



# Consultation Responses: Statement of Community Involvement

(March-April 2019)

	Name	Comments	Response	Proposed changes
<b>PLANNING APPLICATIONS</b>				
1	Michael Stephen (Chelsea Society)	<p>I thought the meeting this afternoon was useful.</p> <p>You will recall that I referred to some of the points on community involvement which The Chelsea Society had made in its submission on the Code of Conduct for Councillors and officers involved in the planning process.</p> <p>I am attaching a complete copy of this submission, and we would ask that when drafting the Statement of Community Involvement, you will bear in mind the points we made in the Introduction and in paras. 1.1.1 -1.1.3; 7.5.1; 7.5.2; 7.5.3; 12.1 9.2; 5.1.1; 5.2.1 and 10.5.1</p> <p>1.1.1; Committee</p> <p><i>Before deciding a planning application, the relevant committee shall allow equal time for representations for and against the application. The same shall apply to officers deciding applications under delegated powers and negotiating Planning Performance Agreements if they have listened to oral representations.</i></p>	<p>1.1.1; Committee &amp; 1.1.2; Committee</p> <p>Noted.</p> <p>If a person is registered to speak against an application at a planning committee, the individual/ or all those who object will typically be given 3 minutes to give their submission – accordingly those representing the applicant would be given an identical timeframe to put forward their case.</p>	



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		<p>councillors on a potential application and provide an opportunity for questions to be asked. Officers will organise the briefing normally alongside, but not part of, a Planning Committee meeting.</p> <p>The opinions offered by officers during the course of pre-application discussions are without prejudice to the final decision of any subsequent planning application</p> <p><b>7.5.2; Pre applications</b></p> <p><i>A potential applicant, officers and planning councillors are entitled to participate in pre-application meetings, and other interested parties, such as relevant ward councillors, local amenity groups and immediate neighbours, will also be invited to attend. In the case of applications considered by the Chief Executive to be major or controversial, The Chelsea Society and The Kensington Society shall be invited to meetings relating to sites in their respective areas, together with any registered Residents' Association in whose area the site is located. In all cases these interested parties will be able to participate in the meeting by, for example, asking questions of the potential applicant and the planning officers and any experts, and equal time shall be given to those for and against the application. Both the Members' Code of Conduct and this Code apply at these meetings and they will follow the procedures in paragraph 7.5.3.</i></p>	<p>designated opportunity to determine planning applications. A factual briefing is just that – a presentation of a case and an opportunity for Cllrs to ask pertinent and relevant questions to inform their understanding. It is not a determination meeting were decisions are made.</p> <p><b>7.5.2; Pre applications</b></p> <p>The pre application process (Planning Advice Service or PAS) is a confidential and optional service for customers seeking advice on planning matters. Public consultation is extremely important for all applications, particularly for larger applications that are likely to garner significant public interest. However, many requests are for an in principle view or for general advice and many do not reach application stage. It would be too onerous and counter-productive to force applicants to engage with the public in these instances. Albeit, for larger applications that are subject to a PPA – applicants will be made well aware of the importance of public consultation – particularly with the amenity societies. Liaison with relevant groups will be suggested and encouraged as a milestone in the PPA process prior to submission – at a stage when it is likely a formal application will be submitted in the future.</p>	<p>7.5.2 and 7.5.3; Pre applications</p> <p>We will be introducing changes to the PAS which focuses on early community engagement. It will set out the role of residents and ward members in the pre-application process and will include the concept of Resident Forums and when and how the relevant ward councillors and lead members interface with developers.</p> <p>It will also set out expectations of developers on how we expect engagement with residents to take place</p> <p>There will also be a revised PPA process which will also reflect the importance of</p>

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		<p><b>7.5.3; Pre applications notes</b></p> <p><i>A note of the meeting and of any advice given will be prepared by the planning officer for all pre-application discussions. In the interest of public transparency and consistency in decision making, the note will be placed on the Council's website as soon as possible, and notified by e-notify, whether or not a planning application is made. There shall be a special section of the Council's website for pre-application meetings, alongside those for applications, decisions, and appeals.</i></p> <p><b>12.1 Site Visits</b></p> <p><i>Councillors may find site visits helpful, particularly for major applications. Where they take place, such visits will be arranged by the Director of Planning and a planning officer will attend. In the case of applications considered by the Chief Executive to be major or controversial, The Chelsea Society or The Kensington Society shall be invited to such visits relating to sites in their respective areas, together with any registered Residents' Association(s) in whose area the site is located. If oral representations are heard, equal time shall be allowed for views for and against the application.</i></p>	<p><b>7.5.3; Pre applications notes</b></p> <p>For most pre application requests an advice note is issued following the meeting and made public once an application for the scheme (or something very similar) is submitted. We will not be publishing advice notes sooner than this given potential confidentiality issues and commercial sensitivities.</p> <p>For larger schemes including those subject to a PPA, again advice notes are written and issued to the potential applicant and will be made public once an application is submitted.</p> <p><b>12.1 Site Visits</b></p> <p>It is extremely rare for a major application to be submitted cold. Generally, they are subject to a PPA or some form of engagement through the PAS. Given the above and the nature of these cases a Planning Officer is likely to have visited the site on numerous occasions – often unaccompanied. Accompanied site visits are usually only required for access reasons and for Officers to ask any questions they might have which will inform their understanding of the proposal. Visits are essentially a fact-finding mission to inform the individual or group in attendance. They are not opportunities for the planning merits of a</p>	<p>engagement with communities for major schemes</p> <p>The pre application advice and PPA procedure note will clarify the procedures around advice notes and other documentation.</p>

