



RTPI

mediation of space · making of place

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Dear Jane

**Planning Advice Note (PAN): Community Engagement “Planning with People”
Consultation Draft**

The Royal Town Planning Institute (RTPI) welcomes the opportunity to respond to this consultation. The improvement of community engagement in decision-making is fundamental to the aim of creating a fair and equitable planning system where everyone’s views are listened to and taken into account. The Institute has a particular interest in responding to this consultation as its members will play a key role in implementing reforms and in achieving the necessary culture change.

The RTPI is the UK body chartered to represent the planning profession and offers these comments from the point of view of a diverse and policy neutral professional body committed to supporting devolved government in Scotland. The Institute has approximately 1900 members in Scotland working across all sectors of central government, local government, government agencies, the voluntary sector, private consultancy, the development industry and academia. Since devolution, the Institute has empowered its RTPI in Scotland Office, together with its Scottish Executive Committee, with the responsibility for working with government and public bodies generally for the improvement of the planning system in Scotland. This is in accordance with its charter obligation to work for the public interest.

The Institute is grateful to the Scottish Executive for the open and inclusive manner in which it has developed this planning advice note. As noted in your covering letter, the RTPI was represented by Alistair Stark on the steering group which has produced the draft report. The Institute has also produced ‘*Guidelines on Effective Community Involvement and Consultation*’,

which are referred to in the draft. We look forward to working with the Scottish Executive in the further development of policy on community engagement and on good practice examples.

General comments

The Institute welcomes the publication of the PAN, which has much to commend within it and which provides an essential policy statement in response to the emphasis placed on engagement and involvement in the White Paper and in the parliamentary scrutiny of the Bill. The draft PAN is dependent on the current proposals as set out in the Bill being agreed by Parliament and on the details of secondary legislation. Areas of uncertainty are noted in the draft and given the strong political interest in the PAN, there is great value in having a draft at this stage as it provides an opportunity to consider how the Bill's proposals will operate in practice.

The Institute supports the emphasis given by the PAN to principles rather than techniques and the strong links that the document makes with culture change. However, the Institute suggests that some of the principles expressed are more suited to a policy statement than an advice note and we consider that the policy elements might be incorporated into a revision of SPP1 on the Planning System.

At this stage, the current draft of the PAN appears quite general and underestimates some of the complexity involved in reaching out to all communities. There are considerable resource implications which will need to be addressed and initial emphasis should be given to ensuring that the opportunities for engagement are timely, fair, equitable, and have clarity of purpose which is understood and valued by all stakeholders.

Whilst the document contains a thorough explanation of the opportunities for stakeholder involvement, the Institute considers that in some instances it does not provide sufficient information for different audiences. This is particularly the case in relation to local community representatives and applicants. More generally, it might be helpful to publish a summary version for the general public as part of the general information campaign to explain the rights of local people in the planning process, as proposed in *'Modernising the Planning System'*. In addition, as secondary legislation is developed, more specific guidance will be required by planners at each stage in relation to new statutory procedures.

The Institute considers that the PAN might also provide more guidance on how planning authorities should measure progress against participation objectives and on the range of indicators to be used in auditing performance.

Our detailed comments are set out below under the main headings used in the draft PAN.

Community Engagement in Planning – what is it and why is it important?

The Institute is particularly concerned that the PAN should use terminology with greater precision to ensure consistency of interpretation and to manage expectations. The Institute accepts the general difficulty of defining the term '*community*' but considers that the term '*community*' is being used in the PAN as a short-hand or umbrella term and this is potentially confusing.

The nature of '*community*' may well vary according to the issues and levels of planning under consideration. One way around this problem might be to focus more on the nature of the activity i.e. on the nature of '*Community or Public Involvement*' rather than on the definition of '*the community*' as such. In this way the PAN may begin to explain the type of involvement or engagement that is to be expected at each stage of the planning process. The Institute suggests

that it may be more important to focus on the term '*community participation*' in its varied forms and on the importance of achieving general understanding and acceptance of the precise meaning and usage of terms such as '*involvement*', '*participation*', '*consultation*' and '*engagement*' at different stages in the planning process.

The section on '*Using Terminology with Precision*' in the RTPI's own '*Guidelines on Effective Community Involvement and Consultation*' notes that: '*much of the terminology used in recent legislation and associated guidance refers to various kinds of public participation, and it is sometimes difficult to discern the precise intention behind the use of different terms. Superficially words such as engagement, participation, involvement and even consultation appear almost interchangeable.*

In reality they are different, and for those working at the practical implementation of these concepts, it is important to understand the precise meaning and usage of each term.....the use of standard definitions....should encourage greater consistency in communication with the general public and stakeholder basis' The RTPI Guidance recommends the following definitions:

- '*Public (or Community) Involvement* – effective interactions between planners, decision-makers, individual and representative stakeholders to identify issues and exchange views on a continuous basis;
- '*Participation* – the extent and nature of activities undertaken by those who take part in public or community involvement;
- '*Public (or Community) Engagement* – actions and processes taken or undertaken to establish effective relationships with individuals or groups so that more specific interactions can then take place;
- '*Consultation* – the dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views, and normally with the objective of influencing decisions, policies or programmes of action.

Given this alternative approach, paragraph 10 of the draft PAN might explain the different type of '*community engagement*' which might be expected at different stages i.e. when '*engagement*' is about '*information giving*', '*consultation*' or active '*participation*'. In addition, the Institute considers that there is considerable value in encouraging continuous forms of engagement through regular meetings with community organisations. The PAN might touch on such approaches and in this context might make valuable links with community planning consultations.

