £350 million **Planning Delivery Grant**. These extra resources are available for LPAs to support community involvement initiatives where this helps the preparation of plans and handling of planning applications.
 - We are providing financial support to **Planning Aid** in its programme of providing advice and assistance to community groups to the tune of nearly £4million over three years.
 - We are consulting on additions to the suite of **Best Value performance indicators** for planning, to develop a quality component. Part of this is the opportunity given by the LPA to pre-application discussions.
- 3.25 Effective community involvement will require planners to adopt different roles and develop new **skills**: facilitating, listening, consensus building, problem solving. Sir John Egan has been asked to review the skills needed to build sustainable communities. The Royal Town Planning Institute has been reviewing education and training for planners. The role of members as community leaders, and the skills they need to undertake this role, are also relevant.
- 3.26 We are keen to ensure that **best practice** is made available. The draft guidance we have published sets out some best practice. The draft best practice on ‘Making Local Development Frameworks’ includes good practice on community involvement. We aim to build on this with further guidance.
- 3.27 We are developing also a **Planning Advisory Service**. Over time this service could become a source of guidance and advice and work with local authorities to promote best practice.
- 3.28 We are carrying out research into how LPAs make planning information available to the public and the level of charges made by authorities for copies of planning documents. The research will be published as best practice guidance to ensure that the planning system is accessible to all sections of and people in the community.

- 3.29 We are taking steps to ensure that information in accessible formats is made available to community groups and individuals, including hard to reach groups such as those who are not mobile, people whose first language is not English, or those who do not have ready access to a computer.
- We intend to publish a **guide to the planning system** for the public later in the year to give a clear overview of how the system works.
 - The use of new technology offers major opportunities to make the planning system more accessible. We have established the **Planning Portal**, which is being managed by the Planning Inspectorate, as a one-stop shop for all aspects of planning information on the Internet.
 - We are working towards the first phase of the Government's strategy for e-government, through the introduction of the Planning and Regulatory Services Online (**PARSOL**), the national project for planning services. The project will build on the work already undertaken by a few local authorities and national bodies such as the Planning Portal and the IDeA.

CULTURE CHANGE

- 3.30 We have put in place a robust framework for community involvement. We are developing tools to help. But effective community involvement will happen only if all parties want the process to work. A compliance, tick box approach, which regards community involvement as a process which has to be got through, will lead to disenchantment and disengagement.
- 3.31 Community involvement requires leadership. Local authorities must play the key leadership role. But this is not just a matter for local authorities. Developers have a key role to play in engaging with the process, helping local communities understand what is proposed, listening to concerns and engaging in dialogue to seek to resolve these. Representative groups and community groups also need to engage constructively, to get the best out of the process. All sides need to work in ways which seek to achieve consensus and 'win-win' outcomes, listening to and respecting the views of others; and which, while making use of the opportunities available, recognises also that there are corresponding responsibilities to make the process work effectively for the benefit of the whole community, not just a favoured few.

4 Conclusion



- 4.1 This paper has set out the Government's vision for effective community involvement in planning, to promote a planning system which is transparent, accessible and accountable, and which promotes effective public participation.
- 4.2 Historically, the planning system has offered many opportunities for involvement. We are building on what has been achieved. The principles set out in this paper, combined with the approach to consultation and involvement set out in our more detailed policy statements, proposals for regulations and guidance on Regional Spatial Strategies and Local Development Documents, will, we believe, strengthen this key component of the planning system.

Next Steps

- 4.3 The detailed procedural arrangements are set out in the separate consultation papers on regional planning and local development frameworks. The consultation paper on revised Planning Policy Statement 1 (PPS1) sets out the Government's policies for planning and seeks comments on the principles of community involvement. Final regulations and new planning policy statements will be published following those consultation exercises once the Planning Bill comes into effect.

Annex A

OPPORTUNITIES FOR COMMUNITY INVOLVEMENT

National Planning Policy

Wider stakeholder involvement in the preparation of draft policy statements and guidance.

Government White papers on policy proposals issued for public consultation.

Planning Policy Statements and other guidance documents issued in draft for public consultation.

Draft regulations issued for public consultation.

Regional Spatial Strategies

Focus group on project plan for RSS revision.

Focus groups of stakeholders, consultation seminars and other opportunities to be involved in emerging issues and options for draft RSS revision.

Formal opportunities to make representations when draft revision of RSS is submitted to the Secretary of State.

Examination in public into the draft RSS revision.

Opportunities to make representations on changes to the RSS revisions proposed by the Secretary of State.

Local Development Documents

Statement of Community Involvement sets out the Local Planning Authority's policy on involving the community in the preparation of its Local Development Documents.

Early dialogue on LDDs, in line with the SCI.

Before draft proposals are finalised, the authority will formally publish its preferred options for consultation and must consider representations.

Draft Development Plan Documents are published and submitted for public examination. Representations can be made, to be considered at the examination.

Those making representations seeking changes to a DPD will have a right to appear in person at the examination.

Inspector's report will be made available for public inspection.

Annual monitoring report published by local authority.

Planning Applications

The SCI will set out the LPA's proposals for consulting the community on planning applications.

Third parties can make representations on planning applications.

Objectors can speak at planning committee meetings at the discretion of the LPA.

