



# **‘Paper Tigers’: a critical review of Statements of Community Involvement in England**

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## Glossary

LPA - Local Planning Authority

MHCLG (formerly DCLG) - Ministry of Housing, Communities and Local Government

NPPF - National Planning Policy Framework

NPPG - National Planning Policy guidance

NSIP – Nationally Significant Infrastructure Project

PINS – Planning Inspectorate

PWP – Planning White paper '*Planning for the Future*' (2020)

'Pre-apps' – pre-application discussion between developers, local planning authority (and the community)

SCI – Statement of Community Involvement

SMART – Specific, Measurable, Achievable, Realistic, Timely

## Foreword

Statements Of Community Involvement, what are they good for? Well, according to some research respondents in this report, absolutely nothing.

What *could* they be good for? They could absolutely be the bedrock and baseline for community involvement in placemaking in this country.

Since Civic Voice was set up in 2009, we have heard story after story of communities telling us that consultation is failing, that they are locked out of the conversation, that collaboration in placemaking is virtually non-existent. Or, as Grosvenor said in 2019, trust in planning is non-existent.

At Civic Voice, we want to change this. We want a system of collaboration, not confrontation. To do that, communities need to understand what local authorities class as meaningful consultation. They need to be able to hold local authorities to account on what they say. That is why we started looking at SCIs.

Why did we commission the University of Reading to look at SCIs? Well, we wanted a genuine independent piece of work that looked afresh at current practice in SCIs across the country, examined their strengths and weaknesses and put forward recommendations for improvement. This report is an independent commission and the views enclosed are those of the research team.

We need to be more honest in our discussions. We need a system that champions community engagement, a system that ensures communities are involved in an early, continuous and transparent process. We need more planners who understand community engagement. We need a system that says that collaboration with communities is not a 21-day 'tick box' exercise but is a meaningful conversation.

What do we hope to achieve with this report? We hope that Councils across the country will find time to read the document and to consider what they need to do, to be highlighted as good practice in the future.

Ian Harvey

**Executive Director, Civic Voice**

## **‘Paper Tigers’: a critical review of Statements of Community Involvement in England**

### **1. Introduction and context**

#### *1.1 The Report and the Research*

This report presents the findings of a study designed to help better understand the form, use and potential of Statements of Community Involvement (SCIs) in England, or similar structuring documents in the future. These are ostensibly intended as a means to frame meaningful community engagement in planning. The work is part of a research partnership between the University of Reading and Civic Voice. This document is the final research report that presents the work and follows from the interim report produced in June 2021<sup>1</sup> that set out a baseline review.

The research has been undertaken at a time when the 2020 Planning White Paper (PWP) ‘Planning for the Future’ has proposed a greater emphasis on effective community involvement in planning and in particular to ensure good quality ‘frontloading’ of engagement. The Planning White Paper references a desire to:

*‘democratise the planning process by putting a new emphasis on engagement at the plan-making stage’ and ‘...create great communities through world-class civic engagement and proactive plan-making’ (PWP, 2020: p20-21).*

This research forms an ancillary part of a broader set of work undertaken by the University of Reading research team on frontloading of participation, funded by Research England and published in June 2021<sup>2</sup>, and this also sits alongside work on the operation of Neighbourhood Planning, funded by MHCLG, also conducted through the University of Reading and published in 2020<sup>3</sup>. The research team has also conducted work on local authority pre-application advice and community involvement/transparency in 2020<sup>4</sup>. Together this set of work informs our views and recommendations on participation in planning and in relation to government reform. This

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<sup>1</sup> Parker, G. and Dobson, M. (2021) *Statements of Community Involvement in England: a baseline review and future opportunities* University of Reading / Civic Voice. Located at:

[http://civicvoice.org.uk/uploads/files/UoR\\_Civic\\_Voice\\_Interim\\_SCI\\_Report\\_June\\_2021.pdf](http://civicvoice.org.uk/uploads/files/UoR_Civic_Voice_Interim_SCI_Report_June_2021.pdf)

<sup>2</sup> Parker, G., Dobson, M. and Lynn, T. (2021) *Community involvement opportunities for the reformed planning system*. Report, June 2021. University of Reading. Available from the authors.

<sup>3</sup> Parker, G., Wargent, M., Salter, K., Dobson, M., Lynn, T., Yuille, A. and Navigus (2020) *Impacts of Neighbourhood Planning in England*. Final report. Located at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/92922/Impacts\\_of\\_Neighbourhood\\_Planning\\_in\\_England.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/92922/Impacts_of_Neighbourhood_Planning_in_England.pdf)

<sup>4</sup> Lynn, T., Dobson, M. and Parker, G. (2021) ‘Some lessons from development negotiations in England’. *Town and Country Planning*, Vol. 90(1/2): 23-28 and Dobson, M., Lynn, T. and Parker, G. (2020) ‘Pre-application advice practices in the English planning system’. *Town and Country Planning*, Vol. 89(6-7): 196-201.

activity also acts to inform and situate the conclusions and recommendations derived from this SCI research and presented here.

## 1.2 Background

It is worthwhile acknowledging that Civic Voice undertook their own review of SCIs in 2019. This work highlighted that, at that time, there were a significant number of out-of-date documents being used (30% in the Civic Voice research). This was surprising given that guidance stipulates that SCIs need to be updated at least every 5 years and recent legislative change had required SCIs to be amended<sup>5,6</sup>. As a result of this work, Civic Voice wanted to understand the effectiveness of SCIs as the basis for involving communities in all aspects of planning. The Civic Voice manifesto, published in 2020 said: *"We must strengthen Statements of Community Involvement (SCIs) so that they set out how the local authority and developers will be expected to meaningfully engage with local communities on planning"*.

The research team saw the significance and potential of SCIs and agreed to investigate the topic further. In our estimation the future role of SCIs (or similar) could be an important aspect of the PWP reforms, precisely because SCIs play an important role in informing all parties about how LPAs will involve the local community, including at early stages as well as throughout all aspects of planning:

*'Local planning authorities must set out in their Statement of Community Involvement how they will engage communities on the preliminary stages of plan-making'* (NPPG, Para: 035 Ref ID: 61-035-20190723)

The broader context is also one of a renewed societal interest in forms of deliberative democracy to improve engagement; partly as an antidote to growing mistrust in public institutions, not least the relationship between local planning authorities and their communities (Raynsford, 2018; Grosvenor, 2019). The recently published National Model Design Code also stresses the importance of consultation strategies and early engagement. It is indeed timely therefore to look at how any SCI element of a new suite of arrangements will improve on current arrangements and potentially become the published basis for an improved culture of participation in each planning authority area.

## 1.3 What are SCIs?

Statements of Community Involvement (SCI) express how a local planning authority (LPA) will engage with the public in the development of their local plan, neighbourhood plans and

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<sup>5</sup> In spring 2020 Covid-19 legislation required that LPAs revise their SCIs to reflect necessary Covid complaint arrangements, thus at the time of the research many SCIs were or just been amended.

<sup>6</sup> In terms of Covid-19 amendments the NPPG states: 'Where any of the policies in the Statement of Community Involvement cannot be complied with due to current guidance to help combat the spread of coronavirus (Covid-19), the local planning authority is encouraged to undertake an immediate review and update the policies where necessary so that plan-making can continue' (Para: 077 Ref ID: 61-077-201200513) and see para 78.

development management cases. The document forms part of the statutory array of documents constituting the development plan for a given LPA. The need for such formal statements was introduced by the Planning and Compulsory Purchase Act 2004 and more recently the requirements were modified by the 2017 Neighbourhood Planning Act. SCIs were bolstered by the ‘duty to involve’ introduced in 2007<sup>7</sup> but which was repealed in 2011 – and as a result the Planning Inspectorate (PINS) no longer had a requirement placed on them to examine draft SCIs. Instead, a revised approach was pursued, and local government were to ‘encourage authorities and civil society to collaborate more, including greater involvement for voluntary groups’ (DCLG, 2011: para 1) through the use of ‘light touch’ guidance<sup>8</sup>. Since 2017 each LPA is expected to review their SCI every 5 years - a requirement which was also set out in the NPPF (2019)<sup>9</sup> and the NPPG:

*‘Local planning authorities must review their Statements of Community Involvement every 5 years from the adoption date. It is important that Statements of Community Involvement are kept up-to-date to ensure effective community involvement at all stages of the planning process. Therefore, a local planning authority should regularly review and update their Statement of Community Involvement to reflect any changes to engagement. A local planning authority may review and update their Statement of Community Involvement at the same time as reviewing and updating a plan to reflect what action is taken to involve the community in any change to the plan.’ (NPPG, Para: 071 Ref ID: 61-071-20190315).*

However, the legislation is not explicit about *how* LPAs should involve communities in Local Plan-making, beyond iterating the minimum legal requirements to consult at key stages<sup>10</sup>. Instead, government provide their own guidance on consultation (latest version 2018 – see Annex 1), which is useful up to a point, but only broadly suggestive of ‘good practice’ across 11 aspects relating to consultation (noting that this guidance is internal and only used for national consultations). It is notable however that section 3 in the Neighbourhood planning Act 2017 states rather elliptically that:

*‘The Secretary of State may by regulations prescribe matters to be addressed by a statement of community involvement in addition to the matters mentioned in subsection...’*

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<sup>7</sup> The ‘duty to involve’ (introduced under the *Local Government and Public Health Act 2007*) was a broad requirement on Local authorities ‘to take those steps they consider appropriate to involve representatives of local persons in the exercise of any of their functions, where they consider that it is appropriate to do so’ as part of the then Labour government seeking continuous improvement in local authorities.

<sup>8</sup> See DCLG, 2011:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5945/1976926.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/5945/1976926.pdf)

<sup>9</sup> Specified in Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017

<sup>10</sup> And see annex 4. Noting also legal judgements where undertakings in SCIs have been found to be breached, such as the case of Halebank Parish Council v Halton Borough Council (July 2012), see:

<https://www.richardbuxton.co.uk/transcripts/r-halebank-parish-council-v-halton-borough-council-and-another> (note sections 46, 50, and 120 of the decision transcript).

This provides opportunity for the design or scope of SCIs to be amended if implemented.

In terms of local plan making, national policy (NPPF, 2019: para 16) set out that<sup>11</sup>:

*'Plans should: a) be prepared with the objective of contributing to the achievement of sustainable development; b) be prepared positively, in a way that is aspirational but deliverable; c) **be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees**; d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals; e) be accessible through the use of digital tools to assist public involvement and policy presentation; and f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).'*

Given the context of reform to planning, poor levels of trust and engagement and a stated aspiration to improve public participation in planning by government, the research assesses the role of SCIs with a view to suggesting how these documents, or alternative arrangements, may be more effective, and to ensure that governmental aspirations are implemented locally.

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<sup>11</sup> We recognise that the NPPF was subsequently amended in July 2021 but the relevant paragraph 16 remains.



## 2. Methods

The report is a product of both the baseline review of 50% of all 326 SCIs across England (n=164) and a series of case studies informed by further desk-based research and interviews.

### *Baseline review*

The first tranche of work was undertaken to ascertain the coverage, age, length, and useability of those documents and was conducted in April-May 2021. The sample included a selection from each of the English regions and covered all the SCIs in the South East region (n=64) and the North East region (n=12) to ensure representativeness and robustness of the findings (see Table 1).