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		<p><b>9.2; Reports</b></p> <p><i>In preparing and writing planning reports for committee, and for delegated decision-making, planning officers shall ensure that local people are consulted and have adequate time to respond to consultations on the basis of accurate and timely information. Consultations should not normally take place over the Christmas-New Year holiday, nor during the month of August. Reports must set out fairly and objectively the case for and against an application, and shall be published immediately on the Council's website and be immediately notified by e-notify. They shall:</i></p> <p><i>(a) be accurate and include the substance of, and degree of support for, any objections and other responses received. Particular weight shall be attached to the views of the Amenity Societies and the relevant Residents' Association(s).</i></p> <p><i>(b) include a detailed assessment against each of the Borough's development plan policies relevant to the case, the National Planning Policy Framework (NPPF), the London Plan, the Conservation Area Assessment where relevant, and any other material planning considerations;</i></p> <p><i>(c) include a detailed assessment of the impact of the proposed development on local people, especially the immediate neighbours, and make recommendations for mitigating that impact, including noise vibration and dust, traffic management, and parking spaces.</i></p>	<p>case to be heard. As such, the attendance of the amenity societies to Officer or Cllr site visits is seen to be unnecessary. However, given that applicants will be made well aware of the importance of public consultation with the amenity societies in a PPA process – part of this may involve a guided site visit with those groups if required.</p> <p><b>9.2; Reports</b></p> <p>Consultations are carried out in accordance with the statutory duties relating to consultations outlined in the Development Management Procedure Order (DMPO). As such, consultation periods begin once an application has been submitted and last for 21 days. In any event, the Council will accept representations on applications determined under delegated powers up until a draft report has been finalised; and up until the day of the meeting for those determined by committee.</p> <p>If an application is validated before the Christmas-New Year holiday, or prior to the month of August, then the Council is obliged to consult during these periods. However, for major and more contentious applications – an applicant will be made well aware that it would be best practice to submit an application so that the consultation period falls outside of these times. If this is unworkable then the Director of Planning and Place will use his/her discretion to</p>	

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		<p><i>(d) include any advice given by experts such as an architectural advisory panel, or noise or highway experts.</i></p> <p><i>(e) acknowledge that the technical arguments may be not be conclusive and that wider considerations, for example the strength of public opinion or the impact on the quality of life of local residents, may be decisive.</i></p> <p><i>(f) clearly state the material considerations which justify any departure from the Borough's development plan.</i></p>	<p>arrange an extended consultation period in acknowledgement of this.</p> <p>All reports set out fairly and objectively the case for and against an application, and are published as soon as reasonably possible after determination on the Council's website.</p> <p>(a) Every effort is made to ensure all reports are accurate and, where relevant, include the substance of, and degree of support for, any objections and other responses received. If they comment, the views of the Amenity Societies and the relevant Residents' Association(s) will be noted.</p> <p>(b) All applications are assessed against all of the Borough's development plan policies relevant to the case, the National Planning Policy Framework (NPPF), the London Plan, the Conservation Area Appraisal/Proposals Statement where relevant, and any other material planning considerations.</p> <p>(c) Local Planning policies require the impact of development on local people, especially the immediate neighbours, to be assessed. Conditions will be attached to planning permissions to mitigate impacts, including noise, vibration, and dust; traffic management; and parking spaces where necessary.</p> <p>(d) Where advice given by experts such as an architectural advisory panel, or noise or highway experts is sought – this will be detailed in Officer reports.</p>	

