



## **Old Kent Road Community Review Panel**

### **Report of Review Meeting: Developer Consultation Charter & Statement of Community Involvement**

Monday 21 March 2022

231 Old Kent Road, London SE1 5LU

#### **Group**

Gurmeet Sian (chair)  
Lucy Atkinson  
Hugh Balfour  
Hazel Flynn  
James Glancy  
Saidat Oketunde  
Peter Warren

#### **Attendees**

Tom Buttrick	London Borough of Southwark
Emma Popham	London Borough of Southwark
Tom Bolton	Frame Projects
Adela Paparisto	Frame Projects

#### **Apologies / copied to**

Tyreece Asamoah	Old Kent Road Community Review Panel
Shelene Byer	Old Kent Road Community Review Panel
Aaron Mo	Old Kent Road Community Review Panel
Victoria Oluwables	Old Kent Road Community Review Panel
Madison Westwood	Old Kent Road Community Review Panel
Liz Awoyemi	London Borough of Southwark
Tim Cutts	London Borough of Southwark
Colin Wilson	London Borough of Southwark

#### **Confidentiality**

As a public organisation the London Borough of Southwark is subject to the Freedom of Information Act (FOI), and in the case of an FOI request may be obliged to release project information submitted for review.

## **Declaration of interest**

Office Sian, a practice owned by Gurmeet Sian, Chair of the Old Kent Road Community Development Panel, is part of a development team employed by Southwark Council on a site within the Old Kent Road Opportunity Area, at the Ledbury Estate. Gurmeet works alongside the practice leading the team, Karakusevic Carson Architects, not directly for Southwark and does not take part in any design review of schemes on the Ledbury Estate or adjoining sites.

### **1. Project**

Development Consultation Charter and Statement of Community Involvement

### **2. Presenting team**

Tom Buttrick	Team Leader, London Borough of Southwark
Emma Popham	Planning Policy Officer, London Borough of Southwark

### **3. Planning authority's briefing**

The council is currently consulting on new versions of its Statement of Community Involvement (SCI) and the Development Consultation Charter (DCC) which forms part of it. The SCI is an important planning document that defines how and when local residents, community groups and stakeholders can be involved in the planning process; both when new planning policy documents are prepared, and when consultation is carried out on planning applications for new development.

As part of the SCI, the new draft DCC sets out how members of the community can expect to be consulted by applicants or developers at different stages of the planning application process. In particular, it includes new consultation requirements that must be carried out before an application has been submitted to the council. The requirements of the DCC will be used in the validation of pre-application requests and planning applications for major and strategic applications. These consultation requirements also extend to council-led development.

The council asked for the panel's comments on:

- The new validation requirements in the Development Consultation Charter (DCC for developers to provide two community engagement plans: one pre-submission and one at submission, with a summary of engagement activities undertaken and an Equalities Impact Assessment (EQIA).
- The Statement of Community Involvement (SCI), setting out various ways the council will inform residents about development during the planning application process.
- The methods of consultation outlined in the SCI the council intends to use to consult on the strategies and vision for the borough, and whether these could be improved.

#### **4. Community Review Panel's views**

##### *Summary*

The panel supports Southwark's ambition to set minimum requirements in the Developer Consultation Charter for consulting communities, and makes comments intended to help ensure the process can operate effectively. It considers that the Charter should provide Southwark Council with a way to prevent applications that do not meet its requirements on consultation progressing until this is rectified. Officers should be empowered to refuse to consider proposals that do not provide what they ask. Consultation must also be good quality, not a box-ticking exercise, including clear measurements of quality that officers can use to assess whether proposal quality for further consideration. Research into past public engagement successes and failures could help to inform the work. The panel is concerned that the new consultation requirement from developers should not result in excessive burdens on council resources. It asks that careful thought is given to resourcing, that external organisations are potentially involved in monitoring equalities impacts, and that fees to developers are increased if all possible too reflect the cost of managing these requirements. The Charter provides an important means of reducing the negative impact of development on those groups who are particularly at risk. It is therefore important that Southwark Council's consultation on the draft Charter and Statement of Community Involvement reaches beyond an online audience, with particular efforts made to talk to those without internet access. These comments are expanded below.