*Table 1: SCI sample*

<b>Region / Type</b>	<b>SCIs reviewed</b>
South East	64
London	12
South West	10
East of England	17
East Midlands	9
West Midlands	8
North West	20
Yorkshire & Humberside	8
North East	12
National Park Authorities	4
<b>Total sample:</b>	<b>164</b>

### *Case studies*

The second element explored the actual use and experience of community involvement under the span of the SCIs in a sample of case studies and was carried out June-August 2021. The aim was to gather data on each of the cases selected from each of the regions. A total of 8 case studies were complete that included primary interviews with the LPAs as the core producers and community representatives as the end users of SCIs (see annex 2). In some cases more than one interview was carried out for each of the stakeholders.

One case was selected from each of the regions across England and the sample was selected applying the following criteria:

- Urban-Rural Classification
- Year the SCI was published
- Whether there appeared to be an innovative approach (i.e. going beyond statutory requirements)

Further considerations were whether there was any call for early engagement, whether there were clear principles in the SCI and if there were aspects of the SCI that were measurable. Two LPAs were approached in London and neither agreed to participate in the research, however the community interviews were carried out in both the London cases.

The interview proforma was developed based on the interim report findings (June 2021) and two pilot interviews with each main stakeholder to assist in refining the interview questions.

Interviews were carried out with a representative from a community group, largely a local civic society (one was from a Voluntary and Community Action organisation), and the most appropriate person within a local planning authority who had experience with the production and use of the SCI.

### 3. Findings

#### A. Desk study findings

The process of identifying and reading the SCIs as part of the first stage of the research provided a good overview of the scope, content and user friendliness of the documents across England. It also provided the source for some baseline statistics e.g. length and age of the SCIs. This is discussed first before the second part of this section presents the qualitative primary data assembled via the case study work, with pen portraits of the eight main cases located in annex 2.

##### 3.1 Age and Accessibility of SCIs

The first test that we wanted to run was to check whether SCIs were readily available online for community members to view - given a key part of their use is availability and ease of access by communities. It was found that almost all are quite readily available online through the LPA website, with only a small number less easily found (i.e. that require numerous 'clicks' to locate them). It was also found, however, that in a significant number of instances an online search identified multiple versions of SCIs, which could lead to confusion for local people regarding the local council's current approach to engagement. It should also be noted that these could be found with the proviso that the user knew the correct term to search for (i.e. 'SCIs'); and without this knowledge of the technical term the documents may be difficult to locate and remain hidden from practical view. It became clear through the case study work however that the availability of an SCI is not the same as awareness or knowledge of the documents (see 3.3 and 3.4). As such there is some work to be done to ensure that the profile and existence of SCI is more widely comprehended.

In terms of whether SCI documents were 'up to date' there was a very mixed picture. Most authorities have (re)iterated their SCI since 2006 at least once (although at the time of the research being carried out several SCIs were still in use dated 2005-2007 (e.g. Exeter, Hillingdon, Sedgemoor, North Warwickshire, Lewisham, Amber Valley and Slough). Furthermore 25% of the SCIs in our sample (n=164) were more than 5 years old (broadly in line with the 2019 Civic Voice findings). The desk study revealed that there were still many SCIs that had not been updated within 5 years or to reflect the 2017 Neighbourhood Planning Act requirements<sup>12</sup>. In some cases, the text accompanying the SCI appeared to indicate that some authorities updated their SCI when they were about to embark on a new local plan process - which is an option set out in national guidance.

Many LPAs have made minor amendments in the light of Covid-19 limitations for face-to-face participation and to reflect temporary legal changes in place during 2020-21<sup>13</sup> - but most of those revised SCIs did not make any other substantive changes and are not discussed here.

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<sup>12</sup> The Act required that LPAs set out their approach to discharging the duty to give advice or assistance to NP qualifying bodies to facilitate a neighbourhood development plan and importantly here to set out in their SCI their policies for involving interested parties in the preliminary stages of plan-making.

<sup>13</sup> See NPPG paras 77 (Ref ID: 61-077-201200513) and para 78 and footnotes 1 and 2 here.

### 3.2 SCI Length and Content

The next step was to check to see the extent of SCI documentation and the type of coverage involved. Many emphasised the link to local plan preparation, and others set out all the means that were legally available to citizens to input across local plans, neighbourhood plans, pre-apps and the development management decision-making element of the planning system. This meant that page counts did vary considerably. It also means that SCIs are serving several purposes.

The majority of SCIs are lengthy documents and are process focussed - the longest stretched to 57 pages (Enfield) with Bedford covering 56 pages – both excluding appendices. Conversely very brief documents were found for Dorset County (6 pages), Tonbridge and Malling (7 pages), and Liverpool City and Hart District Council both with 9-page documents. Many documents were around 20-30 pages, excluding appendices, with the average mean page length being 25 pages (excluding appendices) in the south-east England region where we looked at all SCIs (n=64).

What became clear in terms of content was that few SCIs, if any, have measurable principles (i.e. they are not SMART - Specific, Measurable, Achievable, Realistic, Timely) and the scope or detail of such principles (loosely termed) varied considerably - see annex 3 for indicative examples. Although it is recognised that achieving such measurables may prove challenging, this may be one aspect for further deliberation with LPAs. Certainly, the concept of co-creating SCIs with communities and other key actors strikes us as one idea that is worth further consideration given the renewed policy focus on engagement.

While many SCIs explicitly recognise diversity within the community they serve, it is less clear how they actually engage, although a subset did list a range of different mechanisms to engage, examples in this regard include; Islington, Slough, Reigate and Banstead and Bolton.

We found that a minority of cases indicated some degree of innovation - loosely defined here as aiming to go beyond statutory requirements (and we deliberately selected some of these as case studies). For example, some local authorities make mention of deliberative forms including panels, forums and focus groups. Some examples are cited in places such as Dudley and Bedford (both using a citizen panel) and Cornwall (PACE forum), Broadlands (focus groups), Arun District (youth council) and Fareham ('E-panel').

Quite a few SCIs explicitly mention the costs and resources involved and a need for them to be proportionate or be 'realistic' in the approach adopted. This sentiment appears to influence the undertakings made in the SCIs and was reinforced in the case study interviews. Such sentiments may also stem from the legal principles regarding reasonableness and legitimate expectation to ensure decision-makers act fairly in a procedural sense. However, this means that there may be a perverse incentive for LPAs to be vague or imprecise when outlining their community involvement strategy, given that the document is intended to hold the council accountable and to provide transparency.

Some LPAs have wider involvement policies or strategies which are important context here - but does not alter the fact that their SCIs themselves are limited. Examples include Oxford City, North East Lincolnshire and Craven District. A small number of SCIs explicitly talk of 'monitoring' and ongoing improvement to the engagement approach of the LPA (examples include North Tyneside, Birmingham, Redcar, Thurrock, Broadland and Exeter). It is difficult to determine the degree to which such aspirations are carried through however, with the concern that such documents add limited value if they are not acted on or reviewed. This may be one aspect of future research to look more closely at monitoring and how changes have been made to improve involvement (i.e. aspirations becoming actions).

## **B. Case Studies - primary data**

The following sub-sections outline the views expressed by two key stakeholders – the local planning authority tasked with producing the SCI and the local community to whom the document is primarily directed. This is largely derived from the case interviews and more information about the cases is set out in annex 2. We have organised the findings from the cases across three main themes of: preparation and production, use and review and lessons and reflections.

### *3.3 Preparation and Production of SCIs*

#### *i. Relations*

Firstly, the community respondents across the selected cases were asked to describe relations between the community and the LPA. They expressed that largely there were open communications with groups such as civic societies, however despite this, most community interviewees questioned the extent that they had an influence on the LPA. One community respondent (1c) described the civic society as being 'critical friends' with the LPA, but observed that when considering the wider community at large, "things fall down a bit". Another community respondent (11c) wanted their Council to be more "active and open in engaging with communities" given that there used be three discussion groups organised by the local council to engage the community in specific issues but due to resources they were unable to continue. This was similar for another case in which a past urban forum that had been deemed successful operated "but the LPA have been unable to sustain it." This suggests a mixed picture of some good intentions to foster relations in places, but resourcing issues that have served to undermine positive engagement forums and experiences. This snapshot reminds us that community engagement can wax and wane - particularly if formal requirements do not necessitate high water mark engagement.

#### *ii. Production*

In terms of SCI production, many of the LPA case study interviewees referred to the importance of benchmarking and reviewing what others have done with their SCI. No LPA interviewees reported having training or specific experience of community engagement outside of their role in planning, however one stated that a junior planner had drafted their SCI and felt that it was good as the relevant theories were fresh to that officer (Respondent 9). When producing the SCI, the majority of LPAs did not use any local information or data to inform the production of

the SCI. However, of those who did, they mentioned efforts to access and understand those labelled as harder to reach. This raises issues of local specificity and fit to the local population, a finding that steers towards the retention of individual SCIs albeit perhaps based around a set of more universal core considerations or headings.

In observing the way in which the principles for the Bristol and Oxford SCIs were produced we discern that there are occasional existing approaches to co-producing SCI principles with communities. These demonstrate that the relative conservatism of approach taken by most can be improved upon and in some instances improvements have been pressed for. In Oxford, the principles were established via an independent review of the planning processes following a controversial planning application; and in Bristol the ground rules were established in a post-hearing submission by the Council and the participants via the PINS hearing on the SCI. In the latter case the ground rules were produced after the initial SCI was found to be unsound.

### *iii. Innovation*

Respondents generally reported that their SCI did not go beyond statutory requirements, but that they did do try to do certain things beyond those requirements in their overall involvement practices (reflecting the case selection that we deliberately made). The innovation elements expressed within the content of SCIs themselves (i.e. claims beyond statutory requirements) was often made in respect to the development management processes. One respondent felt this is because in planning policy there is the need for greater flexibility in consulting with communities, whereas development control is perceived as being more of a structured process (Respondent 8). Thus where SCIs went beyond statutory requirements this was usually within pre-application arrangements and the use of forums or networks. One SCI included a master planning process, which invites steering groups and public consultations before the planning application stage. This highlights how activity to lessen the scope for conflict and refused planning applications has been a key concern for LPAs over the past decade and chimes with our research on pre-apps<sup>14</sup>.

Other areas where the SCIs go beyond statutory requirements are where they use digital means to engage the public, particularly with reference to the use of social media, with others mentioning bespoke software packages to collate and/or analyse consultation data. This finding does however illustrate how different aspects of planning system opportunities for the public can be more or less progressive. Thus claims to allowing for 'flexibility' for engagement in policymaking could equally be experienced as doing the minimum. A possibility that becomes much more likely where cultures stymie engagement and resources are constrained.

### *iv. Consultation on draft SCIs*

All LPA respondents report that they had consulted on the SCI, yet most had attracted very few comments from the public. The irony of this should not be lost on any reader of this report. One community respondent felt that they "...don't see how we could have been involved" in the production of the SCI, or if they had been invited to participate in the consultation. They surmised that "I think it might be a box ticking exercise." The interviewee went further to state

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<sup>14</sup> Lynn, T., Dobson, M. and Parker, G. (2021) and Dobson, M., Lynn, T. and Parker, G. (2020) *op cit*.

that “yes it would be great to have been included in the production of the SCI” and claimed that the community wouldn’t have much to say about it because it is ‘so statutory and procedural’. Another community respondent (1c) stated that they were aware of and responded to the SCI consultation and they submitted a response for a request to go beyond just ‘a survey’ and to revitalise their urban forum, but this was not included in the SCI. They felt that the consultation was “a matter of form, they [the LPA] redrafted [the SCI] because they had to, and it wasn’t seen as an opportunity to engage.” This interviewee suggests further work is needed to be done to describe what the SCI is and how and why community groups and the public in general should get involved. This was partially acknowledged by LPAs: “one thing we could do in the new one, is to encourage the wider participation in the production in the SCI – and hope people come forward in terms of how they would like to be engaged” (Respondent 1a).