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		<p data-bbox="450 667 853 699"><b>5.1.1; Council's own development</b></p> <p data-bbox="450 722 1173 1082"><i>Under the present law, applications for a Council's own developments in its area have to be made to the Council itself. This can lead to conflicts of interest and suspicions of impropriety, so applications for the Council's own developments cannot be treated in the same way as any other application. It is particularly important for such cases to be subject to external scrutiny, and therefore for the Chelsea Society, or the Kensington Society as appropriate, to be involved at all stages of the process, together with any Residents' Association for the locality in which the application site is located.</i></p> <p data-bbox="450 1114 909 1145"><b>5.2.1 Councillors / officers applications</b></p> <p data-bbox="450 1169 1173 1393"><i>It would be unreasonable to prohibit councillors and officers from making a planning application, or requesting pre-application advice, for development within the Borough, but they must notify the Monitoring Officer as soon as they do so. It is however important that they should not be, nor be suspected of being, in a privileged position. They should not therefore make informal representations to officers or</i></p>	<p data-bbox="1200 233 1727 411">(e) The Council's policies require the impact of development on the quality of life of local residents to be closely scrutinised. If the benefits of a proposal do not outweigh any harm caused – then the application would have to be refused.</p> <p data-bbox="1200 451 1715 579">(f) If a decision is made which departs from the development plan. The material considerations which justify such a departure will be outlined in the report.</p> <p data-bbox="1200 659 1608 691"><b>5.1.1; Council's own development</b></p> <p data-bbox="1200 715 1720 938">As is the case for all applications – the Council will consult on proposals for its own development in line with its statutory duty. For consistency - special measures will not be put in place for these particular applications as they are dealt with in the same way as any other application.</p> <p data-bbox="1200 1129 1659 1161"><b>5.2.1 Councillors / officers applications</b></p> <p data-bbox="1200 1185 1720 1313">As noted above in 5.1.1. For consistency – special measures will not be put in place for these particular applications. Council applications are subject to public scrutiny in</p>	

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		<p><i>councillors, and should employ a professional agent to deal with the matter. Such applications shall not be decided under delegated powers but shall be referred to a meeting of the Planning Committee, at which the applicant shall have no vote and shall have no greater right to address the Committee than an ordinary member of the public. External scrutiny is important in such cases and The Chelsea Society or Kensington Society as appropriate shall be invited to be involved at each stage in the process, together with the Residents' Association for the area in which the application site is located.</i></p> <p><b>10.5.1 Appeals</b></p> <p><i>Where notice of appeal, or determination of an appeal, is received by the Council it shall immediately be placed on the Council's website and be immediately notified by e-notify.</i></p>	<p>the same way as any other planning application.</p> <p><b>10.5.1 Appeals</b></p> <p>We currently upload appeal correspondence to the electronic file for each case. We could include notifications as part of the MyRBKC service but this will depend on the corporate website programme which will see a redesign of the Council's website.</p>	
2	Stephen Baxter (Milner Street Area Residents' Association)	<p>Thank you for your invitation to the Statement of Community Involvement Meeting on 1 March.</p> <p>We (the Milner Street Area Residents' Association) very much welcome your initiative. There were many very good points raised at the meeting, which I will not repeat here, particularly as they have also been covered by documents from other participants, but I hope you will take all these on board when drafting the Statement.</p> <p>We very much welcome your "pre-engagement" discussion groups, which you intend to have before drafting important policy documents.</p>	Noted.	

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		<p>You asked for us to email any specific comments on the “e-notify” service, and there a few other points that we would like to make following the meeting.</p> <p><b>E-notify</b></p> <p>Your e-notify service is central to Community Involvement in the Planning process as it keeps all parties informed of planning applications, decisions and discharge of planning conditions.</p> <p>However, the e-notify system needs to be expanded to report all events in the planning cycle, particularly when documents are changed or new documents added, either by the applicant or by RBK&amp;C. This would include, for example, changes to a CTMP, issue of an enforcement notice, of a Section 60 notice, or a Section 61 Prior Consent, or a (clearly labelled) pre-app advice note which the Council has omitted to include at the time of the application (this happens too often) or new appeal documents (both from the appellant and from the council).</p> <p>We ask simply that an e-notify alert is issued when any new document is added (or changed), or there is a change in status (e.g. if an application is withdrawn at any stage), for a planning application within the streets/wards requested.</p> <p><b>Comments on previous planning applications</b></p> <p>Comments on previous planning applications should continue to be available on the planning website after the application is decided or withdrawn. This is particularly important if a revised application is made because comments on a previous application cannot be taken into account when considering the new application and so objectors will want to see what they and others have said before.</p>	<p>We will examine within the new corporate website as to whether automatic triggers can be set up.</p> <p><b>Comments on previous planning applications</b></p> <p>We will be creating a digital archive of planning applications which will allow comments (unless someone has explicitly requested otherwise) to still be publicly available to view.</p>	