##### *Community engagement impact*

- The panel is pleased to see the level of commitment Southwark Council shows in the draft Developer Consultation Charter (DCC) to requiring community engagement from developers. It is good to see strong minimum requirements of developers, expressed in a clear way, and standardised so they apply to all applicants in the same way. The panel supports the proposed 'Engagement Principles in Planning' as a laudable statement of intent.
- However, the panel feels that power currently lies with developers with applications usually recommended by officers, and rarely turned down at planning committee. Although much of the work done by Southwark officers to improve applications is behind the scenes, there is little evidence that past consultations have stopped, or significantly changed, developments that are not good enough.
- The panel therefore emphasises the need for the DCC to provide a tool that Southwark officers can use to stop applications progressing if they do not meet its requirements. It should be explicit that, if applications do not satisfy the DCC's requirements for community involvement, they will not be allowed to progress any further through the planning process.
- The panel also emphasises the importance of requiring developers to communicate outcomes from community consultation, and to explain what changes have been made to proposals in response to local views. This should include communicating

consultation outcomes to those who are not online – careful thought is needed on how best to achieve this.

- The panel also suggests that a ‘People’s Awards’ scheme could provide an extra incentive, by recognising high quality development achieved with successful community involvement.

#### *Consultation process*

- The panel points out the importance of using a clear but flexible definition of ‘community’ to ensure engagement reaches the right people, and reflects the constantly evolving nature of the area. Southwark Council’s dynamic list of community groups will play an important role in helping to ensure consultation is comprehensive and current.
- It is also important to avoid consultation fatigue. The requirements placed on local organisations, which are often very small, should be tracked to prevent them being overwhelmed by a succession of large developments asking for their input.

#### *Equalities impact*

- The panel asks Southwark officers to continue making a particular effort to reach those who do not use the internet, older people in particular, as part of their consultation on the DCC and the Statement of Community Involvement (SCI). It suggests the community of Tenant and Resident Associations on the Old Kent Road can help reach older residents.
- The panel encourages Southwark Council’s plans to promote equality by helping developers understand how they can better serve groups of people at risk of experiencing negative impacts from development. It points to people with disabilities and families, of whom there are many in the area, as two groups who should benefit more from development than is currently the case.
- Measuring the impact of development on groups with protected characteristics is a time-consuming job. The panel suggests that external groups, such as academic teams or charities, could be involved in generating data and carrying out research, rather than relying entirely on council resources.

#### *Quality of consultation*

- The panel suggests that developers are not necessarily qualified to hold engagement sessions with local communities, especially with groups of people who have not historically been heard in the development process. It is important that consultation does not make people feel less engaged and more alienated from what is happening in their area, which could be the result if conducted poorly.
- The panel therefore asks for assurances that engagement will be more than a box-ticking exercise, and that developers will be required to meet standards as part of the

baseline expectation before applications are considered. The onus is on Southwark Council to understand and communicate what constitutes high quality consultation, and to be able to require developers to engage better, rather than just to engage.

- The panel also asks whether developers could be required to provide funding for Southwark Council to carry out consultation on their behalf, to help provide assurances about the quality of the process.
- The panel suggests that the process of developing the DCC and the SCI should be informed by research into the successes and failures of past consultation exercises. Although dating back several decades, major design failures on the Old Kent Road such as the Ledbury Estate could also provide important lessons for understanding how engagement can be done better in future.

### *Resources*

- While the panel supports the prioritisation of community engagement, it notes that the new requirements of developers will also place new burdens on council officers, and will potentially require a lot of work to manage and monitor. It asks for assurances that the proposals are realistic, as well as desirable. It is important that local expectations are not raised if they cannot be met, and that the planning process is not overwhelmed and continues to function effectively.
- The panel feels that placing minimum requirements on developers can help to avoid overloading council resources. Officers should be mandated to refuse to engage with applications that do not meet the baseline requirements of the DCC, so that developers have no option but to resource their engagement teams sufficiently at an early stage.
- The panel also recommends that Southwark Council charges more for its services at pre-application stage if at all possible, passing more of the real cost of delivering community involvement on to developers.

### *Next steps*

The Community Review Panel asks for a further opportunity to review the Statement of Community Involvement, as there was not enough time to discuss this at the meeting.