Reasons for decisions are published.

Third parties can make representations on appeals and at inquiries into called in applications.

Additional consultation with regional and national bodies where appropriate for Major Infrastructure Projects.

Annex B

COMMUNITY INVOLVEMENT: RELATED LEGISLATION AND POLICY INITIATIVES

Human Rights Act

1. The Human Rights Act 1998 (HRA) incorporated into domestic law the rights and freedoms guaranteed under the European Convention on Human Rights, including the following:
 - Right to a fair and public hearing by an independent and impartial tribunal in the determination of civil rights and obligations.
 - Right to respect for private and family life, home and correspondence.
 - Right to peaceful enjoyment of possessions and protection of property.
2. The Act requires the Government to assess whether proposals being introduced in primary legislation are consistent with the HRA. The Government has confirmed that the Planning and Compulsory Purchase Bill is compatible with the Act.

Freedom of Information Act

3. From January 2005 everyone will have a general right of access to information from almost all public authorities and local authorities will have to publish details of the information they hold and make available to the public. The Act also requires public authorities to have regard to the public interest in allowing access to information and in publishing reasons for decisions.

Aarhus Convention

4. The UK has signed the United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-making, and Access to Justice in Environmental Matters, the Aarhus Convention, which is based on the principle that sustainable development can only be achieved through the involvement of all stakeholders. Rights are granted to the public, with corresponding obligations on public authorities in three areas: access to information on environmental matters; the opportunity to participate in decision-making on key environmental matters; and access to justice in these matters.

5. New Environmental Information Regulations will apply to England, Wales and Northern Ireland, while in Scotland relevant legislative adjustments are also being made. When all the devolved administrations are compliant the UK will proceed with ratifying the Convention.
6. Public involvement is also a key feature of environmental impact assessment of plans. The European Directive on Strategic Environmental Assessment will require local authorities to give the public an early and effective opportunity to comment on the environmental effects of proposed plans.

OTHER POLICIES IMPACTING ON COMMUNITY INVOLVEMENT IN PLANNING

7. Community involvement in planning needs to be aligned and integrated with the local authority's wider community planning processes.

Community Strategies

8. *The Local Government Act 2000* places on principal local authorities a duty to prepare Community Strategies, for promoting or improving the economic, social and environmental well-being of their areas, and contributing to the achievement of sustainable development in the UK.¹²

Social Exclusion and Neighbourhood Renewal

9. The Government has made a commitment to narrow the gap between deprived neighbourhoods and the rest of the country, so that within 10 to 20 years, no one should be seriously disadvantaged by where they live. The Neighbourhood Renewal Unit works across government and with a range of partners at national, regional and local levels to deliver that aim in 88 target areas.

¹² *Preparing Community Strategies: Guidance to Local Authorities* (DETR 2000).

10. For many local groups, the first step towards community involvement will be participating in community self-help and mutual support activity. Neighbourhood Management teams provide a single point of contact to which local people can turn if they face particular problems in their attempts to get involved in decision-making for their neighbourhood. Neighbourhood managers help focus services on local residents' priorities and customer needs and they work closely with the Local Strategic Partnership, whose key task at the neighbourhood level is to prepare a Local Neighbourhood Renewal Strategy.¹³ Neighbourhood managers are able to support the community in negotiating on planning issues in their area.

Race Relations (Amendment) Act 2000

11. Local authorities must comply with the duty in the *Race Relations (Amendment) Act 2000*, to publish a Race Equality Scheme. The aim is to eliminate unlawful racial discrimination and promote equality of opportunity and good relations between persons of different racial groups. Local authorities must also take a race equality impact assessment of each strategy and plan, including their local plans.

Disability Discrimination Act 1995

12. Under the Disability Discrimination Act 1995, service providers now have to consider making reasonable adjustments to the way they deliver their services so that disabled people can use them.
13. We are seeking to address access and inclusion through the entire planning system. 'Planning and Access for Disabled People: A Good Practice Guide',¹⁴ stresses our commitment to addressing the needs of disabled people through a co-operative approach and involvement early in the process.

Active Communities

14. The Government has set a target of increasing voluntary and community sector activity, including increased community involvement in decision-making, by 5% by 2006. A *Community Capacity Building Review*, has looked at the range of Government support for community capacity building and will be recommending ways in which the range of community involvement initiatives could be better coordinated and made more effective. It is hoped to publish the report of the Review for consultation shortly.

The Compact on Relations Between Government and the Voluntary and Community Sector in England

15. The National Compact between Government and the voluntary and community sector (VCS), a voluntary agreement introduced in 1998,¹⁵ is about improving the relationship for mutual advantage between the VCS and Government resulting in better understanding, greater involvement with, and responsiveness to, policies, processes and procedures. Local compacts are encouraged also. The Compact, and supporting codes, and Local Compact guidelines, provide a framework within which the relationship between the voluntary and community sectors and other partners can be define and developed.

¹³ *A new commitment to Neighbourhood Renewal: National Strategy Action Plan* (Cabinet Office 2001).

¹⁴ *Planning and Access for Disabled People: A Good Practice Guide* (ODPM, March 2003).

¹⁵ *Compact on Relations between Government and the Voluntary and Community Sector in England* (CM 4100, November 1998).

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