This indicates a problem with both process and content if the type of fatalistic view seen in our discussions are more commonplace. It seems that expectations from communities were low or absent - and from the LPAs perspective the SCI is produced as an obligation, rather than reflecting an open culture of engagement or valuing diverse input. Garnering interest and input in the preparation of the SCI itself seem to merit further testing.

#### v. SCI Examination

When we asked the LPA representatives whether formal examination is desirable, there was a mixed response about whether the SCI itself should be subject to PINS examination. One respondent (9) considered that it might speed up the process at the Local Plan examination if the SCI was already approved. Whereas Respondent 8 felt it would cause unnecessary delay:

*“I think that they [SCIs] don’t need to be examined. I suppose the advantages are that you get that extra level of scrutiny on the processes. I don’t think it is necessary because of the limited number of comments you get on them, they are fairly easy for the Council to address and justify. If you are balancing it up with all the resources and other issues that planning policy teams have to do, it is too onerous to incur an examination. It takes extra time, if you add an examination and appoint an Inspector you are looking at another 6 months for the report back”.*

There were also reflections on the nature of SCIs being a locally significant document and whether or not PINS would be an appropriate approach to examining the SCIs. A community representative (1c) reflected that “if they were richer documents and demonstrated the characteristics of the mixes...you would be able to ensure that in local plan preparation you are following an SCI that is sensitive to the requirements of that place”. Some considered that PINS would not be good at this, because it requires “demonstrating a real understanding of the communities that exist and the ways they can be supported by this exercise”. This is where some respondents queried whether the Inspector would be able to assess the locally specific considerations of the area. Respondent 9 remarked that “going through an examination process with PINS is a very formal process,” and questioned: “are we making it too prescribed if we go back to that system?”. Respondent 10 saw that “the SCI is specific to the Local Authority and the community and how they like to be engaged and what works best for the communities, individuals and the local authority,” emphasising that it would have to be within limits of resources and budgets available. They went on to say that “it could be another... hurdle to jump over. It could complicate a process.” However it does indicate an issue with

SCIs needing to be applicable and understood by the community well in advance of local plan preparation if frontloading is to effectively capture input and appropriately resourced.

The respondents did recognise how PINs might be able to balance the political influence in community involvement, although the biggest concern expressed was the local authority not having the resources to do something that was suggested by the Inspector. It should also be stressed that Respondent 8 was basing this view on the current approaches that many LPAs adopt that do not actively seek input from the wider community. It could be that PINS examination instead could be rendered unnecessary if a more co-produced model were adopted, or a light touch approach, as pioneered through neighbourhood planning, be applied. Potentially community engagement professionals might be best placed to act as examiners on these revamped documents.

### 3.4 Use and Review of SCIs

#### i. Use of SCIs

In terms of SCI use, the LPAs explained that typically the SCI is referred to when undertaking consultations on planning policy documents and in development management; and with some using it to refer developers to the processes and expectations of community involvement. It was highlighted that often the SCI is used as a ‘framework’ for practice, but it is largely considered as a statutory document that lays out the foundations, with some LPAs in practice tending to go above and beyond what the SCI states. In one district this finds expression in consultation over specific planning policy documents. Here it was expressed that “the SCI is an important reminder of the importance of early engagement ... [it] is critical and needs to be embedded in the SCI as an approach” (Respondent 1). The respondent here was signalling how SCIs could be improved on to engage with this frontloading agenda.

In development management the activity often takes the form of officers pointing developers in “the direction of the SCI that sets out different things that they could take account of”; and in NSIP projects, it is a requirement to do the public consultation prior to submission where an SCI is expected by the Council and the SCI policy is used as a “cross reference” (Respondent 3). One respondent stated that officers from other departments in the council ask what the planning department do for consultation, and they direct them to the SCI – it is considered as a good framework for wider engagement by the council (in one case because the overall approach for the local authority was outdated).

Others questioned the need to refer to the SCI in practice:

*“I think that things that are in the SCI are so well embedded into our thinking, when we do engage, that we almost don't have to go back and look and check to see that we've done what the SCI is saying, because that is so well drilled into what we're all doing... the council and also groups that we engage with. So, I think, when we do a consultation, people have the confidence that we're doing it in a way that is consistent”* (Respondent 2).



Although this view appears to account only for those that are active and interacting more regularly at present, rather than an agenda that seeks to widen involvement.

This perspective stood in contrast to others. For some it was considered as a 'tick box' or list of statutory requirements only and very much focused on usefulness for the planning officers as a guide, as opposed to enabling the community. One community interviewee said that "they haven't needed to look for the SCI" (Respondent 1c) because it was simply regarded as a procedural document. For some, especially those community interviewees who have been involved with planning for many years, it was felt that they were "wasting their time" or, although they were able to submit their views within the scope of the SCI undertakings, often there was no communication received back from the LPA or any indication about how the feedback was used. This highlights how issues of feedback and explanation of the 'you said, we did' type has not been adopted by at least some LPAs.

This issue was reflected on by one respondent in terms of understanding the process and the system, that:

*"Lots of people don't understand what it is. When the local authority did the consultation there was some confusion... The difficulty with SCI is that it is quite flexible. It gives a framework rather than a rigid structure... I don't think that having the SCI means that the local authority has great engagement – the reason they don't is because of resources, what they have to do and the priorities in the local area."* (Respondent 8).

However, they also did state that "having it [SCI] sets out a clear framework which is positive. It allows that transparency that means people can check the council are doing it accordingly... and worth having". (Respondent 8). It was felt by a community respondent (6c) that "all people should be aware of it and point to clauses to hold them [the LPA] accountable." Some have described the SCI as a good way to outline to others how the planning system works (if it covers that material) and thought that having a leaflet that goes alongside the SCI that breaks it all down would be useful for the general public.

Taken together this highlights several points about firstly, resource limits on the LPA, secondly how an SCI can be meaningless without an appropriate culture to support it and thirdly a question is raised about how communities can hold the local authority to account over how engagement is carried out and applied – an issue made more acute if people do not have some understanding of how the planning system operates overall.

## *ii. SCI visibility*

The desk study indicated that most SCIs were accessible online but that is distinct from a SCI being known about or visible. Strikingly one of the community respondents (11c) stated that they had not heard of the SCI and felt like they should have because of how active they have been in the community and their professional career as an architect. They felt that community involvement is not very well coordinated and there are too many names for these types of things (e.g. community audits). Their observation was that they had been involved in these processes without knowing about the SCI and "didn't know that these documents all link together" (Respondent 3c). It was also considered by several of the community representatives

that it is only easy to find if you know what you are looking for, and there appears to be very little effort in raising awareness of the processes and opportunities for people to engage in the planning system by using the SCI.

When prompted on the purpose of the SCI, they stated that “it does seem like it describes how different organisations are supposed to engage with these different processes...It says all this, but not sure if there is any structure to making this happen. It kind of feels very disjointed” (Respondent 3c). This highlights the passive nature of the SCI and the approaches actually then taken by many LPAs when they do consult / engage.

### *iii. Quality*

There was a mixed response in this area in thinking about whether or not the SCI has had an impact on the quality of community engagement. One LPA interviewee argued “I don’t think it has. As planners we want to engage people...we can without the SCI, but we are always thinking how can we tap into other things. It has not helped us to strive” (Respondent 3). While another saw that the SCI is “helpful to agents who are employed to take on major schemes, knowing what they need to do” (Respondent 1a). Community respondent (2c) highlighted how important the SCI is in triggering the developers to submit a statement about how they had involved the public in discussions at the early stages of an emerging scheme with their eventual proposals. This confirms the linkage between pre-apps and SCI application and their potential mentioned here (section 3.3iii).

Community respondent (9c) opined that: “we have to have these documents otherwise we can’t go back to refer to any plan or direction we are trying to achieve, if that direction isn’t right, then we can challenge, it is essential to have as a foundation to work from. I think it is a good thing to have, its wordy but cannot see alternatives. It’s not an easy document to use”. This again highlights the need to make SCIs accessible to community groups to feed into the direction outlined by the council and hold local development to account where it diverges. This thinking was outlined by community respondent (3c) that there “needs to be a committee that has a representative from each organisation to communicate amongst themselves and work out a way to engage with it...Have two-way communication and take that back to who they are representing...people just don’t know how to get involved with planning.” Here the SCI can be the baseline document co-produced by the LPA and community groups that can underpin such wider communication and understanding on local planning issues.

From the LPA perspective, respondent 9 recognised that “planning should be part of community involvement. I don’t think that us planners have been the best at asking their community for their views in the past – the SCIs help with that – maybe we wouldn’t be doing it as stringently as we are doing because of the SCI.” This LPA respondent also observed that elected members can be guilty of saying “can’t we just get this through” (in relation to a policy document) and the officer recognised that having the SCI was useful to direct members to the necessary processes involved with community engagement. The interviewee did also stress that in their view “no matter what level of engagement; it is never good enough”. This was recognised by community respondent 10c that “an awful lot depends on the underlying ethos of the LPA. If they take the view that we have to prepare this because it is a statutory requirement then very little impact occurs, however, if they take view that consultation and community is an important part of the planning process then it is different.” Overall these

comments indicate an opportunity to think about how the SCI (both the process and the product / tool) can play a role in acculturate LPAs and communities to engage with planning constructively - and from an early stage.

*iv. Wider engagement strategies*

When asked about Council-wide SCIs it was recognised that it is challenging for communities to understand the different departments of the council. Furthermore, there is an awareness of “an awful lot of consultation fatigue” (Respondent 9). This highlights how any consideration of community involvement in planning needs to be mindful of other activity and calls and how these can erode both faith and willingness to participate in planning. A Council-wide approach to community engagement is considered to respond to this issue.

During planning consultations, many factors arise, often not planning related. If there was a holistic approach to consultations, then there is likely to be a more nuanced response to the community comments and concerns raised and better feedback and triaging of issues. Otherwise, planners can be guilty of simply saying “that’s not a planning related matter” to community members who then disengage if their views are discounted instead of channelled.

It was considered by some that, not only the local authority but other bodies would be useful to have involved in shaping a local approach, not just for an SCI, but to attempt to coincide projects and timelines in tandem. An example presented was Public Health and infrastructure delivery and how this could correlate with considerations of new development (Respondent 8); and, moreover, how expert community engagement professionals could be drawn in from other public and third sector bodies as part of task and finish groups.

*v. Monitoring*

It was apparent that the way the SCI itself was monitored was very limited, with the consultation statements submitted with policy documents effectively being where any such monitoring takes place. Although some found it useful that they are to be refreshed every 5 years; “the previous one sat on shelf for a long time. Now we refresh it and rethink things” (Respondent 3). One respondent reflected on there not being a need for them to review their SCI since 2007 as the Local Plan Inspector was happy with what they had done to demonstrate community involvement and recommended the Local Plan be found sound subject to main modifications. This seems a rather complacent view and indeed that LPA will be looking to formally update the SCI in the next few years prior to the review of the Local Plan (Respondent 9).

An LPA interviewee recalled motives for the more recent Covid-19 review of the SCI:

*“this is one of the reasons we reviewed our SCI last year in the current landscape – because if we went out to consultation on our plan, we wouldn’t have met our requirements and be able to feasibly deliver (face to face public consultation engagements), we reviewed the SCI so that we weren’t subject to challenge. We couldn’t open up public halls, so we felt we needed to review that SCI and be clear to the public. Our team structure has changed a lot since the previous SCI and last year’s review” (Respondent 10).*

Although the amendments to SCIs for Covid-19 do not represent a significant review of the documents but rather a response to maintaining legal obligations by the LPA, often only adding a page about the need to temporarily move to a digital-only engagement approach.

