

The Planning Act 2008

A briefing note for developers producing a Statement of Community Consultation.

Introduction:

The Planning Act 2008 places a duty on developers of major infrastructure projects to consult with communities on the effects of their proposed developments. To evidence how this will be undertaken a Statement of Community Consultation (SOCC) is required to be submitted to the Infrastructure Planning Commission (details are set out in Planning Act 2008 Guidance on Pre-application consultation www.communities.gov.uk). This statement will set out how engagement and consultation with those affected will be undertaken.

Role of the Local Authority:

The Act requires local authorities to assess and comment on the quality of the SOCC and its implementation. For example Powys County Council will look at how any comments received via a consultation event have then informed or changed an application. i.e. evidence of genuine involvement of residents/other stakeholders.

This guidance has been produced by Powys County Council to assist developers to work and engage meaningfully with Town and Community Councils, local community groups and the communities they represent. It provides a framework identifying actions to evidence community consultation and engagement. The guidance includes a link to a toolkit of Good Practice in Consultation and Engagement and signposts developers to further information and support.

As a response to the needs of the 2008 Act, Powys County Council will work with developers to ensure they have access to any local knowledge that can help inform their community consultation, provide feedback on a draft SOCC and where appropriate recommend any improvements that could be made. For example, this may include discussions and consideration of shared engagement approaches and events whereby a wind farm developer and a grid connector can provide a “joined up approach” in terms of consultation plans to improve public knowledge, understanding and subsequently express a view.

Things for Developers to Consider prior to drafting a SOCC:

1. Community and stakeholder mapping. What is the socio- economic make-up of the community that is going to be affected by a development? This will have a bearing on how best to engage with people likely to be affected. Utilise the Powys Data Observatory to gain insight and key statistics on the areas of Powys.
See: <http://www.powys.gov.uk/index.php?id=23&L=0>
2. Engagement Principles. Powys has adopted ten principles of good engagement. Consideration of all these is key to writing a good SOCC. (attached) A Citizen and Community Engagement toolkit has recently been produced and is available via the Community Strategy website.
See: <http://community-strategy.powys.org.uk/index.php> and click on Citizen and Community Engagement in the left hand menu which will then provide a link to the fuller toolkit. If anyone needs further advice please contact the Corporate Consultation Officer at Powys County Council on 01597 826043.
3. SOCC Appraisal. This is how we aim to evaluate your consultation and engagement techniques. (attached as separate appendix)

What do we actually mean by engagement?

The Powys Local Service Board has adopted the following definition.

Engagement is a process for involving people in the decisions that affect their lives. The term is used to describe a wide range of activities but at the heart of it all is a commitment to encourage **participation**.

The overall aim of good engagement is to empower people to contribute to not only their own wellbeing, but to that of Powys and its' residents. Whether, this is by helping to shape future services or ensuring that community needs are heard, empowering people has a multitude of benefits in terms of individual self esteem through to improved community cohesion and understanding.

Engagement occurs at different levels and at different times and each engagement process requires forward planning.

Note: The Local Service Board is made up of various public bodies like the Council, the Health Board, Dyfed Powys Police, Coleg Powys, Powys Association of Voluntary Organisations and more. Local Service Boards are part of a radical new approach to stepping up the pace of public service reform in Wales. Central to the Welsh Assembly Government's approach is the citizen model, which encapsulates the vision of what society wants public services to be. This is defined as:

“Focused on citizens’ individual and collective needs, engaging citizens in their development and increasingly confident, innovative, efficient and effective in delivery.”

Ten Principles of Good Engagement

Powys Local Service Board has adopted the following ten principles of good engagement.