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		<p>You have said that comments on previous applications will soon be available via an archive. It is important that this archive still provides a quick and convenient way of accessing comments - although it would be much better to keep the comments together with the other documents for the application on the Planning web site.</p> <p>It is important to encourage those who comment to identify themselves with their names and addresses, so an individual's right to hide either their name or address or both (if such right exists) should be by conscious opt out; inclusion should be the norm.</p> <p>Planning applications should not be removed from the website simply because someone has made a mistake.</p>	<p>We do not remove valid planning applications from the website. Invalid applications are not added to the register until they are made valid.</p>	
3	Sophia Lambert (Kensington and Ladbroke Association)	<p><b>Planning applications</b></p> <ul style="list-style-type: none"> <li>- For major applications, there should be a code of practice or guidelines for developers, issued by the Council, setting out how they should consult. This could be annexed to the SCI (it should be a standalone document). The aim would be to make the process more open and transparent, by setting out clearly what is expected of developers and what expectations residents should have in terms of access to information and opportunities for engagement.</li> <li>- Great stress should be laid on the need to consult locals during the pre-app stage and the Council should both take a role in making this happen and participate itself, e.g. by organising a forum where Council officers, the developers and the locals could all get together. Look at arrangements in other boroughs.</li> </ul>	<p>Planning applications</p> <ul style="list-style-type: none"> <li>- There will be a new procedure note for pre application and PPA schemes which will set out expectations for developers, ward councillors, lead members and residents in terms of early community engagement</li> <li>- Resident forums will be introduced</li> </ul> <p>More on this is said above (1)</p> <ul style="list-style-type: none"> <li>- For smaller schemes, we will strongly encourage engagement prior to the submission of an application and that this is evidenced as part of the application documents. We cannot make it a</li> </ul>	<p>See (1) above</p> <p>We will strengthen the importance of resident engagement in our pre application advice and it will remain a key milestone for PPA schemes. We will now include resident forums, where appropriate and will actively look at other forms of engagement.</p>

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		<ul style="list-style-type: none"> <li>- Consider requiring major developers, as a condition of pre-app advice or as part of the Planning Performance Agreement to cooperate with the Council in involving local residents and businesses in tripartite discussions, convened by the Council.</li> <li>- More encouragement to all applicants to involve neighbours right from the beginning. Applicants to be required in their application to say whether they have consulted neighbours. For larger applications a statement of community engagement should be requested for validation.</li> <li>- More diversity and transparency for the AAP. The makeup of the panel should be published. Several lay members, such as representatives of amenity societies should be included. The AAP reports should public documents before the application is submitted. It might be helpful also that the pre-application officer brief the AAP committee (see the 100 West Cromwell Road minutes to see what could be useful).</li> <li>- More logical and user-friendly website with the papers for the individual applications listed in a logical way with more informative descriptions.</li> <li>- More rationally set out and more clearly impartial officers' reports which deal better with objections.</li> <li>- Longer consultation period over holiday periods, measuring it in terms of "working days" as with Council consultations.</li> <li>- Presentations of major applications to the Planning Committee, ward councillors, amenity societies and residents' associations should be considered</li> </ul>	<p>validation requirement given the strict tests for validation requirements.</p> <ul style="list-style-type: none"> <li>- It is currently the case that we encourage potential applicants to engage with residents prior to submitting an application and for PPA schemes we include public consultation as a key milestone.</li> <li>- It is part of the planning officer's job to make impartial and balanced recommendations on planning applications. It is important to remember that these are recommendations and so the officer will come to a view, whether that is to approve or refuse. There is a section on objections which requires officers to summarise the key comments made. All representations are considered in their entirety but cannot be referenced in the report word for word – particularly where there are a significant number of representations.</li> <li>- We currently hold factual briefings for most major applications. Residents associations, amenity societies and ward councillors are invited to these.</li> <li>- The current speaking arrangements are being trialled and a decision will be made as to whether to continue</li> </ul>	