Furthermore, in terms of review it was felt that “the SCI should not be a template used across the country; it needs to represent the place. There is currently no indication that it [the local SCI] is operating in a city that has a diverse set of communities.” The desk-based review also highlights that, as currently designed, SCIs follow a generic structure of outlining (repeating) the statutory purpose and rights presented in national legislation rather than developing more locally specific approaches to respond to their communities.

### *3.5 Lessons and Reflections*

#### *i. Accountability*

A general view taken from the work expressed in the preceding sections is that of a very limited supporting culture in many places; and, even where wider innovation was detected, there was an underlying reluctance to be innovative within the SCI itself. This was highlighted by numerous community representatives that felt the SCI and the consultations associated with it could be a tick box exercise as opposed to used for facilitating meaningful engagement.

Here one of the main concerns for LPAs was over-promising more than they could deliver through their SCI, which largely took the form of expectation management and a focus on resources. Respondent 1 highlighted the balance “to be ambitious but don’t promise things you cannot over deliver...It is important that you can say things in the document but need to be sure that you have the resources deliver”. This was also emphasised in the need for SCIs to be “written in a way that’s reasonably flexible, that doesn’t overly commit us, or unreasonably commit us to certain things. I think we’ve been careful not to fall into that trap of maybe raising an expectation that we couldn’t possibly meet” (Respondent 2). This point was echoed that: “Once you put into a document that you are going to do a thing, you are required to do it” (Respondent 3). It was acknowledged this is problematic given that “in terms of the expectations, people do feel let down when they express their views and we haven’t followed their wishes and not listened...Some people may not come back to us and not bother again” (Respondent 6). Respondent 8 also highlights the desire to not make the SCI too prescriptive, but that means that nothing is committed to: “The SCI is everything and nothing. It says what you could do but doesn’t prescriptively say we will do that, otherwise we wouldn’t have any flexibility. We didn’t want to set a rigid process to follow. We need the flexibility to respond according to local issues or political drive...If we are too specific and can’t achieve it then it is going to be a challenge. That is the reason why the SCI is high level”. Such ability to flex is of course largely of benefit to the LPA.

Beyond the issue of raising expectations and resourcing, others were cautious of going beyond statutory requirements because “incorporating local innovations could significantly impact on the speed and cost of plan-making. The view [in that LPA] was that this was to be avoided.” (Respondent 5). The challenge of staff time and training was also raised as a barrier to innovation: “If you had someone sat in the planning team and their job was to work with the community groups, a community engagement officer, and build upon the principles in the SCI

that would be best...but the biggest challenges are resources, time, and skills...having the right people with that experience of running those events and having particular community engagement specialists'. Secondly, issues of training "making sure that planners have got the most up to date training on being able to think of these innovative approaches" (Respondent 8). It is clear that having the right training and resources to deliver is linked to the LPA concern of raising expectations and then undermining public trust if these cannot be delivered on. Taken together the situation conspires to reward limited ambition and vague definition.

The converse problem of not trying to innovate was highlighted by Respondent 1, showing awareness of the deficit existing: "Trust and openness and transparency in the planning system is fundamental. If you don't get that right – people aren't going to engage unless they see the system as open and democratic." Without these, community involvement can become a superficial exercise that ironically make the existing relationships worse between councils and representatives.

Community respondent 10c stated that they had made extensive comments on the LPA core strategy and development plan, but that not much notice was taken of their representations. This led them to feel that: "We are wasting our time. The chair and myself have a planning background, long retired and long in the tooth town planners, broadly based we know what we are talking about. We make considered comments but don't expect to achieve something every time, but it would be nice if we did once in a while." This highlights the inability of even those with the appropriate knowledges/skills to influence LPAs or receive feedback.

When asked what helps facilitate the way they make representations to the council, the community interviewees all referred to certain processes related to making comments on planning applications, some on planning policy, some focusing on heritage and conservation. However, none referred to the SCI as helping facilitate this, rather most described the relationships with planning officers as most important in the current system. However, one reflected that this can be a challenge due to the high turnover of staff in local government and that there are no Memorandum of Understandings with the Council that structure the relationships - it obviously had not occurred to this interviewee that the SCI is in effect just that, and may indicate its ineffectiveness.

Two community respondents stated that they did not tend to make representations on planning policy due to not having the skills, with one stating that "we have avoided much feedback on big consultations because it is out of our expertise... heavy planning policy, we are focused on historic fabric and the way conservation areas operate" (Respondent 3c). This was echoed by another respondent that: "the questions you get asked are not necessarily things you want to respond to. We find it hard to respond to policy type questionnaires. We have various points we want to make" (Respondent 5c). This raises issues around method and scope of processes that flow from SCIs and indicate again potential to co-produce not only the SCI but survey tools and other mechanisms.

Indeed, one planning authority respondent regarded the SCI as a dry statutory document and considered that an 'engagement strategy' would be more appropriate that features considering ways to "talk to people about how they would like to be engaged...How do we educate people about what the profession is about and trying to do?" (Respondent 3). Many LPA

representatives referred to the challenges of engaging those who are “seldom heard” or labelled hard to reach, “identifying the people first and getting them to attend events. Meaningful engagement and focused”; adding that “we as planners need to make sure why we are doing the consultation and how to get information across in an understandable way and get them engaged and meaningful to them” (Respondent 3). It was acknowledged that there “could probably be a bit more encouraging of new forms of engagement” (Respondent 2); but with some arguing that “we are constrained by how the planning system works because it is very top down and it constrains how we consult” (Respondent 4). The upshot is that this is perhaps indicative of a broader latent acceptance for culture change within LPA planners to improve on existing involvement practices.

### *ii. Best Practice*

On considering ‘best practice’, some representatives of the civic society groups interviewed have regular meetings with senior officers at the Council. One described having ‘off the record’ discussions to understand the political and non-political contextual pressures that the council are responding to. This was considered as “helpful for us to present our concerns and how best to take them forward into the political arena” (Respondent 1c). Another described having a “direct line there” but that they were “not sure if we have much influence there’ and they did not feel they were particularly listened to: “Maybe a bit of a box-ticking exercise, rather than shaping the plans” (Respondent 3c). Another group meets with the head of planning and others such as the highways team, where the civic society produce the agenda and ask a range of questions (Respondent 5c), they also follow what is going on by observing the agendas for planning committees. For some, the civic society groups had local councillors or links with the council in other ways that made it easier to communicate.

One local authority interviewee said that “Our communications team consolidate all the consultation information collected online. They form a plan over time and they compile all of the responses for us and then we publish them in our consultation reports. That’s why we get value out of it and then we transpose all those comments into a table” (Respondent 10). This supports a joined-up approach across the council towards public input.

Whilst these are positive practices they remain informal and dependent on inter-personal relationships. The input management point should be a standard approach, but it does not address fundamental issues with how input has been enabled. We should also remember that the sample is largely one that is skewed towards LPAs that show some inclination towards positive participation - and the views of the community interviews are derived from some of the most active members of the public.

### *iii. Reform*

Respondent 9 was cautiously optimistic about the potential of SCIs, but noted they need to be considered as part of the wider planning reforms:

*“I do think that the SCI has got a role to a point but I do think it needs to be thought through ... because if we go to zoning in the new system... You cannot ask the community to be involved to an extent and then the builder perhaps hasn’t built to the right specification according to what the community stated and have permitted*

*development rights and change it all over again anyway. Then the community can go ‘what’s the point of me being involved?’... That is a real concern because will put people off the planning system and we will get blamed for more than what we currently do.”*

This was echoed by others, for example, respondent 8 said:

*“what I would say to those working on the reforms is to make sure that community engagement isn’t just included as a nice thing put in to appease the public. There has to be considerable thought put in to make it effective. Don’t set a restrictive timescale that means that it is going to make innovative engagement difficult. To make sure that there is clear guidance about what is good practice and useful to see going forward, whilst still allowing councils to have that flexibility. Something that might work in one area, won’t in others.”*

Respondent 6 also stated that “In terms of a more hands on approach – more guidance and toolkits and work with communities on a more informal basis would be helpful. If there is going to be more frontloading, there could be more info on that basis. There could be more investment in the online systems”.

Overall these points indicate concerns over how community engagement will actually feature in a frontloaded planning system if time/speed are prioritised and little additional attention or guidance is provided for such activities. However most saw how the SCI could provide the framework for all parties.

## 4. Conclusion and Recommendations

Overall the research has confirmed that SCIs are an existing tool to frame participation in planning and the underlying idea of a frame of reference for all parties involved is sound. Yet SCIs have not realised their potential and there are several reasons for this, which we discuss below. Before embarking on the conclusions and our full set of recommendations, we firstly *recommend that SCIs are kept in the planning system* but that there are significant issues to be addressed. Refreshed and reframed SCIs could be an important element in achieving the 2020 Planning White Paper aim for ‘*world-class civic engagement and proactive plan-making*’.

### 4.1 General reflection

Before presenting our recommendations, it is worth recounting that when we selected the cases to explore the actual practices surrounding SCIs the majority were chosen because they displayed at least some indication of going beyond the statutory requirements. This meant that our findings could possibly give a slightly more positive view of SCIs than a larger sample, or from a picture discerned from the desk study review alone. This gives us cause to think that how SCIs perform leaves much room for improvement, given that the review paints quite a gloomy view with just a few glimmers of progressive thinking.

Overall, the data confirms pre-existing suspicions that the SCI is currently an under-utilised and under-performing tool in the planning system, yet they have the potential to help address a number of wider issues around public engagement in planning, and to be retained as part of a set of wider tools and spaces (i.e. new frontloading steps, neighbourhood plans, pre-apps, etc) that assist in improving meaningful engagement in planning.

Early issues to be surfaced are ‘who the tool is actually for?’ and ‘what outcomes are likely?’. On reviewing over 160 SCIs, we were struck by how many of them read as though they were written to fulfil an obligation to central government (i.e. a legal requirement) rather than to actually enable meaningful dialogue with communities. In many instances it appeared that the primary audience for such documents appear to be the LPA as an internal document, as dictated by central government (and until more recently, approved by PINS), rather than communities themselves. Starkly there has been little or no community involvement in the production or use of such statements – leaving them largely unrecognised in practice.

In terms of existing practice, Civic Voice had highlighted issues with SCIs prior to this research, but had also praised some, for example, Middlesbrough, which ‘sets out a good plain English leaflet to explain what the SCI actually means and does’<sup>15</sup>. Yet overall, there is a commitment issue - almost all local authorities say they ‘may do’ things, rather than commit to actually do them i.e. there are few guarantees to which a member of the public could hold the LPA to account for through the SCI (particularly in relation to frontloading of plan making). There were notable exceptions where efforts to improve SCIs have been brokered. In the Bristol case edits were made to the wording of the SCI, responding to the PINS report in 2006, in order to emphasise the extent to which developers are expected to engage – in that case strengthening

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<sup>15</sup> Civic Voice – personal communication to the research team.



from ‘recommending’ developers to apply the methods of community involvement set out, they should be ‘expected’ to do so<sup>16</sup>. These exceptions highlight that, even where clarity and commitment are bolstered, it has come through third party pressure.

