

Officer-Ward Member Communication Protocol

1 Introduction

- 1.1 Successful planning and development involves timely decision-making and the involvement of local communities and their elected members in the process of framing key planning decisions. As a result of the neighbourhood planning process many communities are already forming ideas to influence the future development of their communities, Section 106 agreements and CIL monies and therefore have an important role in the shaping of new planning proposals and especially the larger and more sensitive planning applications.
- 1.2 ~~The Government has signalled very clearly the importance it places on pre-application involvement. The Localism Act 2011 includes a formal requirement for applicants to undertake pre-application engagement on development over a certain size. However, we do not have the detail and it is not a mandatory requirement yet. The National Planning Policy Framework (NPPF) states that applicants will be expected to work closely with those directly affected by their proposal, to evolve designs that take account of the views of the community.~~
- 1.3 A guide on pre-application engagement of members and communities for developers has ~~recently~~ been produced which makes clear the Council's expectations of that early engagement. Ward members are integral to the pre-application process and should be involved throughout the life of an application, responding to the proposal and the proposed Section 106 agreement, as appropriate.
- 1.4 This protocol, therefore, is intended to provide a framework for all officers to follow, whilst allowing flexibility to reflect local circumstances, and sets out the basis on which officers should engage with ward members. It will ensure that ward members are informed, communicated with and have the opportunity to be actively involved throughout the life of planning proposals and applications in their area. This is especially important for those members who have no direct involvement with plans panels. ~~It builds on existing best practice, emerging neighbourhood planning process, new Area Committee aligned planning officer arrangements and discussions arising from the review of the plans panels in 2012.~~
- 1.5 Whilst community and ward member involvement is crucial for the shaping of proposals that best fit the aspirations of local communities, there is the need to give regard to the available resources, for timely decision making and the need to deliver schemes which are strategically important to the City. There is a careful balance to be struck between a members' role in being democratically accountable to their electors and to the wider public on whose behalf they act.

2 Ward member communication principles

- 2.1 ~~A named officer within the area teams has responsibility for New arrangements within Planning Services gives responsibility for liaising with each Area Committee~~

~~area to a named planning officer. This planning officer will be responsible for~~ setting up communication arrangements with ward members within their area to ensure that ward members are informed of and have an opportunity to be involved in development proposals within their ward. On occasions it may be necessary to inform a neighbouring ward about a proposal where it is likely there will be significant impacts, for example retail and traffic.

- 2.2 Members may have preferences as to how they wish to be communicated with, at what stage and what frequency. In the first instance, the named planning officer will contact the ward members to see how this can best be facilitated. Again, this will need to be managed within existing resources and be mindful of the necessity for timely decision making.
- 2.3 Members ~~should~~~~will be~~ registered on Public Access to ensure they receive information on the applications ~~and appeals~~ in their ward and can track progress of those applications ~~and appeals~~ as appropriate.
- 2.4 Wherever possible any regular meetings should be scheduled in advance, with an agreed agenda, to allow an efficient and productive meeting to take place. All meetings must be manageable within existing resources.

3 Pre-application stage

- 3.1 The Government considers that pre-application discussions are of significant benefit in assisting in the identification of planning issues and requirements at the earliest practical stage and help shape the proposal so they best meet local needs. Ward member engagement is essential in this process. Leeds City Council expects pre-application consultations to have taken place, proportionate to the size, scale and impact of a scheme and has produced a good practice guide for developers, which should be considered at the pre-application stage.
- 3.2 The NPPF states: applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of a new development should be looked on more favourably.
- 3.3 Pre-application engagement is not mandatory. Therefore, a developer may choose to engage at the pre-application stage or can submit an application without any initial discussion. They could also decide not to take forward an application following a discussion.
- 3.4 The service receives many speculative pre-application enquiries, often with little detail and many of them do not lead to a formal application. In the first instance, or where there are issues of commercial confidentiality (demonstrated by the developer), officers will initially meet with developers/ applicants. Ward members will be informed that an approach has been made and be invited to further meetings.
- 3.5 The level of involvement may vary, depending on the scale and sensitivity of the proposal. On the largest of schemes, such as East Leeds Extension, Thorp Arch, Kirkstall Forge, it may be appropriate to set up community and ward member

consultative arrangements; on other schemes, regular contact with ward members, with officers present will take place.

