

Neighbourhood *Planning*



Guidance Note - Consultation and engagement in Neighbourhood Planning

Introduction

There are a number of useful guides to consultation and engagement already publically available, this document does not intend to repeat these but to provide links to them and try and to identify some of the key principles. It will also try to provide information on some of the aspects that have worked well for other neighbourhood plan groups and lessons learnt.

What is consultation and engagement?

Consultation – is a two way process of information giving. People who are fully informed about the choices to be made are asked their opinion on an issue, scheme etc. These views are then used to inform decisions or actions in a clear and transparent way.

Engagement – is more about working with your community and partners on particular issues or towards specifically defined outcomes. It has the potential to influence outcomes and decisions that are important to the community.

Background

“Public consultation on the production of land use plans, including neighbourhood plans, is a legislative requirement. Building effective community engagement into the plan-making process encourages public participation and raises awareness and understanding of the plan’s scope and limitations.

Robust, sustained and comprehensive public consultation can provide the foundations for a successful neighbourhood plan. It forms part of the evidence base. Successful consultation can also create a sense of public ownership, achieve consensus and provide the foundations for a successful ‘Yes’ vote at Referendum”. (Extract of Tattenhall & District Neighbourhood Development Plan examiners report)

This quote was taken from the Tattenhall & District Neighbourhood Development Plan examiners report. Consultation and engagement is vital and it is important from an early stage and throughout the neighbourhood plan process. Consultation is not just with your community who live in the area but those that

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work or carry on a business in your area.

People are more likely to participate if they are kept informed. And where a referendum is to be held the flow of information takes on an even greater significance.

Best Practice in consultation

According to the Council's Statement of Community Involvement (2017), the following principles are vital to preparation of any Development Plan documents. It is to be noted that the following principles have been adapted to the context of neighbourhood plan preparation:

Effective consultation can be broken down into key stages. The table below illustrates these stages, explains who will carry out the consultations and outlines some of the key tasks. More detailed information is available on the Council's website at http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/np/

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Preparation stage	Community involvement and consultation	Who undertakes the consultation?
Neighbourhood forum designation	This only applies to areas that are not covered by a parish council. When there is no parish council a neighbourhood forum must be developed to lead the work on the neighbourhood plan. A neighbourhood forum application should be submitted by the group and the Council will seek input from relevant stakeholders, including members of the local community, before deciding whether to designate the forum.	Council
Neighbourhood area designation	Once a steering group has been formed, the neighbourhood area application should be submitted. This shows on a map where the neighbourhood plan will cover. Anyone can comment at this stage but the Council will seek input from specific organisations and internal colleagues, ward and neighbouring ward members, neighbouring parish councils and neighbouring borough councils if relevant. Consultation is not required where the proposed neighbourhood area is the same as a single parish boundary.	Council
Initial consultation and preparation of vision and objectives	This should involve extensive community engagement with as wide a cross section of the community as possible, including businesses, developers and landowners. The neighbourhood plan group will then identify key issues and prepare a vision and objectives. They may wish to consult on these although this is not specifically required by the regulations.	Neighbourhood plan group
Evidence gathering, policy drafting and site allocations	Neighbourhood plan proposals and policies need to be supported by evidence. Additional surveys may be required, for example housing needs surveys, character assessments or open space assessments.	Neighbourhood plan group
Strategic Environmental Assessment (SEA) screening	Once the neighbourhood plan policies have been drafted, the Council will undertake SEA and Habitats Regulations Assessment (HRA) screening. The Council will consult with the statutory bodies (Natural England, Historic England and Environment Agency) for a six week period. SEA / HRA is relatively rare unless the neighbourhood plan allocates sites. If SEA is required, this should be undertaken by the neighbourhood plan group (usually through a Sustainability Appraisal).	Council Neighbourhood plan group if SEA required