We firstly present some quick fixes (x4) that can be immediately implemented to improve the accessibility and understanding of SCIs. This is followed by a summary of three core issues that set the scene for a further set of 12 recommendations (5+5+2) to improve the production and use of SCIs. Finally, we offer some reflections on how SCIs sit within the wider planning context.

#### 4.2 Some quick fixes

We clearly see an opportunity to review and refine the approach taken towards SCIs and the basis for engagement between LPAs and partners. Moreover, we think that refreshed SCIs should form part of ongoing planning reforms. Notwithstanding bigger changes in approach (as set out below), there are also some very straightforward actions that would be useful quick fixes.

We have identified four very straightforward stop-gap changes that local authorities can make:

- Clean up the SCI versions available online to ensure that only the most up to date applicable version of the SCI is open to view by the community on the LPA website (a version control and web maintenance issue).
- Keep the SCI document(s) clearly located and labelled on the website (accessibility) and ensure they are widely promoted (visibility).
- Ensure that the substance of the SCI is clear and upfront and relegate basic statutory responsibilities to clearly cross-referenced annexes (readability for a diverse audience).
- Prepare SCIs well in advance of local plan preparation (to raise awareness of opportunities and system design) - i.e. disconnect the SCI from any particular aspect or stage of planning so they can be developed and reviewed well in advance of a local plan cycle starting.

Such relatively simple alterations are clearly not enough to address the deeper issues that have already emerged through the research. The overall approach that we are formulating requires a wider culture shift for LPAs to view communities as a useful local ‘resource’ that can assist with effective plan and decision-making. In a frontloaded system, this needs to happen from the very earliest stage and cannot be achieved by local authorities alone. In order to shape such a culture shift and improve accountability, the principles or terms for engagement in planning locally need boosting and at least some of the below are directed towards central government (and where this is so we have indicated).

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<sup>16</sup> Bristol City Council SCI examination – Inspector’s report (2006) written by Terrence Kemmann-Lane.

### 4.3 Deeper Issues and Recommendations

SCIs can be considered an under-developed and under-utilised tool in the planning system, but one which could foster significant improvements given an appropriate basis, commitment and resourcing. Indeed, we argue they can be a significant part of a system-wide approach to engagement in a reformed system and will be important if enhanced frontloading is pursued<sup>17</sup>.

#### *i. Principles and Accountability*

The approaches to producing SCIs, and the principles underlying them, tended to be pretty limited. A culture of ‘sticking with the crowd’ to create an SCI that mirrors other LPAs emerged from the interviews, as did an apparent lack of expertise in engagement. Innovation was a rarity, and even in such instances respondents were auto-critical saying their efforts were modest, and with some acknowledgement of a need for improvement. The degree of input from communities was low in most of the cases. Some community respondents had not even realised that the document existed, despite typically having been active with the LPA over planning matters. Views about how to amend the process and content highlighted how input from communities needed to be improved and the co-production model seems to us one that should be tested in this space. If effective this could obviate any need for formal examination, or a light touch approach could be applied instead (as mentioned in section 3.4).

LPAs appear to be cautious about making promises they cannot keep, and in many cases SCI undertakings are deliberately vague. The nature of these documents is such that numerous qualifications or other caveats appear (see Annex 2 and 3 examples which indicate a range of principles). Some might be regarded quite positively as they try and be quite specific, although others much less so. This is often about not wanting to over promise and under deliver. This ‘SCI conservatism’ appears to be shaped by conditions of resource limits as well as longer run planning culture. Best practice seems quite limited, and any *reform agenda* needs to consider how people will engage and to adequately resource such engagement through a range of participatory media and tools which are beyond the scope here<sup>18</sup> (and the possibility of co-producing such tools and mechanisms used to consult communities seems to merit attention).

Very few if any local authorities have an SCI where communities can really hold the LPA to account, and all fall short of SMART principles needed for effective review and monitoring. What is clear from the existing landscape of SCIs is a tranche of largely procedural-based documents that lack innovation (in the sense of going beyond basic statutory requirements).

We have prepared a series of points for action around SCI design, production and use and there are four initial issues that may be essentialised down to questions of: *principles*, *specificity*, and *review*:

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<sup>17</sup> Parker, G., Dobson, M. and Lynn, T. (2021) *Community involvement opportunities for the reformed planning system*. Report, June 2021. University of Reading.

<sup>18</sup> For example proper facilitation and use of deliberative mechanisms such as citizen juries. See, for example; <https://www.involve.org.uk/resources/knowledge-base/what/deliberative-public-engagement>

1. In our view it is necessary that LPAs have an upfront document, such as an SCI, so that there is a framework applicable and set up at the start of the planning process, from which everything else then follows (i.e. to bookend the process). Then the actions and outcomes can be judged against the principles set out at the start. This emphasises the need for some form of SMART principles that can be agreed and actioned by the local authority and community. These are preferable to looser (albeit well-intentioned) statements and aspirations that are hard to pin down. While we consider it important that there are *principles* and clear responsibilities set out in SCIs to improve them - how this is done requires careful consideration - and a co-production approach merits further consideration. A further focussed piece of work commissioned by national government is needed on this in our view.
2. While more work on how these could be crafted is needed, our instinct is that these could be co-produced between the local authority and the community – a willing local authority might pilot such an approach. Thus, we argue that ‘consultation’ on the production of the SCI should be a requirement for LPAs. Central government may need to take a lead in promoting or requiring this.
3. We also think there may be merit in a *two part SCI*; keeping a principle-based document ‘part 1’ of the SCI in place - which is a more enduring statement and gains greater visibility and accountability (and see council-wide recommendations below); and a follow-on operational-based document ‘part 2’ that in the case of policy, expresses the approach for that cycle of plan-making (with basic statutory duties kept within clearly marked annexes to part 2). This approach has merit as the agreed principles can remain intact and clear (ideally through co-production) – possibly authority-wide too. While the process and ‘offer’ that the LPA then undertakes can be reviewed and indeed more positively co-designed with key actors for the Plan-making stages. This could act to generate ownership and increase interest in the process overall. This would require a policy tweak by central government.
4. *More effective monitoring and review* of involvement seems appropriate - only a few SCIs indicated explicitly that this has formed a part of their strategy. The LPA’s Annual Monitoring Report (AMR) could be the place for ongoing monitoring, reflection and accountability to be set out to help ‘close the feedback loop’ with communities and make improvements iteratively. This type of requirement may need to be addressed through central government policy elaboration.
5. The SCI should be *locally specific* to an area and should not just repeat the national statutory (minimum) requirements and outline procedures. Again, the ability to craft this with local people appears desirable and possibly where the two-part SCI idea (above) could also work well.

## ii. Council-wide SCIs

The desk and case study data shows us that there is a mixed picture in terms of the perceived value of SCI documents within LPAs by planners in actually engaging their communities. What is striking is how the SCIs appeared to a large extent detached from the LPAs wider engagement activities in a number of places, undermining the purpose of having a structuring document for such activities (within or beyond planning). This was highlighted by, in some cases, the absence of community representative knowledge of the existence of the SCI and confusion over their purpose and of its use in practice. It also highlights why innovation and review/monitoring appears low given the actual implementation of SCIs in guiding local approaches. The overall picture is one where both LPAs and community groups acknowledge that SCIs *could* be useful for improving engagement, but not in their existing state and where the importance attached to SCIs is currently low.

This led us to five recommendations in this area:

1. We suspect that good practice currently occurs because individual officers see the bigger picture and act, rather than wider corporate culture that makes such linkages possible. There are many 'consultations' going on at any one time within a local authority (e.g. highways improvements, parks & landscape changes, etc) so it makes sense that they all follow the same principles and expectations, as below, through compiling a *council-wide SCI* (i.e. a 'part one' document as explained above).
2. We should also be aware that the majority of lay people will not understand the difference between council functions, and therefore the organisational and functional boundaries between land-use planning departments and other departments within local authorities. Therefore it may be best to emphasis the SCI as a joined-up 'council-wide' document (despite its origin in statutory planning policy) to ensure that such principles cut across the authority.
3. *Timing* of the SCI production is important and disconnecting the production of the SCI from the Local Plan and perceiving it as a stand-alone document. This is due to it being too late at the beginning of the process to have an influence on the front-loading of engagement. Central government may need to require that SCIs are prepared well in advance of any local plan process.
4. Some respondents referred to the successful relationships with other departments within the Council to support good quality engagement. One respondent referred to seeking advice of a communities team on those considered harder to reach, and another stated that the communications team were a crucial support in carrying out digital engagement, particularly on social media. Better liaison and cooperation across local authorities is needed.
5. Regardless of the above, there is a need for a specific role within LPA planning teams for a community engagement officer that coordinates participation and communication within local authorities and community networks (for example to help reach those who are seldom heard).

### *iii. Culture change*

The final aspect concerns the attitudes and culture that support the production and use of SCIs. When reflecting on SCIs it was apparent, even though the desk study work, that visibility and knowledge of SCIs was low in the population (despite the respondents being active participants within the local area and/or planning). We saw that in some instances a culture that sustains basic process-driven approach dominates - and any document such as an SCI needs a positive culture to sustain it and vice versa - the content of the SCI should animate the culture. In at least one case it was also stressed that local leadership was necessary to assert such a culture – alongside more accountability to local populations.

It is clear that the majority of SCIs and their use reflect a culture that combines resource limits with a diminished view of what community engagement provides. Overall, the findings from the study indicate a fairly moribund tool that could be refreshed and repurposed to work in a context where digital tools are more widely used, where frontloading is invigorated and mirroring the increasing interest in public service co-production. We consider that SCIs should not be abandoned, rather we see a need to ensure that they are produced in partnership, owned jointly, are both visible and accessible and are routinely referenced. The content also needs to provide the means for the wider community to ensure that the local authority is accountable in how they plan and what they plan for.

And so, in terms of culture change we recommend the following 2 elements:

1. The idea of facilitating a wider *culture shift* recognising communities as a useful local resource appears necessary. Many LPAs do not consult on the SCI to ask communities how they would like to be engaged in the process and what methods work - and instead replicate the comment on the draft approach that pervades the wider local plan system. The prevailing culture requires no formal feedback on how inputs have been used or drive to go beyond the requirements. Thus, a clear feedback loop is needed.
2. Responsibility for such culture change transformation rests with all stakeholders, but central government must set up a wider framework in which participation is articulated at the local level. LPAs must use their own innovation to produce a locally specific approach to engagement; and civic and community groups must educate themselves (and have support to do this) on the tools within the system in order to make effective use of their rights and raise wider awareness of the importance of good planning.

### *4.4 Final thoughts*

SCIs can become a far more useful and important tool in a future planning system. They can set out principles for more deliberative engagement in a frontloaded system that responds to the need to increase diversity in planning (meet the requirements of the Equalities Act 2010), as well as enable the aspirations outlined in the 2020 PWP. This work supports our conclusions

made elsewhere<sup>19</sup> that a system-wide approach to participation is required and that this needs to be supported by a culture change in planning offices that values participation, pursues community learning and is open to informed influence. Indeed, currently the NPPF makes no explicit mention of SCIs and government expectations for engagement remain vague, despite sustained claims to improve public access and transparency in planning. The current reform agenda set out in the 2020 PWP provides a clear opportunity to address such issues and improve community engagement across the system, with SCIs becoming an important hook to anchor meaningful participation.

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<sup>19</sup> Parker, G., Dobson, M. and Lynn, T. (2021) *Community involvement opportunities for the reformed planning system*. Report, June 2021. University of Reading.