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		<ul style="list-style-type: none"> <li>- Welcome new system in planning committees whereby objectors and developers sit at the table together and are jointly questioned by Councillors. However, at present both have to withdraw when councillors begin discussing with officers. They should remain at the table as questions for them may come up at this stage and they would have a chance to correct mistaken assumptions (which are not infrequent).</li> <li>- For smaller applications, where two sets of objectors want to complain about different aspects of the proposal, each should be allowed three minutes (unconnected people complaining about the same aspect should however share a three-minute slot).</li> <li>- For major applications or those raising complicated issues, more time should be given for speakers and the chairman should be more prepared to give extra time to both sides.</li> <li>- Major applications should be decided by a committee of say nine people. The present system with only five is perceived as potentially leading to bias and/or not giving a wide enough range of knowledge or experience to judge these often very complex cases. It is also vulnerable to absences from illness etc.</li> <li>- Video planning committees, especially for major applications.</li> </ul>	<p>with these. We will be seeking feedback from those who have spoken at committee (objectors and applicants) before deciding whether to continue with the current arrangements, modify back to the original arrangement</p> <ul style="list-style-type: none"> <li>- We do not know what the speakers are going to speak about until they speak and the logistics of finding this out given the speakers deadline and preparation for committee means that it is not possible for us to distinguish between speaker topics and then allocate a particular time depending on this.</li> <li>- It is currently the case that the Chairman's has discretion to allocate more speaking time if he so wishes.</li> <li>- There are substitutes for the committee members to ensure that there are 5 members present</li> </ul> <p>See comment above regarding videoing of committee</p>	
	Sophia Lambert (Kensington and	<p><u>Decisions</u></p> <ul style="list-style-type: none"> <li>- Allow for at least a brief period of consultation (two weeks?) on discharge of conditions and NMAs. Particularly important for CTMPs. Should include</li> </ul>	<p><u>Decisions</u></p> <ul style="list-style-type: none"> <li>- There is no statutory requirement for authorities to consult on certain types of applications and as far as</li> </ul>	There will be more emphasis on resident engagement for all applications

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	Ladbroke Association)	<p>automatic email notification to commenters on original application of applications for NMAs and discharge of conditions and any other change.</p> <ul style="list-style-type: none"> <li>- Also notification arrangements for appeals at each stage.</li> </ul>	<p>we are aware no other LPA does this as standard. National Planning Guidance is clear that authorities should make decisions in a timely manner and for conditions in particular, if they are not determined in time, they can benefit from deemed discharge.</p> <p>-</p> <p>We will be including more emphasis on resident engagement and this will apply to all applications</p>	
<b>PLANNING POLICY</b>				
	Sophia Lambert (Kensington and Ladbroke Association)	<p>Planning policy</p> <p>If changes to planning policy are being considered:</p> <ul style="list-style-type: none"> <li>- The Council should put an item in the Community Engagement bulletin (or a revived planning bulletin) to say that they are considering changes and inviting people to let them have any views. (For the next review of the London Plan, the Council will organise a scoping workshop to consider what new policies or changes to existing policies might be considered.)</li> <li>- Subsequently, depending on the nature and importance of the issue, workshops/roundtables/walkabouts/focus groups should be organised to gather opinions from interested parties.</li> <li>- The Council should then prepare a draft document. Especially when the issue is a specialist or local one, it would help for this to be circulated to selected interested parties for some final comments before it is formally issued for consultation. We understand</li> </ul>	<p>Pre engagement consultation will form part of a planning policy review to gather initial views from local residents and stakeholders. A variety of engagement techniques will be used.</p> <p>A draft will not be circulated to interested parties ahead of the consultation process. It is acknowledged that focus group meetings</p>	

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		<p>that the Council does not want to be seen giving special treatment to some organisations. But we think that there are areas where this can be justified – for instance developing a management strategy for a conservation area where there is an active conservation or residents’ association; or possibly in some circumstances special treatment could be given to the two big societies – we believe most people would accept that; and it would make for a better product.</p> <ul style="list-style-type: none"> <li>- The paper would then go out to formal consultation. During the consultation period, it might be appropriate to hold (further) workshops or whatever, depending on the subject.</li> <li>- All consultation exercises should be notified to residents’ associations (or a local subset where appropriate) and others on the Community Engagement list of contacts (or a relevant sub-set).</li> <li>- There should also be a complete list of open and recently closed consultations (with dates) on an easily accessible page of the website with a link from the RBKC home page (not just on the planning pages as at present)</li> <li>- There should be some form of consultation even on minor changes, e.g. on changes to planning committee procedures.</li> </ul>	<p>are a useful means to gathering views of interested parties.</p> <p>To ensure transparency, all interested parties will be notified when the consultation period begins. This stage will capture feedback from local residents and stakeholders which will be published in a consultation statement once the consultation period has finished.</p> <p>Those who are notified at the beginning of the process will continue to be notified by the Council at each stage of the consultation process. The residents associations form an important part of this consultation.</p> <p>A complete list of open and closed consultations is available on our website. The location of these under planning is an adequate place. We will look at improving the prominence of these links when the opportunity arises through website redesign.</p> <p>The Council has to work within limited resources and supports using digital platforms. There are a range of opportunities for residents/resident associations to meet with officers/members through consultation on documents or attendance at open meetings.</p>	