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Preparation stage	Community involvement and consultation	Who undertakes the consultation?
Pre-submission consultation	Six week consultation on the draft plan, ensuring compliance with the Neighbourhood Planning (General) Regulations 2012.	Neighbourhood plan group
Submission and publicity stage consultation	The neighbourhood plan group will submit the neighbourhood plan, a map identifying the area, a consultation statement, a basic conditions statement and the SEA screening statement or SEA report to the Council. The Council will then arrange the six week 'publicity' stage in accordance with the Neighbourhood Planning (General) Regulations 2012.	Council
Examination	The Council appoints an independent examiner who will produce a report on the neighbourhood plan. The examination will usually be conducted via consideration of written representations received during the publicity stage; if the examiner chooses to hold a public hearing, attendance will be by invitation from the examiner.	Council
Referendum	If the examiner recommends the neighbourhood plan proceeds to referendum, all residents within the neighbourhood plan area will be invited to vote. If the majority of voters are in favour of the neighbourhood plan, it will then be formally 'made' by the Council.	Council

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What do you have to do?

You will need to be able to submit your '**consultation statement**' to the Local Planning Authority (LPA), following your community consultation and prior to the LPA formally publicising the neighbourhood plan.

A "Consultation Statement" has to be prepared to fulfil the legal obligations of the Neighbourhood Planning Regulations 2012.

Section 15(2) of Part 5 of the Regulations sets out what a Consultation Statement should contain:

- (a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
- (b) explains how they were consulted;
- (c) summarises the main issues and concerns raised by the persons consulted;
- (d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood plan.

Examiners are looking very carefully at the consultation statements and the level and form of consultation undertaken. They are looking to ensure that everyone has had an opportunity to have a say, and to see how the plan has evolved over time.

Appendix 1 to this document provides some examples of consultation statements and appendix 2 identifies those bodies who should be consulted. Appendix 3 also identifies possible tables for monitoring your consultation and engagement.

Lessons learned from consultation and engagement

- Don't start the process with a draft plan in mind, the process needs to be open and transparent.
- The neighborhood planning team may find it useful to create an informal and brief 'communications strategy', setting out how and when it means to communicate with the community and other stakeholders. This will be useful to refer to as the process progresses and will form part of your evidence trail showing how your decisions have been made in conjunction with the consultation statement.
- A good place to start is by listing all those groups and services that are within your area (schools, health services, dentist, scouts, care home, etc) this will provide a useful starting point when you are looking to see what

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goes on in your area as well as who to involve.

- If you have experts in your community who can design web pages; documents; communication; research and analysis try and persuade them to help the neighbourhood plan group out.
- Front load consultation and engagement so that everyone is aware of what is happening from the outset.
- Set up a web site or easily accessible means where your community can get access to the latest information.
- Consider your community; some methods may be more appropriate for different age groups/ interest groups. What works well for one community may not for another. A variety of different methods of communication, consultation and engagement may be required.
- Try and ensure that engagement is spread over different time frames so that everyone has the potential to be involved.
- Check what information is already available to you; is it recent/up to date, do you just need to reconfirm? Can you use it?
- You don't have to prepare a questionnaire; you need to tailor your engagement with your aims and objectives taking into account what information you already have. A poorly drafted questionnaire can do more harm than good.
- Read the data protection guidance note, it contains useful information if you are intending to gathering personal information.
- Be aware of any current planning applications and the timing of consultation events/relationship with the emerging neighbourhood plan.
- Keep records of the consultation you undertake as this will be useful when you need to write your consultation statement. See Appendix 3 for an example of auditing your consultation and engagement.
- Keep the consultation short and simple – you are more likely to get more responses.
- “You said, we did” messages are critical.
- Tell the right people. This plan will affect all living and working in the area, so it is important that they are all consulted. You need to consider carefully how you will ensure that all groups in the community will be able to have their say. If results of surveys, workshops etc come back showing a lack of response from certain groups you may have to try harder to engage with these groups/ geographical locations.
- Have genuine consideration for those groups who can be more difficult to engage and hear, such as ethnic minority groups, people with disabilities, older people, the young and rurally isolated communities. Consultation is with all of your community and those that work in your area.
- Lynton and Lynmouth neighbourhood plan group had twenty

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representatives from different sections of the local community to use their networks of local people to engage the community throughout the consultation process.