The Institute also considered that reference should be made to PAN 47 on '*Community Councils and Planning: review of the Town and Country Planning System in Scotland*'. PAN 47 will itself require amendment in the light of the proposals in the Planning Bill and it may be advantageous to link or combine the two PANs. This would assist in strengthening sections of the draft PAN on the role of democratic representation in the planning system and reinforce the importance of the contribution of local knowledge and expertise whilst recognising that the power of decision-making lies with the local planning authority. A checklist for community organisations would be of assistance in explaining the expectations placed on community representatives in the planning system.

Roles and Responsibilities

The Institute considers that this section of the PAN is very important in setting out the roles and responsibilities of all stakeholders. We have a number of suggestions for strengthening this section as follows:

- more specific guidance should be included on the role of community representatives e.g. councillors; community councillors; planning committees;
- paragraph 22 refers to the assessment of '*the extent to which the planning authority has met or exceeded its intentions to involve people*' as set out in its participation statement. The Institute considers that more detailed guidance is required on what constitutes '*meaningful engagement*' and more guidance will be needed on how planning authorities might evaluate whether or not their approach is producing the required results. There is also a need for a consistent approach across Scotland;
- more specific guidance is needed on the role and responsibilities of applicants, either within the PAN or as part of the Executive's forward work programme;
- given the difficulties of engaging people in consultations on strategic issues, further thought will be needed on community engagement in the National Planning Framework. The Scottish Executive will wish to lead by example in this regard and the panel in paragraph 41 referring to 'National Planning Framework' might therefore be strengthened to reflect the more detailed expectations set out under 'Development Plans;'
- paragraph 17 might be expanded to include more on the scope of the planning process;
- the statement in paragraph 26 that '*the opinion of members of the community is therefore a material consideration...*' is misleading and should be reviewed. It is only those opinions that are material to planning considerations that can be taken into account. In this context it might be useful to give examples of what does or does not constitute a material consideration and where further advice on this aspect may be available.

Planning Authority Checklists

In general, the Institute considers that the checklists are quite useful in setting out the legislative requirements. It is these checklists that planning authorities are likely to use in monitoring their own performance. However, it is suggested that it is the importance of how these measures are introduced that will make the difference in terms of culture change. Therefore, more detailed discussion of the implications of the checklist might be included in the accompanying text.

Scenarios

The Institute considers that the scenarios are useful in explaining proposed changes to the planning system, however, the examples used tend to over simplify issues and once the new system is in place they might appear less useful. On balance, it is suggested that the scenarios might be replaced by more examples of good practice within the web-based guidance section. Further effort will be needed to identify examples of good practice and the Institute would be pleased to assist with this work.

What the Community Can Expect from the Planning Process

In outlining what the community can expect from the planning process, the Institute considers that further guidance is needed on the nature of '*adequate pre-application consultation*'. This should aim to establish acceptable standards and processes; to achieve consistency of practice across Scotland; and to ensure that applicants are seen as consulting fairly in the eyes of the community. The procedures for hearings will also need clarification as it is only those who have previously submitted views who will be able to participate. Greater emphasis will therefore be needed on encouraging earlier contributions.

How to achieve effective Community Engagement in Land Use Planning

The Institute agrees that closer involvement between the development planning and community planning consultation processes would be desirable and that the two systems would benefit from closer working relations. However, standards and principles will need to be carefully tailored to the needs of the development planning system. It might be better to summarise the principles at this point in the draft and to develop more guidance on how they apply to the development plan and development management processes as a framework for examples of good practice within the web-based facility. 'Standards' need to be specific to the planning system; realistic in terms of resources; capable of being used in evaluating progress; and used as a basis for further guidance to applicants and all other stakeholders on roles and responsibilities in ensuring an effective, fair and efficient planning system. In addition, it might be useful to have a clear statement of principles (fairness, equality, inclusion, clarity of purpose etc.) nearer the beginning of the PAN;

Support for Community Engagement in Planning

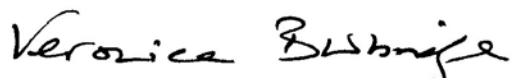
The Institute considers that equal status and importance should be given to consideration of the needs for support for applicants (at paragraph 64), this should take the form of more detailed guidance on submitting applications; the necessary accompanying information; and the requirements for holding and reporting on pre-application consultations; as well as establishing and taking forward good neighbour agreements etc. The PAN might set out possible areas of support for applicants and their agents and further thought might be given to the development of a code of best practice as part of the PAN.

Annex – Good Examples of Community Engagement

The Institute fully supports the availability of a web-based resource dedicated to guidance on best practice in community engagement. Such a facility will need to be regularly up-dated, might provide an interactive facility for discussion and joint learning and could be supported by a data base on relevant research results, publications and training opportunities. Planning authorities will require additional skills in meeting the expectations of these new provisions and it might be useful to identify opportunities for joint-working and for the sharing of community engagement expertise.

The Institute trusts that these comments are of assistance and has no objection to its comments being made available to the public in the usual way. Should you wish any clarification or further assistance, please do not hesitate to contact me at our Edinburgh office: 57 Melville Street Edinburgh, EH3 7HL phone: 0131 226 1959, or email: veronica.burbridge@rtpi.org.uk

Yours sincerely



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