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		<ul style="list-style-type: none"> <li>- Consideration should be given to reviving the general sounding board, including residents, developers and consultants, to keep them informed of policy developments.</li>   <li>- The Council could hold some open meetings on particular planning issues, with councillors and officers forming a panel to answer residents' questions (which they could be invited to submit in advance). Judging by the experience of the Kensington Society, this is likely to be more successful than the rather unfocussed listening forums etc.</li> </ul>	<p>All media and communications are now handled through a central media team to improve coordination and consistency of message.</p> <p>A variety of appropriate consultation techniques are laid out in the draft Statement of Community Involvement.</p>	
	<p>Stephen Baxter (Milner Street Area Residents' Association)</p>	<p><b>Comments on consultations</b></p> <p>When the Council conducts a consultation, for example on a new policy document, it is important that all comments received should be published in full in the original form for all to see, without redaction (apart from telephone numbers and email addresses) – i.e. not points grouped together in chopped up form.</p> <p>As a separate exercise, the Council should put points in tabular form to record their response to each point made.</p> <p>The launch of a consultation, the publication of comments on it and the Council's response to the comments should all be advertised in the Planning Bulletin (see below).</p> <p><b>Planning Bulletins</b></p> <p>We were sorry to see the disappearance of RBK&amp;C's regular Planning Bulletin. We understand that, under new procedures for community engagement post-Grenfell, this has been rolled into the more centrally controlled messages from the Community Engagement Team.</p>	<p>All comments on planning policy consultations will be captured in consultation statements. This will be in a tabular format. The comments will not be redacted, however, due to the General Data Protection Regulations (GDPR), personal information such as contact details will be removed.</p> <p>All Council communications are now handled through a central media team to improve coordination and consistency of message. There are no plans for the Planning Bulletin to return. However, the</p>	

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		<p>However, these do not contain anything near the useful level of detail previously contained in Planning Bulletins. For example, we were never informed by the Council that it had decided to change its procedure with regard to the maintenance of comments on the planning website (see above), or that the Council intended to draft a new Code of Conduct applicable to planning officers as well as councillors; nor were we consulted on either in advance.</p> <p>Paradoxically this means that, for Planning, the Council's attempt to improve community engagement through a central mechanism has actually had the opposite effect!</p> <p>Please bring back the Planning Bulletins.</p>	<p>comments are noted for further discussion with the media and communications team.</p>	
<b>CONSULTATION AND COMMUNICATION</b>				
4	Kensington Society (general paper on consultation) Aug 2018	<p>1. We are concerned about the proposals for community engagement and consultation in the Council's response to the recent Independent Review of Governance, as we do not think they will satisfy most people and they carry their own risks. We are not sure how the "Borough-wide conversation with local residents" would work, but find it difficult to imagine how it could be focussed so as to get useful results. We fear that the Citizen's Panel will cause bad blood among those not selected to be on it and that it risks being dominated by the most articulate groups, making it difficult for the less assertive to be heard. We also have doubts about whether the Listening Committee will work any better than the "Ask Nick" sessions. If the latter is to go ahead, we suggest that meetings should focus on individual issues – planning, education, old people etc.</p>	<p>We will list a range of consultation methods in the draft SCI. A combination of techniques will be used where appropriate.</p>	

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		<p>2. We think the Council's response ignores the fact that what most people are really concerned about is local problems, which may be very different in different parts of the Borough. We regret therefore that they have not pursued the idea in the Review of neighbourhood or area forums, which we think would be a far better solution and we understand have been successful in Hammersmith. We understand that Hounslow also has area committees.</p> <p>3. Above all, however, we are appalled by the lack of any proposals on how to inform and consult people about new policies and projects. This paper suggests some ways in which there could be better consultation and better communication with residents of the borough. If these could be made to work well, especially in the north of the borough, we think that a lot of the current mistrust and dissatisfaction might dissipate.</p> <p><b>Consultation</b></p> <p>4. There have been justified complaints that people do not hear about new developments until it is too late to influence them – the North Kensington Library redevelopment being a prime example. We think that there has to be a complete change in culture on how the Council engages with and consults residents, both on new infrastructure and other projects and on proposed new programmes, policies and policy documents.</p> <p>5. <b>For infrastructure and similar projects</b>, including where appropriate those financed through S106 agreements and CIL, we recommend that a set procedure for consultation be set up, involving the following steps:</p> <p>a. The Council scopes the issue with the help of meetings with interested stakeholders/residents. On-line surveys can</p>	<p>The Council intends to set up the processes for spending NCIL. The spending on NCIL has to be community led. Elected members will have an important role in this as well as residents and their associations. The Council will support using digital technologies to capture views as widely as</p>	