Principle Name	What this principle means	Examples of questions to consider before engagement takes place
Partnership	Those initiating engagement should work with others to avoid duplication. Measures should be taken to promote joint ownership of any engagement process.	<ul style="list-style-type: none"> - Are there any opportunities to engage jointly? - Are there any overlaps between engagement objectives? - Which organisations are already working with these stakeholders and how can we utilise this knowledge to conduct a successful partnership consultation? - What resources are available and is there scope to pool/share them?
Clarity of purpose	The purpose of engagement, desired outputs and outcomes should be established from the outset.	<ul style="list-style-type: none"> - Before embarking on an engagement process have you reflected on past experience – what works and what doesn't? - Why are you seeking to engage? (What is it you want to know/ask?) - Are the objectives of the engagement clear? - Are the methods appropriate to meet these objectives? - What will success look like? How will you measure it? - What timescales are you working to and are these realistic? - Have you established roles and responsibilities of those involved?
Integrity <i>CI 1</i>	Any engagement activity must be of honest intent and those initiating engagement must be willing to listen.	<ul style="list-style-type: none"> - Are there any topics that are non negotiable? - Have the parameters of the engagement been explained to all stakeholders? - How will you track comments through to implementation

<p>Visibility/ Stakeholder identification <i>CI 2</i></p>	<p>All who have a right to participate should be made reasonably aware of any engagement and consultation activity. Steps should be taken to identify all relevant stakeholders.</p>	<ul style="list-style-type: none"> - Have you identified all those who need to be involved? - Have you considered mechanisms and communication channels that are required to publicise and engage the different stakeholders? One size may not fit all! - Have you used the Powys Data Observatory for statistics/community profiling? - Where are your stakeholders and where will you find them? - Which sections of society or which geographical areas are you considering? - Have you spoken to specialist organisations who may have dealings with your stakeholders/target audience?
<p>Accessibility <i>CI 3</i></p>	<p>Appropriate methods should be adopted to involve hard-to-reach groups.</p>	<ul style="list-style-type: none"> - Have you identified any barriers to participation? - Have you discussed ways of overcoming barriers and implemented the most appropriate engagement mechanisms? - Is there local knowledge and resources which could help you tap into hard-to-reach groups.
<p>Transparency <i>CI 4</i></p>	<p>Views expressed should be open and transparent and publicised unless exemptions apply.</p>	<ul style="list-style-type: none"> - Have you made yourself familiar with the Data Protection Act and the Freedom of Information Act - Have you made it clear how records of the engagement shall be made and how far they will be publicised? - Are “ground rules” in place e.g. not personalising issues during engagement? - Have you made it clear what will and what will not be fed into the engagement process?

<p>Disclosure <i>CI 5</i></p>	<p>Those seeking to engage must disclose all material information. Participants should disclose significant minority views when representing many parties.</p>	<ul style="list-style-type: none"> - Do you ensure that the context is made available at the beginning of an engagement process so any vested interests of stakeholders are made clear? - Do your “ground rules” make reference to disclosure?
<p>Fair interpretation <i>CI 6</i></p>	<p>An objective assessment of views received is a necessity with disclosure of weightings, if used.</p>	<ul style="list-style-type: none"> - Are measures in place to ensure adequate feedback to all stakeholders? - Are your findings clear and easy to understand?
<p>Publication/ Feedback <i>CI 7</i></p>	<p>Participants should expect and indeed have a right to receive feedback of engagement and consultation output and eventual outcome of the whole process.</p>	<ul style="list-style-type: none"> - How are you going to feedback to communities/respondents? - In what format? (letter, press release, website, meeting) - Have you explained/publicised this to all stakeholders? (Analysis can take time so allow for this when considering feedback timescales) - Keep people in the loop. If there is a delay re- analysis consider how to communicate this so people know their views haven’t disappeared into a black hole! - Remember: Proper feedback prevents apathy!
<p>Monitoring and evaluation</p>	<p>Evaluation should reflect on whether engagement meets its purposes. Monitoring should record specific outputs and measure impact.</p>	<ul style="list-style-type: none"> - Are measures in place to measure the outputs of the engagement? Do these reflect the original objectives? - Have you developed systems for evaluating the outcomes and impact of the engagement? - Before embarking on an engagement process have you reflected on past experience – what works and what doesn’t? - How are we going to know if engagement has been effective?

Note – Those principles marked with a CI have been adopted from the Consultation Institute.