## Annex 1: National Consultation principles

There are eleven principles and we have attempted to distil these into key words: *Clear, Purpose, Informed, Approach and Tools, Timely, Diverse, Inclusive, Agreed, Transparent, Feedback, Timing*

These are to be applied when government undertakes consultation – we think that as a minimum such model principles should be refined and applied to local government. Ultimately to provide consistency and legibility for local governed more widely and specifically our focus here on SCIs.

Derived from ‘Consultation Principles 2018’ (issued by UK government) see

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/691383/Consultation\\_Principles\\_1\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691383/Consultation_Principles_1_.pdf)

A. **Consultations should be clear and concise.** Use plain English and avoid acronyms. Be clear what questions you are asking and limit the number of questions to those that are necessary. Make them easy to understand and easy to answer. Avoid lengthy documents when possible and consider merging those on related topics. **CLARITY**

B. **Consultations should have a purpose.** Do not consult for the sake of it. Ask departmental lawyers whether you have a legal duty to consult. Take consultation responses into account when taking policy forward. Consult about policies or implementation plans when the development of the policies or plans is at a formative stage. Do not ask questions about issues on which you already have a final view. **PURPOSIVE**

C. **Consultations should be informative.** Give enough information to ensure that those consulted understand the issues and can give informed responses. Include validated impact assessments of the costs and benefits of the options being considered when possible; this might be required where proposals have an impact on business or the voluntary sector. **INFORMED**

D. **Consultations are only part of a process of engagement.** Consider whether informal iterative consultation is appropriate, using new digital tools and open, collaborative approaches. Consultation is not just about formal documents and responses. It is an on-going process. **TOOLS / APPROACH**

E. **Consultations should last for a proportionate amount of time.** Judge the length of the consultation on the basis of legal advice and taking into account the nature and impact of the proposal. Consulting for too long will unnecessarily delay policy development. Consulting too quickly will not give enough time for consideration and will reduce the quality of responses. **TIME**

F. **Consultations should be targeted.** Consider the full range of people, business and voluntary bodies affected by the policy, and whether representative groups exist. Consider targeting specific groups if appropriate. Ensure they are aware of the consultation and can access it. Consider how to tailor consultation to the needs and preferences of particular groups,

such as older people, younger people or people with disabilities that may not respond to traditional consultation methods. **DIVERSITY**

**G. Consultations should take account of the groups being consulted.** Consult stakeholders in a way that suits them. Charities may need more time to respond than businesses, for example. When the consultation spans all or part of a holiday period, consider how this may affect consultation and take appropriate mitigating action, such as prior discussion with key interested parties or extension of the consultation deadline beyond the holiday period. **INCLUSIVE**

**H. Consultations should be agreed before publication.** Seek collective agreement before publishing a written consultation, particularly when consulting on new policy proposals. Consultations should be published on gov.uk. **AGREED**

**I. Consultation should facilitate scrutiny.** Publish any response on the same page on gov.uk as the original consultation, and ensure it is clear when the government has responded to the consultation. Explain the responses that have been received from consultees and how these have informed the policy. State how many responses have been received. **TRANSPARENCY**

**J. Government responses to consultations should be published in a timely fashion.** Publish responses within 12 weeks of the consultation or provide an explanation why this is not possible. Where consultation concerns a statutory instrument publish responses before or at the same time as the instrument is laid, except in very exceptional circumstances (and even then publish responses as soon as possible). Allow appropriate time between closing the consultation and implementing policy or legislation. **FEEDBACK**

**K. Consultation exercises should not generally be launched during local or national election periods.** If exceptional circumstances make a consultation absolutely essential (for example, for safeguarding public health), departments should seek advice from the Propriety and Ethics team in the Cabinet Office. This document does not have legal force and is subject to statutory and other legal requirements. **TIMING**



## Annex 2: Case Study Pen Portraits

The eight cases are outlined here to provide an overview of those SCIs and key points arising through the research - condensed to one page each.

### A2-1 Bristol City Council

**Region:** South West

**Rural / Urban Classification:** Urban with City and Town

**SCI URL:**

<https://www.bristol.gov.uk/documents/20182/34540/Statement+of+community+involvement>

**SCI page count:** 19 (excl appendices)

**Date of most recent SCI:** 2015 (previous 2008)

**Early Engagement:**

Early Involvement “Arrangements should be made for the community involvement process to being and for all parties to meet at the early ‘ideas’ stage of the plan or development proposal process and to agree a proportionate community involvement process. This is before specific proposals are made, when significant options are still open and can be identified and while there is still the potential to make a difference to the final option selected” (p2).

**Principles for Engagement:**

1. Inclusive invitation
2. Authorisation
3. Continuity
4. Independent advice
5. Early involvement
6. Presenting options
7. Choosing between options
8. Consensus
9. Transparent records
10. Feedback on the outcome of community involvement

In reference to the principles, the SCI states that “organisers of and participants in community involvement are expected to adopt and make reasonable endeavours to implement the ground rules. Failure to do so is likely to limit the validity and credibility of the involvement undertaken” (p1). Furthermore, these ground rules were established in a post-hearing submission by the Council and the participants via the PINs hearing on the SCI. The ground rules were produced after the initial SCI was found to be unsound.

**Beyond statutory requirements:**

- Bristol Neighbourhood Planning Network.
- SCI lays out statutory duties and clearly states “in addition” for other aspects of consultation. This includes email database, making questionnaires available on and offline, hold meetings, discussion events and exhibitions; issues press releases, and considers the use of the Citizens’ Panel and other online involvement methods.
- The Inspectors report on the soundness of the initial SCI for Bristol shows that only did it formulate a way of including ground rules for which community engagement could be tested against, it also suggested alternative phrasing to ensure that it is in plain English but also to change some of the wording to emphasise the extent to which developers are expected to engage – strengthening from “‘recommending’ developers to apply the methods of community involvement set out, they should be ‘expected’ to do so” (Inspectors report, 2006, Terrence Kemmann-Lane).

**Key points from interviews:**

- The ground rules are considered to be an important foundation of the SCI.
- Political leadership considered influential in the way the “tone” is set for engagement. Having a central consultation service in the Council has had an influence on the consistency of how engagement is carried out across activities and services. The LPA respondent said that “the members of the network would like to be engaged in the way they are about planning on some of the other issues too,” implying that they are more satisfied with the processes of consultation in planning than in other matters.
- The citizen’s panel referred to in the SCI is different to that of the Bristol Neighbourhood Planning Network. The latter is in regular engagement with the planning department, via pre-application and planning application comments, planning policy consultations, and quarterly meetings with senior members of the Council. A citizen panel is considered appropriate to engage on more generic planning matters but is largely not utilised for planning consultations.
- The SCI is seen as having a positive impact on the extent and quality of local engagement in Bristol “because when the developers come to Bristol they know they have to engage with us from an early stage” but there are questions about the extent to which community engagement has an impact or changes upcoming developments.

## A2-2 Oxford City Council

**Region:** South East

**Rural / Urban Classification:** Urban with City and Town

**SCI URL:**

<https://www.oxford.gov.uk/downloads/file/1474/state-ment-of-community-involvement>

**SCI page count:** 23 (excl appendices)

**Date of most recent SCI:** 2015 (2020 - COVID-19 edition)

**Early Engagement:**

This is referenced throughout the SCI. “The SCI has also been informed by consultation and reviewing customer feedback. Two of the key themes arising from previous feedback are that people want to be involved at an early enough stage when decisions and proposals can still be truly influenced, and also to be kept informed of progress and for us to set out clearly how consultation has influenced decisions” (p7).

**Principles for Engagement:** In addition to the general principles for engagement held by the City Council, Oxford City Council have identified four key principles for effective engagement in planning processes:

1. *Timely and sustained* – events and activities should start before any planning decisions are made and engagement should last throughout the planning process and beyond;
2. *Inclusive for all local people* – those living and working in an area have a right to be involved, all parties are welcome, and process must take account of peoples’ varied needs;
3. *Two way, open and responsive* – communication should be discursive not prescriptive, so that information can be debated and ideas exchanged; and
4. *A matter of public record* – the processes must be documented and published.

Established by an independent review of the planning processes of a controversial application.

See Roger Dudman Way Review:

<https://mycouncil.oxford.gov.uk/documents/s16562/RDW%20INDEPENDENT%20REVIEW%20FINAL%20REPORT%20140107%2017th%20Jan.pdf>

**Beyond statutory requirements:**

Based on the principles, Oxford City Council’s SCI seeks to ensure the planning service provides:

- “The opportunity to contribute ideas;
- The opportunity to shape proposals and options;
- The opportunity to make comments on formal proposals; The opportunity to receive feedback and be informed about progress and outcomes (p7).

**Key points from interviews:**

- The Oxford Strategic Partnership (OSP) was highlighted as “working with key partners in the city to bring about change.” The citizens panel, which comprises of c140 people provided feedback on consultation for the purposes of the SCI.
- Reflections were made about utilising other teams (i.e. community support) and their skills and expertise to “reach the hard to reach.” Reflection on other teams, such as regeneration, finding the SCI as a useful reference as to how to approach consultation. Furthermore, it is used by developers and their agents as guidance for consultation on major development schemes.
- The need for awareness over the use of digital means, particularly social media, and “being careful” what is said, in case of any judicial reviews.
- An example of good practice was provided in terms of seeking early engagement, namely issue papers that set the scene for a particular thematic issue, these are Covid-19, the climate emergency, overcoming inequalities, neighbourhoods, natural environment, and other influencers. Alongside the contextual information provided, there are open ended qualitative questions and prompts for respondents to reflect upon and feed into priorities and the vision of the Local Plan. See:

<https://consultation.oxford.gov.uk/planning-services/local-plan-2040-issues-paper-consultation/>

## A2-3 Selby District Council

**Region:** Yorkshire and the Humber

**Rural / Urban Classification:** Mainly Rural (rural including hub towns >=80%)

**SCI URL:** <https://www.selby.gov.uk/statement-community-involvement-sci>

**SCI page count:** 39 (excl appendices)

**Date of most recent SCI:** 2020 (previous 2007)

### **Early Engagement:**

The SCI (on p5) highlights legal requirements and refers to encouraging early engagement and front-loading in Local Plan making. There is also a section in the SCI that is titled “encouraging early involvement with neighbours for small scale proposals” (p28).

### **Principles for Engagement:**

The SCI has been updated to reflect the Council priorities (as identified in the Council’s Corporate Plan 2020-2030). “The Plan sets out the Council’s approach to delivering our ambitions:

- we will work collaboratively with others – recognising we are not experts in everything, we will use the best expertise, resources and skills across our partners and communities;

- we continue to be close to our communities – involving more people in decisions about their area and their services;

- we will put the customer at the heart of service delivery – supporting residents to be more self-sufficient and maximising use of digital technology in service delivery; and

- we will support the wellbeing of our residents – considering how our decisions impact on healthy life choices and the environment.

The principles of: “collaboration; community-focused; customer-centred; and wellbeing will be **formally considered and tested** as part of our decision-making in delivering the Council Plan.”