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		<p>be useful (see current Commonplace survey for transport/highways issues) in encouraging participation, but it has the disadvantages of lack of discussion and being targeted by lobby groups.</p> <p>b. The Council prepares a paper which sets out the possible options for dealing with the problem. This should be in neutral terms, setting out the pros and cons of each option. There should always be a “make-do-and-mend” or minimal change option.</p> <p>c. The Council invites as wide a number of people as possible to send in comments.</p> <p>d. In the light of the comments, the Council redrafts the options paper, possibly setting out the option that it, subject to further consultation, sees as the best. This paper should also describe the main concerns emerging from the consultation.</p> <p>e. A working group is set up, involving the main bodies with an interest – not just residents’ groups but commercial concerns, charities and other interest groups where appropriate (it would, for instance, have been politic to invite an organisation representing the disabled to look at the options for the North Kensington Library). This would meet regularly to help develop the proposals.</p> <p>6. Of course in real life things are rarely tidy and it might not always be possible to follow this pattern. But it should be regarded as the template to be striven for.</p> <p><b>7. For policy developments and the production of policy papers</b>, a similar pattern needs to be followed. At present, too often policy papers are drafted and cleared in-house before they are shown to anybody outside the Council, if shown at all. By that time, ideas are inevitably becoming fixed and the “ownership” of the paper by its drafters can – even if subliminally – make them reluctant to accept more than minor changes. There needs to be a willingness, therefore, to bring in interested organisations and people to scope the ideas before serious drafting begins.</p>	<p>possible. The NCIL governance will be set out in a separate document.</p> <p>S106 monies are already ring fenced and normally linked to the vicinity of the development. S106/Borough CIL spend will be linked to Council priorities in the Council Plan. The Council Plan has been formed following extensive engagement.</p>	

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		<p>8. The gold standard was set by the arrangements for drafting the Council's Code of Construction Practice. Following a huge rise in the number of complaints about building noise, the Head of Environmental Health invited parties with an interest to a meeting at which he explained that the Council was beginning to formulate a code of construction practice. Those invited included local associations that had been active in pressing for better building practices in relation to basements; representatives of the construction industry; a representative of a big estate and various individuals with an interest, as well as different Council experts – planning, highways. There were a number of meetings of the group which looked at successive iterations of the proposed code. The result was a thoroughly well-informed document. It also gave all parties a sense of shared ownership of the outcome. An example of how it should not be done is the recent "Local Enforcement Plan" on which there seems to have been no consultation at all, formal or informal.</p> <p>9. Obviously the precise arrangements would need to be tailored to the individual initiative and not all these stages may be necessary in every case. In some cases, the preliminary consultation would need to be followed by a formal public consultation; in others it would not be necessary.</p> <p>10. It is also important that the Council enters into a consultation exercise with a readiness to respond to the views of residents or at least to explain why what they want is impossible. The consultation arrangements for replacement of the North Kensington Leisure Centre, for instance, were quite good, but no account was taken of the strong views expressed on the size of the new pool, nor were residents given any explanation of why their views on this were ignored (or even of the fact that they would be ignored) until after construction had started.</p>	All comments noted.	

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		<p><b>Communication</b></p> <p>11. For this or any other system of consultation to work, there has to be a heavy reliance on a system of communication that can get through to the right people at the right time. At present this does not seem to exist. As far as we can gather, when the Council wishes to consult on something, it relies on sending it out to all the organisations on its list of residents' associations. We are not sure, however, if Councillors are aware of just how inadequate this list is. It relies largely on self-notification and large numbers of organisations just do not bother to register or do not know they can. Many of those that are on the list are out of date, or do not give adequate contact details. Some are inactive and/or are not properly constituted, or have no system for consulting their members. There are some organisations on the register which came together to fight a particular planning application and now no longer meet or function. No distinction is made on the register between true residents' associations and e.g. conservation societies and garden square committees. Sending anything round to those organisations on the list that have adequate contact details is therefore likely to reach only a tiny minority of residents.</p> <p>12. Not surprisingly, this leads to many complaints, especially in the north of the borough, that people have not been told about Council plans. In the south, we suspect that people are more generally aware of what is happening and feel more able to influence events. Their councillors tend to belong to the ruling party and they generally trust the Council. In the north, however, the distrust and the feeling of disenfranchisement, whether justified or not, mean that any system of communication must be designed in a way that works for the north of the borough as well as the south.</p>	<p>A consultation statement detailing the Council's response to comments received during the consultation period will be published once the consultation has closed.</p> <p>The Council will update their database on an ongoing process. Anyone will be able to sign up to this. Furthermore, anyone who wants to be removed can be removed at any time.</p>	