- Winsford neighbourhood plan used focus groups to look at some issues at key stages.
- Use pictures and other visual aids where possible.
- Post it notes or pin boards to let people have their say, can be themed and work well.
- Let people bring pictures of the good, the bad and the ugly areas in the neighbourhood plan area.

Key times for engagement

Consultation and engagement should be ongoing throughout the development of the neighbourhood plan and the time and effort that it takes should not be underestimated. Events can be set up throughout the consultation process to engage on people's views. There are however four key times for consultation and engagement generally within the neighbourhood plan process and these can be identified as:

1. Raising awareness
2. Pre-vision consultation (evidence base, issues, character assessment)
3. Vision and objectives consultation
4. Draft neighbourhood plan consultation – Regulation 14

1 Raising Awareness/early engagement

There is a need to raise awareness that a plan is being developed. This could be done through existing local events, existing newsletters/newspapers, social media, posters, leaflets and holding a launch event at which other volunteers from the wider community are recruited. It is critical at this stage that you do not go in with a draft plan, or fixed ideas. The plan has to be shown to have been developed through the consultation and engagement.

2 Pre vision consultation

This moves on from awareness raising and provides more detail on looking at the character of the area and its issues. It brings together information on the strengths and positive features as well as the negatives and those things that you may wish to improve. Generally seen as providing the basis for issue and evidence gathering and place profiling. This should highlight the areas where further information will be required.

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3 Vision and Objectives

While there are no rules requiring you to have a vision and objectives, both of these will help guide your plan and provide purpose and clarity which will be very useful in the later stages.

The vision doesn't have to be very long but can identify the time period, broad picture of your aspirations, describe what you want your neighbourhood to be like in 10 -15 years time, consider the land use implications and identify challenges that may need to be addressed.

The objectives are more specific and set out what the neighbourhood plan aims to achieve. The policies of the plan will look to implement the changes. It is useful to consult to find out if the vision you have is shared with the neighbourhood and if there is anything missing or can be improved.

If the first document to be produced by you is the vision and objectives you will need to allow time after the first draft document to consult and amend the document if necessary. Sufficient time should be allowed to analysis results of consultation prior to drafting the plan.

4 Pre submission Consultation and Publicity - Draft Neighbourhood Plan

Once your draft neighbourhood plan has been prepared a formal round of public consultation of not less than 6 weeks in length is required. The regulations require that you as the qualifying body, should

1. publicise (but this does not have to be on a web site) in a way that is likely to bring to the attention of people who live work or carry on business in the area details of:
 - a. the proposals,
 - b. when and where they can be inspected,
 - c. how to make representations, and
 - d. the deadline for making representations – not less than 6 weeks from first publicised
2. consult any consultation body whose interests they consider may be affected by the proposals for a neighbourhood plan.
3. send a copy of the neighbourhood plan to the LPA.

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Following this round of consultation you will have an opportunity to amend the draft plan, prior to submission to the LPA. Consultation will be your responsibility.

Appendix 2 to this document identifies a list of consultees as identified in the Regulations. You will be required to demonstrate that people who live, work and do business in your neighbourhood have been given the opportunity to comment.

In particular:

- Check proposals with landowners or site-owners to ensure any proposals are deliverable and realistic
- Check draft neighbourhood plan with community and other stakeholders to ensure there is general support
- Check with the Council to ensure that policies, proposals and aspirations are sustainable

Once consultation has been carried out an analysis of comments should be made. Consider any amendments that need to be made to the draft plan as a result of the consultation before final submission to the Council.

It should be noted that where a Sustainability Appraisal (incorporating SEA requirements) or HRA has been prepared then these will need to be consulted upon at the same time as the draft plan.