### **Beyond statutory requirements:**

- Involvement of community organisations: “We believe that everyone should have the opportunity to be actively involved in decisions which affect them and their community. Voluntary and Community groups are encouraged to be involved in planning matters and can represent their members” (p7).
- Consideration of the ‘hard to reach’: “We are aware that some people may be considered ‘hard to reach’. We also understand that particular groups may have specific areas of interest or a limited capacity for involvement. Every opportunity will be taken to add to our knowledge of hard to reach groups, identify issues and policies that are likely to be of particular concern. Documents and information will be made available in alternative formats upon request (see paragraph 1.19)” (p12).
- Clear methods of monitoring and reviewing the SCI, including the SCI being assessed against: “the number of individuals / groups participating in consultations (including those identified as “hard to reach”) and assessing which consultation techniques generate the most effective responses and whether any participants suggest any improvements to consultation” (p13-4)

### **Key points from interviews:**

- The SCI was produced by a working group that consisted of a new team member and local students. They researched aspects of SCI’s, participation in the planning system and methods of engagement.
- They utilise a table of methods of communication with the public to demonstrate how wide and deep consultations could be.
- They recognised during the consultation of the SCI that the general public “didn’t understand what it is and its purpose.”
- They carried out a 6-month review to see how the new SCI was functioning. They have found the electronic systems to enable greater inclusivity for disabilities and translation from English to other languages.
- A previous SCI used to have a requirement to do site notices and neighbour letters – the new version states that they will do the site notices, to reduce costs, paper and time. Members have stated that they want to see the letters return and they are currently reviewing whether to reintroduce them again.

## A2-4 Sunderland City Council

**Region:** North East

**Rural / Urban Classification:** Urban with Major Conurbation

**SCI URL:**

<https://www.sunderland.gov.uk/media/22415/SCI-June-2020/pdf/SCI - June 2020.pdf?m=637279224777130000>

**SCI page count:** 20 (excl appendices)

**Date of most recent SCI:** 2020 (previous 2015)

**Early Engagement:** “The local planning authority recognise the importance of early community engagement and how much of a key role it can have in informing development and the benefits it can bring to a neighbourhood and the city” (p15).

**Principles for Engagement:**

“It is important that everyone is given the opportunity to get involved in planning decisions, including where we provide the homes we will need, how we will create new job opportunities, how we will get around, and the quality of our environment. We will aim to make the planning process more accessible to everyone within the community, including those who traditionally have not engaged or may have felt excluded from planning decisions. We will use the following principles of engagement:

- We will continue to adhere to legislative requirements, including relevant acts and regulations, in all planning matters.
- We will reach out to our communities in the most direct and least resource-intensive manner possible, so that we can deliver simple and cost-effective mechanisms for engagement in planning matters.
- We use digital technology to make it easy for you to view information and get involved. However, the council also recognise that many people also like to have access to hard copies and therefore the council will try to strike the right balance between both approaches when undertaking consultation.
- Where required, the council can also provide documents in a range of other formats such as large print or audio PDFs upon request” (p5).

**Beyond statutory requirements:**

- Clear and visually interesting SCI
- Page 7 clearly illustrates the key methods of engagement, including online written methods, written methods (letters/press notices), Social media and face to face.
- Page 10 provides a table with the plan making stage and what tools are likely to be used.
- Page 17 shows how the LPA will notify the community about planning applications and is transparent about what are statutory requirements.
- *Online methods of engagement are beyond statutory requirements.* This involves using online comments forms, social media, including Facebook, Twitter and Instagram.

**Key points from interviews:**

- Across the North East most are seemingly at a similar stage of updating their SCI’s. They reviewed processes, mostly by looking at other major cities and what they are doing to carry out consultations and design their SCI’s.
- They have experience with utilising different digital means to carry out consultations, using Teams and online workshops, online system on website and social media engagement. The communications department at the Council work collaboratively with the planning department to produce a timetable of posts, and vet them to ensure that they are in plain English. If there are emotive discussions the planners are alerted, also as a council they don’t respond directly to the comments. Upon the end of the consultation period, the communications team will consolidate all the comments into reports.
- They have created their own database to manage the responses to consultations, moving away from a previous software package because it wasn’t cost effective and was a resource intensive process to integrate all the comments (sometimes reaching c30,000 comments).
- They recognise that when engaging on social media they are able to do so in plain English, however when they have to respond to formal legislative tests, they say “it complicates things when we have to use certain terminology... it confuses people.”

## A2-5 Liverpool City Council

**Region:** North West

**Rural / Urban Classification:** Urban with Major Conurbation

**SCI URL:** <https://liverpool.gov.uk/media/9324/sci-and-addendum-july2013.pdf>

**SCI word count :** 23 (+11 page addendum 2015)

**Date of most recent SCI:** 2013 (2015 addendum with info on who will be consulted with and when (previous 2007)

### **Early Engagement:**

Mentioned as one of the principles of community involvement.

### **Principles for Engagement:**

“The following principles of community involvement underpin the City Council’s approach:

- Community involvement that is appropriate to the level of planning
- Front loading involvement, i.e. early consultation
- The methods used to encourage involvement should be relevant to the community’s experience and the policies under preparation
- opportunities for continuing involvement
- Transparency and accessibility” (p3).

### **Beyond statutory requirements:**

Highlights interest groups who may face barriers to engagement, ‘hard to reach’ groups. Specific types of consultation methods have been considered for the following groups:

- Black and Minority Ethnic Groups
- Young People
- The elderly
- Transient populations: New residents, commuters and students, Gypsies and Travellers
- People with disabilities
- Lone parents (male or female) (p3).

SCI states clearly at what point the community will be consulted with.

SCI states what will happen after a consultation event.

### **Key points from interviews:**

- An individual from the planning policy team drafted the latest SCI by looking at best practice and benchmarking against other SCI’s.
- The SCI is due for another update.
- The prime focus was to ensure that the SCI met legal and regulatory requirements.
- The SCI was not considered as going beyond statutory requirements due to concerns about resourcing and speed of plan making.
- There is a general lack of awareness of what an SCI purpose is and what it means to the public.

## A2-6 High Peak Borough Council

**Region:** East Midlands

**Rural / Urban Classification:** Largely Rural (rural including hub towns 50-79%)

**SCI URL:**

[https://www.highpeak.gov.uk/media/4047/High-Peak-SCI-adopted-February-2019/pdf/High\\_Peak\\_SCI\\_adopted\\_February\\_2019.pdf?m=1553776998070](https://www.highpeak.gov.uk/media/4047/High-Peak-SCI-adopted-February-2019/pdf/High_Peak_SCI_adopted_February_2019.pdf?m=1553776998070)

**SCI page count:** 41 (excl appendices)

**Date of most recent SCI:** 2019 (previous 2006)

**Early Engagement:**

“The intention is to focus community involvement at the outset of the plan preparation process, ensuring that residents and other interested parties have the opportunity to be involved at an early stage of the production of each document” (p3).

**Principles for Engagement:**

“The SCI objectives are as follows:

- To inform members of the public and all other interested parties in a clear fashion how they will be notified about our planning policy consultations and how they can give their views on planning applications;
- To ensure the process of making comments is as straightforward as possible both electronically and on paper;
- To plan consultation carefully to ensure that the opportunity is given for all interested parties to participate in the process, whilst at the same time making the most effective use of Council resources” (p3).

**Beyond statutory requirements:**

They facilitate ‘Community Conversations’. “These were employed as part of the initial stages of public consultation relating to new land use proposals. The “conversations” were facilitated by experienced practitioners and Interactive events took the form of “outreach” meetings held at community venues with local residents / community groups given support with undertaking map-based, interactive style planning exercises.”

Provides a section on equal opportunities in consultation.

Clear summary of consultation responses on SCI:

[https://www.highpeak.gov.uk/media/4048/SCI-Consultation-Statement/pdf/Consultation\\_Statement\\_for\\_the\\_State\\_ment\\_of\\_Community\\_Involvement\\_2019.pdf?m=1553777094277](https://www.highpeak.gov.uk/media/4048/SCI-Consultation-Statement/pdf/Consultation_Statement_for_the_State_ment_of_Community_Involvement_2019.pdf?m=1553777094277)

**Key points from interviews:**

- Response rates to consultation on the SCI was low (c9 people) in comparison to other planning documents, considered “not very exciting.”
- Making sure to engage as much as possible whilst also not making an onerous length of requirements that take a long time and high costs, was a major consideration in the production of the SCI.
- The process of consultation (internal) on the SCI was regarded by some as a technical planning exercise.
- ‘Community Conversations’ were seen as a “different tone to what you might expect... hosted in different venues, such as the local bowling club, to reach people in that way rather than present a set of proposals and options, we discuss issues in different areas.” Seen as a good way of going beyond the them and us scenario. They hired independent facilitators to mediate and get feedback they “might not have got.”
- There is an officer based at the council that is responsible for consultation and they are helpful in knowing how to reach those labelled as ‘harder to reach.’
- They highlighted concerns about managing expectations of the public who engage in planning consultations.

## A2-7 East Hertfordshire District Council

**Region:** East of England

**Rural / Urban Classification:** Urban with Significant Rural (rural including hub towns 26-49%)

**SCI URL:** <https://www.eastherts.gov.uk/planning-building/planning-policy/statement-community-involvement-sci>

**SCI page count:** 28 (excl appendices)

**Date of most recent SCI:** 2019 (previous 2013)

### **Early Engagement:**

Featured as one of the guiding principles

#### **Principles for Engagement:**

- “Consultation publications are clear and concise, making it obvious what is being proposed; how and when people can get involved; and with planning jargon used only where absolutely necessary;
- It is easy for groups and individuals with little or no knowledge of the planning process to get involved;
- Effective consultation is used as early as possible in the process;
- Appropriate consultation methods are used in order to maximise opportunity for community involvement, including those who are hard to reach or seldom heard, while making sure that these processes are proportionate, i.e. cost and time effective;
- We promote electronic methods of consultation, including email, website and social media, to make involvement easier, quicker and more cost effective;
- We inform people how their consultation responses will be taken into account; how they can view the Council’s response to issues they have raised; and also of opportunities to become further involved at any later stages;
- Planning decisions are carried out in a transparent way;
- Involvement will be open to all regardless of background and personal circumstance;
- We involve representatives of a cross-section of stakeholders, ensuring that different needs and a view of different sections or groups of the community are considered” (p5).

### **Beyond statutory requirements:**

- “Increase use of social media (such as Twitter, Facebook and Instagram), in accordance with corporate guidelines, as an important tool for publicising consultation and involving the wider community in planning discussions.
- Where appropriate, hold stakeholder meetings and workshops to inform evidence gathering and the plan development.
- Where appropriate, organise or support other consultation events, such as community based planning meetings. These events will be at accessible times and locations” (p13).

### **Key points from interviews:**

- A concern was raised about not making the SCI too prescriptive due to the documents lasting 5 years and the need to be able to respond to local issues.
- There is keen local political interest in the way the planning department engage with the community.
- Steering groups are engaged within certain aspects of the planning process.
- There is a recognition that working with community groups, ideally a paid role to do so, the implementation of a richer SCI would be possible.

## A2-8 North Warwickshire Borough Council

**Region:** West Midlands

**Rural / Urban Classification:** Mainly Rural (rural including hub towns >=80%)

**SCI URL:**

[https://www.northwarks.gov.uk/downloads/file/3483/statement\\_of\\_community\\_involvement\\_sci](https://www.northwarks.gov.uk/downloads/file/3483/statement_of_community_involvement_sci)

**SCI page count:** 37 (excl appendices)

**Date of most recent SCI:** 2007

**Early Engagement:**

“Getting communities involved at an early stage in the planning system has benefits for both the Council and the community itself. It ensures that there is sufficient time for all parties to be fully aware of any issues that there may be, thus enabling negotiation to take place so that problems or concerns are sorted out at the earliest opportunity. Therefore, by the time that the document reaches independent examination, issues are clearly understood.” (p4).

**Principles for Engagement:**

None – the document instead introduces the SCI in this way (as well as the above paragraph on early engagement):

“The Government attaches great importance to community involvement in the planning process. They seek more active involvement of communities, stakeholders and commercial interests as early as possible in the planning system, so called ‘frontloading’<sup>1</sup>. For North Warwickshire Borough Council, it is important that the communities of North Warwickshire have sufficient opportunities to enable them to effectively express their views on local development that affects them” (p4).