- 3.6 Where meetings are required, planning officers will make the arrangements and send out meeting invitations to all ward members within that ward, or where appropriate, a nominated planning member, giving sufficient notice wherever possible.
- 3.7 Brief notes will be kept of all meetings and circulated, to safeguard the interests of all parties and to reduce the risk of future challenge.
- 3.8 Additionally, there will be technical meetings, for example around transport assessments which need to take place to ensure there is timely delivery of decisions. Officers will keep ward members informed of the progress of applications.
- 3.9 Officers will keep members informed about progress of pre-application proposals and inform members of draft heads of terms of Section 106 agreements (where they are available), key dates such as pre-application presentations at the plans panels, as appropriate, likely formal submission date and any planning performance agreements.

4 Notification of new major and significant development proposals

- 4.1 ~~Planning officers will send an email to ward members detailing all new major or sensitive schemes in the affected ward(s) along with details of the draft heads of terms, (where they are submitted). Additionally, members will receive by email information of all new applications detailed on Public Access, allowing members to identify any further applications in which they have an interest.~~
- 4.1 Planning officers will check the boundaries of the development and where the proposed development is close to a ward boundary or likely to have significant impacts on adjoining wards, the appropriate ward members will be informed.
- 4.2 In some wards, officers are already meeting with ward members on a regular basis to receive briefings on major and other significant or sensitive planning applications in their area. In areas where this is not already set up, members will be offered such briefings; this could be via email or a meeting. Where members have expressed an interest in an application, members will be invited to comment, by a given date. It is important that members respond within the stated deadline to allow for the expeditious and efficient progress of an application.
- 4.3 Where a meeting is requested, the planning officer will set up a meeting on a ward by ward basis and all members from that ward will be invited to attend. A single meeting where all ward members are invited makes best use of the available resources. Individual members may still request special briefings.

5 On-going involvement of ward members

- 5.1 For larger and more complex applications it may be appropriate to establish a series of meetings between ward members, developers and officers to discuss key

concerns so that regular updates are provided to all parties. This should be agreed on a case by case basis and will be arranged by the planning officer.

5.2 Use of the three phase process for large and strategic applications at the plans panels- pre-application presentation, position statement and final determination may also be used to further involve and update ward members. Speaking provisions at the pre-application stage, position statement and final determination stage gives an opportunity for ward members to address the plans panel to communicate any issues they may have.

5.3 The view of ward members on the draft heads of terms on Section 106 agreements will be reported to the plans panel as part of the decision making process.

~~6 Upon determination, members will be informed by email of the decision on major or sensitive schemes.~~

6 Establishment of Consultative Committees for strategically significant applications

6.1 Major development proposals can benefit from regular contact between developers, members and community organisations through the establishment of appropriate community consultative forums. A consultative forum may help to identify key issues and alert communities to proposals, so they have opportunity to input from the earliest stage.

6.2 The establishment of a community consultative forum is not a mandatory requirement, but is established good practice on strategically important applications, such as Kirkstall Forge, East Leeds Extension and Thorp Arch, where the size, scale, complexity and impact of proposals is significant. Ward members, plans panel Chairs and Executive Board Member for Neighbourhoods, Planning and Support Services will agree the remit, form and membership of the forum.

7 Post application

7.1 Ward members should be informed when major or sensitive schemes are about to start on site.

~~7.2 Ward members should be informed if there are appeals on major or sensitive applications.~~

7.2 Other matters post application can be important to local communities and should take into account prior engagement and issues raised previously, as to whether further engagement is needed.

8 Review

8.1 These arrangements will be monitored and reviewed in ~~June 2014.~~ June 2017.