Key consultation bodies where an Environmental Assessment has been prepared are the Environment Agency, English Heritage and Natural England.

It is recommended that the following bodies are also formally consulted, again not just on the draft neighbourhood plan but where appropriate also on your Sustainability Appraisal (incorporating SEA) or HRA where relevant:

neighbouring local authorities, parish and town councils; and
landowners and community organisations that will be affected by your Neighbourhood Plan.

You will also need to consult the wider public. This could be done through a variety of means, including written consultations, events, meetings and so on. The consultation process will need to be carefully designed with clear questions asked, and with people given easy-to-understand instructions to identify which parts of the draft neighbourhood plan or the accompanying documents they are

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commenting upon.

It is important to consult local businesses and service providers, including any GP practices and the NHS West Cheshire Clinical Commissioning Group. The LPA will be able to provide contact details for statutory consultees and other key contacts.

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Appendix 1

Example consultation statements and additional guidance

Thame:

www.southoxon.gov.uk/sites/default/files/5343%20Thame%20Consultation%20Statement%20V3.pdf

Knebworth:

<https://knebworthneighbourhoodplan.org.uk/documentation/regulation-14/>

Moulton:

https://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/np/moulton_pub?tab=files (see supporting documents)

Tattenhall:

http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/np/tattenhall_np?tab=files

Winsford:

http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/np/winsford_np?tab=files

Other documents that may be of help to you

Neighbourhood Plans Roadmap Guide:

<https://neighbourhoodplanning.org/resources/>

Please refer to the CWAC toolkit for other relevant guidance notes:

https://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/np/

You may also like to register to view and ask questions on the neighbourhood planning forum on the Locality website:

<https://neighbourhoodplanning.org/network/forum/>

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Appendix 2

The Neighbourhood Planning (General) Regulations 2012

Schedule 1

Consultation bodies that the qualifying body /Parish Council or Neighbourhood Forum should consult:

- a. In a London Borough, the Mayor of London
- b. A LPA, county council or parish council any part of whose area is in or adjoins the area of the LPA
- c. The Coal Authority
- d. The Homes and Communities Agency
- e. Natural England
- f. The Environment Agency
- g. English Heritage
- h. Network Rail Infrastructure Limited
- i. The Highways Agency
- la. The Secretary of State for Transport
- j. The Marine Management Organisation
- k. Any person to whom the electronic communications code applies, or who owns or controls electronic communications apparatus situated in any part of the area of the LPA
- l. Where they exist a Clinical Commissioning Group, NHS Commissioning Board, licensee under the Electricity Act 1989, Licensee of the Gas Act 1986, sewerage undertaker and water undertaker
- m. Voluntary bodies whose activities benefit all or part of the neighbourhood area
- n. Bodies representing the interests of different racial, ethnic or national groups in the neighbourhood area
- o. Bodies representing the interests of different religious groups in the neighbourhood area and
- p. Bodies representing the interests of persons carrying on business in the neighbourhood area
- q. Bodies representing the interests of disabled people in the neighbourhood area.

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Appendix 3

Example of record of consultation responses and audit table.

SUMMARY OF CONSULTATION RESPONSES			
Activity: <i>(E.g. questionnaire, event, webpage)</i>		Date:	
Total no. of responses: <i>(Total no. of responses and, where possible, scale of activity e.g. total no. of questionnaires distributed, level of publicity)</i>			
Demographic profile of respondents: <i>(Where possible, nos of people in different age categories, nos of people in different parts of the parish etc)</i>			
Key issues <i>(Identify main issues)</i>	No. of responses <i>(Specify no. of responses for each issue)</i>	How addressed <i>(Reference the vision, objectives or proposals that addresses the issue)</i>	

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Audit - Activity Table example

Activity	Method used	Who involved	Issues/concerns		How addressed	How to feedback
			Key issues	Details		
Summer Fayre						
Public Meeting						
Survey						
School Workshop						
Online Forum						