It also states that “this document sets out the way in which North Warwickshire Borough Council will involve communities, stakeholders and commercial interests in drawing up its Local Development Documents and determining planning applications” (p4).

**Beyond statutory requirements:**

Limited due to the age of the SCI. Acknowledges hard to reach groups, and limits on use of email.

**Key points from interviews:**

- North Warwicks have not formally updated the SCI by going through the formal processes to adoption since the adoption of the SCI in 2007.
- However, they stated that they go above and beyond with their consultation processes and now automatically use social media as a means of communication. Also, if there are site allocations, they consult those around the sites during the allocation process.
- The Local Plan Inspector who has recently sent his final report was happy with what their processes and has recommended the Local Plan can be found sound subject to main modifications.
- They will therefore be looking to formally update the SCI in the next few years prior to the review of the Local Plan.
- There was a keenness to highlight the difference between the planning policy processes and the development control processes.
- There is a team member within planning policy that manages the social media and website.
- There is recognition that often during consultations people will raise issues that aren’t planning matters. There is scope to work with community development team, however it can be resource intensive with little effect.



### **Annex 3: Example ‘principles’ found in SCIs**

These six SCI exemplars have been selected to highlight the types of ‘principles’ espoused in SCIs – and show a range of approaches. We have deliberately omitted any lengthy subjective assessment of these - they are here to indicate the breadth of existing practice.

#### **A3-1 Example 1: Haringey, London (from the 2017 SCI)**

An example of extensive generic principles covering key dimensions (e.g. inclusivity, accountability).

##### *Ensure consultation is Effective*

- By being undertaken at the earliest possible stage in the decision-making process, when proposals are still at a formative stage and when there is scope to influence the outcome.
- By providing relevant information and sufficient reasons for any proposal to permit intelligent consideration and response by all affected parties.
- By targeting consultation to make sure that relevant stakeholders are involved.
- By ensuring the consultation methods used are appropriate in engaging affected parties.

##### *Ensure consultation is Transparent*

- By ensuring the aims, purpose and scope of the consultation, and the issues involved, are clearly expressed.
- By being clear about how the consultation will be run, where information can be accessed and, as far as is possible, what can be expected after the consultation has formally closed.
- By being up front about any potential conflicts of interest and how these are to be appropriately managed to meet public expectations of integrity.
- By requiring all those connected with any proposal, including those commenting, to identify themselves and who they represent when taking part in public consultations.

##### *Ensure consultation is Proportional*

- By ensuring the level of consultation undertaken and resources spent are proportionate to the scale and impact of the proposal.
- By ensuring affected parties have adequate time to consider and respond to the proposals.
- By promoting the use of electronic methods of communication to make participation easier and quicker.

##### *Ensure consultation is Inclusive*

- By involving representatives of a cross-section of stakeholders, ensuring the different needs and views of different sections or groups of the community are considered.
- By utilising a wide range of consultation methods, ensuring that the consultation as a whole is accessible to all including those who are ‘hard-to-reach’ or are seldom heard.

##### *Ensure consultation findings are Accountable*

- By publicising the responses and providing feedback to participants
- By explaining how the responses to consultation have been conscientiously taken into account in informing changes to policy or the determination of a planning application.
- By linking to decision-making to robust, consistent and sound grounds.

##### *Ensure consultation material is Coherent*

- By providing useful and clear summaries of the proposals and the main issues to be addressed.
- By ensuring consultation documents, including committee reports, are presented in an easy to read format and use plain English.

### **A3-2 Example 2: Cheshire East Borough Council (from the 2018 SCI)**

This is highlighted to show a very general set of ‘principles’.

‘Cheshire East Borough Council recognises and appreciates the positive contribution that community involvement can have in all aspects and areas of planning. The Statement of Community Involvement explains how the local and wider community (including stakeholders and specific, general and other consultation bodies such as statutory consultees) will be engaged and consulted on planning issues.

- To avoid stakeholders suffering from “consultation fatigue”, the Council will use joint consultations on the Local Plan and related documents with other strategies wherever possible.

- It is important to consult a broad range of groups during the preparation of each planning policy document and at various stages thereafter. In general terms, key stakeholders include:

- General public – residents and people who undertake business, leisure activities or have a general interest in the area;
- Town and Parish Councils;
- Business interests and major landowners including developers and agents;
- Government departments and statutory bodies;
- Infrastructure providers;
- Interest groups - environmental, amenity, community and voluntary groups at a local, regional or national level.

- In the production of planning policy documents, the Council will aim to achieve the following:

- Ask for views at an appropriate stage;
- Provide sufficient information to enable an effective response to any consultation;
- Provide details of how to respond to any consultation and in what time period;
- Avoid jargon and include a glossary of terms where required;
- All comments will be made publicly available and the Council will report on all consultation stages;
- Publicise any consultation events on the Council’s website and hold them at appropriate locations in the Borough that are accessible with appropriate disabled access.

### **A3-3 Example 3: North East Lincolnshire (from the 2013 SCI)**

Selected as the principles have been worked up thoughtfully with a partner organisation but are still very general. A wider set of undertakings developed with the NHS, centring on ‘talking, listening and working together’ is available, see: <http://www.nelincs.co.uk/wp-content/uploads/2020/07/TWLT-FINAL-Digital-A11y.pdf>

### *Talking*

We will be clear and honest about:

- how you can get involved
- what we are doing with what you've told us

### *Listening*

We will:

- hear your voice and what you have to say
- use what you tell us to bring about change
- be open to be challenged on the way we do things

### *Working Together*

We will:

- encourage all of our communities to take part
- come to the places where you are
- work together with you and others to make the best use of time and money

## **A3-4 Example 4: Craven District, Yorks & Humberside (from the 2018 SCI)**

Craven District endorse and apply a wider North Yorkshire partnership set of consultation principles, as follows:

### *Be inclusive*

- Engaging with communities as a mainstream activity and not as an afterthought
- Involving people in a way which meets their needs rather than ours
- Ensuring that engagement and consultation is accessible to everyone who is affected
- Engaging at the most local level that is appropriate for the specific purpose
- Engaging with voluntary and community organisations, in particular those that can facilitate the involvement of groups and individuals who are seldom heard
- Making effective use of community representatives including councillors and community champions
- Supporting communities to become stronger, to get their views heard and to actively contribute to achieving outcomes

### *Be open*

- Being clear about why, what, when, where and how
- Being honest and accountable
- Feeding back to those we have consulted on the results of consultations and what we are going to do as a result - 'You said, we did'
- Not sharing personal information without asking you, unless required by law.

### *Be effective*

- Only carrying out engagement activities if the information we need is not already available
- Allowing sufficient time
- Targeting engagement activities and avoiding duplication
- Planning our engagement in the light of available resources and explaining any constraints
- Using a range of appropriate media to reach our target audience
- Evaluating the effectiveness of our engagement and making the necessary changes

- Making sure staff carrying out engagement have the skills, capacity and knowledge about communities to achieve high quality engagement

*Be co-ordinated*

- Contributing to and making use of shared engagement structures, where these are in place
- Sharing profiling, mapping, information and analysis allowing evidence-based deployment of resources
- Sharing feedback and communicating effectively, both within our organisations and externally with partners □ Using joint problem solving where appropriate.
- Providing nominated officers in each organisation to act as contact points for joint action
- Providing strong local and thematic leadership at strategic level to support this work
- Committing resources contributed by all partners, where possible and appropriate, to support shared outcomes.

**A3-5 Example 5: Middlesbrough (from the 2020 SCI)**

Generic and possibly characterised as defensive principles.

*Our principles for community involvement*

- In making planning decisions in accordance with our planning policies it is often necessary to balance differing views and make judgements in the interests of all our communities. Getting local opinions will help us make decisions in the most informed way possible.
- To achieve this, we will apply some general principles to our planning consultations and community involvement.

*What you can expect from us*

- We will ensure that consultations have a clear purpose and that information will be written in plain English as far as possible, and if technical words have to be used, their meaning will be explained.
- We will seek views from the local community, stakeholders and other affected parties as early as possible and throughout the process.
- To ensure that community involvement is inclusive we will give the local community the opportunity to express their views, and take into consideration all views submitted.
- We will aim to arrange engagement events at a range of times and places, to make it convenient for as many people as possible to attend these events.
- We will use a variety of engagement methods, as appropriate that relate to the stage of the planning process, issues being discussed, communities involved, resources available and time constraints. Additionally, we will make use of electronic and modern media techniques to make consultation easier, quicker and more cost effective.

### **A3-6 Example 6: Test Valley, Hampshire (from the 2017 SCI)**

Selected as the 'principles' expressed here are very broad and largely iterate basic consultation actions.

#### **Consultation Principles – Planning Policy**

##### *To Inform:*

Planning Policy will inform people of the planning process and to provide people with the information they need to get involved at the earliest opportunity possible.

The following approaches, where relevant, will be used to inform people:

##### Statutory Requirements:

- Electronic version of the consultation document will be made publicly available on the Council's website
- Hard copies for reference use will be made available at Libraries
- Statutory Notice in local newspapers – Andover Advertiser, Romsey Advertiser and Hampshire Independent via email / post

- Additional notification methods may be used to advertise consultation:

- Test Valley Borough Council Consultation Portal: <http://www.testvalley.gov.uk/aboutyourcouncil/consultationportal/>
- Advertised on the front page of the Council's website within the News section <http://www.testvalley.gov.uk/news>
- Consultations will be publicised via social media – Twitter / Facebook
- Test Valley News which is circulated to all residents in the Borough twice a year in March and November .

- Planning Policy will use plain English wherever possible and for those whose first language is not English the Council uses a professional translation service.

##### *To Involve:*

Planning Policy will encourage the active participation of individuals, groups, landowners and developers in the planning process through a variety of techniques such as:

- Public exhibitions
- Council meetings
- Workshops

Planning Policy, wherever possible, undertake these consultation exercises in locations which are accessible to the local community, for example at village halls / local community halls and at a variety of times.

#### **Annex 4: The ‘Gunning principles’ for consultation**

These derive their name and basis from a 1985 court case (R v London Borough of Brent ex parte Gunning) which were then reinforced in R v North and East Devon Health Authority ex parte Coughlan (2001), and then in a Supreme Court case in 2014 (R ex parte Moseley v London Borough of Haringey), which endorsed the legal standing of the four principles (as below).

Since then, the ‘Gunning Principles’ have formed a foundation from which the legitimacy of public consultations is assessed, and are frequently referred to as a legal basis for judicial review decisions.

The legal judgements cited above discern that a consultation is only legitimate when four principles are met (*‘early’, ‘information’, ‘time’ and ‘consideration’*) i.e. if the consultation is undertaken where:

1. *proposals are still at a formative stage* i.e. that a final decision has not yet been made, or predetermined, by the decision makers;
2. *there is sufficient information to give ‘intelligent consideration’* to the topic being consulted upon. The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees in order to provide an informed response.
3. *there is adequate time for consideration and response* - there must be sufficient opportunity for consultees to participate in the consultation. There is no set timeframe for consultation,<sup>1</sup> despite the widely accepted twelve-week consultation period, as the length of time given for consultee to respond can vary depending on the subject and extent of impact of the consultation; and
4. *that the decision-maker gives ‘conscientious consideration’ to the consultation responses* before a decision is made. The decision-makers should be able to provide evidence that they took the consultation responses into account.