

Committee(s): Planning & Transportation Committee	Dated: 11/10/2022
Subject: Approval of draft revised Statement of Community Involvement and Developer Engagement Guidance for public consultation	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	3,9
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	£
What is the source of Funding?	
Has this Funding Source been agreed with the Chamberlain's Department?	n/a
Report of: Gwyn Richards, Planning & Development Director	For Decision
Report author: Peter Shadbolt, Environment Department	

Summary

The City Corporation has a statutory duty to prepare and keep up to date a Statement of Community Involvement, which sets out how the City Corporation will engage and consult with the City's communities on both planning policy matters and planning applications. The most recent adopted SCI dates from 2016 and an updated document has been prepared for consultation.

For many years, the City Corporation has encouraged developers to consult with the City Corporation and local communities on their development proposals prior to the submission of a formal planning application. Engagement by developers is not required by legislation but is increasingly being carried out. To make sure this is done well, draft guidance to developers on the City Corporation's expectations has also been prepared for consultation.

Both the SCI and the developer engagement guidance will be issued for public consultation for a period of 6 weeks, following which both will be brought back to the Planning & Transportation Committee for further consideration and formal approval.

Recommendation(s)

Members are asked to:

- Approve the Statement of Community Involvement and the Developer Engagement Guidance for public consultation.

Main Report

Background

1. The Planning & Compulsory Purchase Act 2004 introduced a legal requirement for each Local Planning Authority, including the City Corporation, to prepare a Statement of Community Involvement (SCI). This is a legal planning document that sets out how the City Corporation will consult with members of the public and other stakeholders when preparing planning policy documents and when considering applications for planning permission and related consents. Legislation requires that SCIs are updated on a 5 yearly basis.
2. The City's current SCI was adopted by the Planning & Transportation Committee at its meeting on 5 July 2016.
3. The SCI sets out how the City Corporation will consult and engage on planning matters. It does not set out, or provide guidance on, how developers should consult and engage with the public and stakeholders.

Current Position

4. Since the current SCI was adopted in 2016, there have been no permanent changes to primary legislation setting out how Local Planning Authorities should consult on planning matters. During the Covid Pandemic, a number of temporary measures were introduced to enable consultation to continue during movement restrictions. Whilst these temporary measures have now been removed, they have shown that new and innovative ways of consulting and engaging can increase participation in planning, alongside more traditional methods. The consultation and engagement lessons learned during the Pandemic now need to be incorporated into the City Corporation's consultation processes on a permanent basis.
5. The City Corporation is also preparing a revised City Plan, to provide a planning framework for the City up to 2040 and ensure a more environmentally, socially and economically inclusive City post Covid. The City Corporation is looking to enhance its consultation methods for the new Plan, including through the use of an online consultation portal which will provide a more user-friendly and efficient way for communities to get involved in planning matters. Amending the SCI will provide a framework for this enhanced approach to consultation and provide certainty to the City's communities on how the City Corporation will involve them in the consideration of planning matters. The engagement strategy for the City Plan will be published shortly and shared with stakeholders.
6. The City Corporation has for many years encouraged developers to work with planning officers at an early pre-planning application stage to help shape development proposals and ensure that they comply with the City's Local Plan. Although not a legal requirement, the City Corporation also encourages developers to engage with local communities and other stakeholders at an early stage in the design process to explain their proposals and enable local stakeholders to influence the design and layout of schemes. This has been progressed in an informal way, with developers encouraged to learn lessons from

previous consultations and to continually improve the way they communicate and engage with the local community.

Proposals

7. A revised and updated City Corporation Statement of Community Involvement is attached as Appendix 1 to this report. The revised SCI provides updated information on when the City Corporation will consult on statutory planning matters, how this consultation will take place, and how long documents and planning applications will be available for consultation. The revised SCI factors in the lessons learned during Covid, making provision for online and hybrid meetings and consultation events, the use of new presentational techniques such as 3D modelling and the use of QR codes to provide a shortcut to further information. The SCI outlines that consultation periods will meet, but normally exceed, statutory requirements for public consultation, particularly in relation to planning policy requirements.
8. Attached at Appendix 2 is the draft developer engagement guidance. This is a new Planning Advice Note that sets out the City Corporation's expectations for how developers and applicants should engage with the local community and other stakeholders at an early stage in the formulation of development proposals and throughout the planning phases of development. This is intended to provide good practice guidance as to what is expected from the development industry and how early and continuous engagement can help to improve trust in the planning system and seek to deliver better schemes, informed and improved by stakeholder feedback and involvement. The guidance will also provide greater certainty to stakeholders on how they will be engaged by developers. Developers will be expected to provide information on engagement when submitting a planning application.
9. Members are asked to agree to issue the statutory SCI and the developer engagement guidance for public consultation. This consultation will be carried out in line with the requirements in the new SCI, with the consultation running for at least 6 weeks. The consultation will involve direct engagement with a wide variety of stakeholders, including residents of the City of London, community and amenity groups, developers and businesses, Business Improvement Districts, and people who work in the Square Mile. The response to this consultation will be brought back to a future meeting of this Committee for consideration and approval of both documents.

Corporate & Strategic Implications

10. Strategic implications – The SCI and the developer engagement guidance will ensure that all the City's communities can engage with the City Corporation and developers in the exercise of planning responsibilities and the form of new development. This meets statutory requirements and good practice as outlined in the national Planning Practice Guidance. It will contribute towards the development of the City Plan and will contribute directly to meeting the three key objectives of the Corporate Plan.

11. Financial implications – There are no financial implications arising from this report. Consultation costs will be met from within the Planning & Development Local Risk Budget.
12. Resource implications – There are no resource implications arising from this report. Consultation will be undertaken within existing Planning & Development Service resources.
13. Legal implications – The SCI is a statutory document and will be a material consideration in consultation on planning policy matters and planning applications. The Courts have found that a SCI is capable of creating a legitimate expectation (i.e. a statement or promise of a public body) that the contents of it will be complied with and that this will be upheld by the Courts.
14. Risk implications – None
15. Equalities implications – The draft SCI and the Developer Engagement Guidance have been considered through an Equalities Impact Assessment Screening, which has identified no equalities implications
16. Climate implications – None.
17. Security implications – None.

Conclusion

18. The City Corporation as the Local Planning Authority for the City of London has a statutory duty to prepare and keep up to date a Statement of Community Involvement. The SCI sets out how the City Corporation will engage and consult with the City's varied communities on both planning policy matters and planning applications. The most recent adopted SCI dates from 2016 and an updated document has been prepared for consultation setting out a revised approach to consultation, building upon lessons learned over the past 7 years, in particular the move to greater use of online resources and hybrid ways of working.
19. For many years, the City Corporation has encouraged developers to consult with the City Corporation and local communities on their development proposals prior to the submission of a formal planning application. Pre-application engagement remains a non-statutory part of the planning system. To provide further guidance to developers on the City Corporation's expectations as to the content and conduct of pre-application engagement, draft planning guidance has also been drafted for consultation.
20. Both the SCI and the developer consultation guidance will be issued for public consultation for a period of 6 weeks, following which both will be brought back to the Planning & Transportation Committee for further consideration and formal approval.

Appendices

- Appendix 1 – Draft Statement of Community Involvement
- Appendix 2 – Draft Developer Engagement Guidance Planning Advice Note

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