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		<p>13. <b>With whom to communicate.</b> The Council therefore needs to develop a comprehensive database of organisations to whom it can send things when it wishes to communicate with the community. This should include:</p> <ul style="list-style-type: none"> <li>- Residents' associations and groups</li> <li>- Amenity and conservation societies</li> <li>- Local traders' associations</li> <li>- Churches and other local places of worship</li> <li>- Local charities that work directly with the community (which are often well plugged into local communities)</li> <li>- Garden Square committees and friends' organisations</li> <li>- Local special interest clubs</li> <li>- Any other community hub</li> </ul> <p>14. We accept that this will not be easy. It will be important to keep such a data-base up-to-date and residents' associations are notorious for appearing and disappearing without warning. The help of councillors will need to be enlisted to identify organisations in their area and organisations should be individually contacted on a regular basis to ensure their details are up-to-date. The capacity and willingness of these organisations to disseminate information will also need to be checked. The Council will need to keep a database of emails and telephone numbers, even if these are not published on the web. All of this will need a lot of effort, but it should pay off handsomely if the Council gets it right.</p> <p>15. There are large areas where there are no residents' associations. They tend to exist mainly in Mews (where people live more on top of each other and therefore know their neighbours) and in small "village" areas. Councillors should be asked to help encourage the setting up of more groups. This will be particularly important in the north of the borough. Groups can take various forms and do not need constitutions etc. Blocks of flats normally have management organisations, and one option in many areas might be to</p>	<p>The Council has a list of statutory and non-statutory consultees used to communicate with regarding consultations. This list includes all those detailed in the comments provided. However, it is important that we capture a far wider audience.</p>	

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		<p>build on these (some are already listed in the Council register of residents' associations). The Community Engagement team will need to consult – especially on the north – on what people think will be the most effective type of organisation for the purpose.</p> <p>16. It will be important for the data-base to be structured: and broken down and classified between types of organisation. At present, all are jumbled together regardless of whether they are a major amenity group like the Kensington Society or a two-household residents' association in a house with two flats.</p> <p>17. It is not only the Council that uses the list of residents' associations on the RBKC website. It is also widely used by developers when they try to follow Council exhortations to consult local residents (e.g. about Construction Traffic Management Plans or licensing applications). Not unnaturally, many assume that if they consult the local associations on the list, they will achieve a wide coverage, when this is just not so. A proper data-base – and also a better search facility – is therefore also needed for the public.</p> <p>18. It might also be useful for the Community Engagement Unit to map geographically the areal coverage of all the organisations as a first step to identifying "gaps" in coverage. This is an ideal project where joint working with residents could help co-design this database.</p> <p>19. <b>Means of communication.</b> Once a good database has been established, the Council can use it to create its own email and social media networks via which communications about new proposals and consultation exercises can be sent.</p> <p>The Nextdoor network provides an idea of the sort of thing the Council should be thinking about, although that only</p>	<p>There are a number of ways the Council communicate with local residents and other stakeholders. Emails are the main means of communication and social media networks are used to inform the public.</p>	

	Name	Comments	Response	Proposed changes
		<p>covers email and the use of other social media should also be considered. Again this is a project where residents' input should be used to design the system.</p> <p>20. Some councillors have their own list of contacts to whom they regularly email when they are notified of some council initiative. This is something that more councillors might be encouraged to do. Some councillors also use the Nextdoor email network and the Council might also consider doing the same.</p> <p>21. Anybody on the database or network would have the right to unsubscribe at any time. Equally, if individuals ask to be added to it, this should be allowed.</p> <p>22. <b>What should be communicated.</b> It will be important to keep communications purely factual and not to blow the Council's trumpet in any way. The network should be used to announce proposed new policies and the consultation arrangements for them; and subsequently for keeping people up to date. It can also be used for informing people about things like the arrangements for the Notting Hill Carnival.</p> <p>23. All posts should be short and deal with a single issue – not composite documents like the old Planning Bulletin which was just boring. They should also be in an attractive layout (insofar as this is consistent with the means of communication chosen), unlike for instance the extremely reader-unfriendly posts that come via MyRBKC. Posts should also be kept as sparing as possible and there should be a facility for seeing previous Council posts and the posts of others on individual subjects.</p>		
5	Henry Peterson	<p>Neighbourhood Planning? No formal comments made but at 121 meeting suggested incorporating items for locality in terms of advice and</p>	<p>Comments taken on board to draft the Neighbourhood Planning Section within the SCI to include 'advice and assistance' to meet the new regulations.</p>	

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		assistance for Neighbourhood Planning		
6	Action Disability Kensington and Chelsea	<p>Please see the attached 'Planning - Statement of Community Involvement' leaflet, as a follow-up information after our Access Group meeting on Thursday 14th March, when we had, as one of the guest-speakers, Preeti Gulati Tyagi (RBKC Spatial Planning Team Leader) and she asked for the Access Group members views on how RBKC should consult on planning matters.</p> <p>(I am personally very glad and it is just very good to know that they have listened to our ideas and comments and have incorporated our suggestions/advices, so the Access Group members – excellent job, well done!!)</p>	Noted	