

# MINUTES OF THE OVERVIEW AND SCRUTINY COMMITTEE

Tuesday, 4 July 2023 at 7.00 pm

IN ATTENDANCE: Councillors Mark Ingleby, Chris Best, Joan Millbank, Stephen Penfold, James Rathbone, James Royston, Rudi Schmidt (Chair) and Liam Shrivastava

ALSO JOINING THE MEETING VIRTUALLY: Councillor Ese Erheriene (Vice-Chair)

APOLOGIES: Councillor Luke Sorba

ALSO PRESENT: Charlotte Dale (Head of Scrutiny and Policy), Michael Forrester (Head of Development Management), Emma Talbot (Director of Planning), Rod Gongriip (Community Plan for Holloway), Kate Honey (Landsec) and Jon Watson (Landsec)

ALSO PRESENT VIRTUALLY: Councillor Aliya Sheikh, Councillor Luke Warner, George Perfect and Nick Fenwick

NB: Those Councillors listed as joining virtually were not in attendance for the purposes of the meeting being quorate, any decisions taken or to satisfy the requirements of s85 Local Government Act 1972

## 1. Minutes of the meetings held on 21 February 2023 and 29 March 2023

1.1 **RESOLVED:** That the minutes of the meetings held on 21 February and 29 March 2023 be agreed as accurate records of proceedings.

## 2. Declaration of interests

2.1 None declared

## 3. Scrutiny Work Programme 2023-24

3.1 **RESOLVED:** That the Select Committee work programmes for 2023/24 be agreed.

## 4. Establishment of Task and Finish Groups

4.1 **RESOLVED:** That three proposed task and finish groups be established with the following memberships:

Improving Scrutiny

1. Cllr Mark Jackson (nominated Chair)
2. Cllr Sian Eiles
3. Cllr Mark Ingleby
4. Cllr James Rathbone
5. Cllr Aliya Sheikh

#### Private Renters

1. Cllr Will Cooper (nominated Chair)
2. Cllr Bill Brown
3. Cllr Jack Lavery
4. Cllr Rosie Parry
5. Cllr Sakina Sheikh

#### Youth Provision

1. Cllr Edison Huynh (nominated Chair)
2. Cllr Yemisi Anifowose
3. Cllr Laura Cunningham
4. Cllr Oana Olaru
5. Cllr Hau-Yu Tam

## **5. Good Developer Engagement Protocol**

- 5.1 The Chair introduced the item and reminded Members and guests that this item concerned resident engagement at the pre-application stage and that Lewisham hoped to produce a good practice guide for developers, with input from the Committee.
- 5.2 Emma Talbot, Director of Planning, was welcomed to the meeting and it was noted that Michael Forrester, Head of Development Management, and Nick Fenwick, Interim Director of Planning, were also in attendance.
- 5.3 It was noted that although the pre-application period was important and a point where consultation with residents could be particularly meaningful, there was no requirement on developers to carry out any engagement at this stage. It was hoped that the developer protocol would encourage meaningful pre-application consultation and provide a guide on how to do it well.
- 5.4 The Chair welcomed the following external guests to the meeting and asked each organisation to provide an initial introduction to the Committee on the aims of their organisation in this area:
  - Jon Watson and Kate Honey, Landsec
  - Rod Gongriip, Community Plan for Holloway
  - George Perfect, Terrapin Group
- 5.5 The following points were made by the guests

#### **Kate Honey**

- Landsec's Community Charter outlines its commitment to residents (and

employee bonuses are linked to demonstrating fulfilment of the charter)

- Landsec wants to create places that people want to live in and use; and high-quality engagement and consultation at all stages is crucial to this aim

### **Jon Watson**

- Landsec's Community Charter is being delivered in Lewisham and it is important that engagement considers breadth (enough residents engaged to produce meaningful data) and depth (quality feedback provided by specific cohorts of residents)
- Landsec has a Design Champion group for Lewisham Town centre (there were 300 applications for 16 places) and these residents are paid for their input
- Paying people for their time helps remove some of the barriers to participation (including paying for childcare and travel)
- Using local partners is important in ensuring representation and making sure that feedback reflects the diversity of local communities
- Understanding the demographics of a local area is very important including understanding any language or cultural barriers

### **Rod Gongriip**

- Community Plan for Holloway was set up to ensure that the redevelopment of the former Holloway Prison site took into consideration the needs of local residents
- The closure of the site had created a big impact locally in terms of employment
- Early engagement funded by the Centre for Crime and Justice reached 900 people via an online survey, door to door questioning and a stall at the local shopping centre – this revealed that the number one priority for the site was affordable housing, then green space, then services for women
- Community Plan for Holloway is not a campaigning group but facilitates others in having their voice heard
- It is funded from a variety of sources and employs three full time staff
- The resulting engagement has had a significant impact on the proposals
- The planning permission that has been granted involves 42% social housing on the site

### **George Perfect**

- Terrapin is a public affairs consultancy assisting developers with consultation and engagement involving residents, businesses and community groups
- Engagement must be accessible, all emails and calls must be responded to and there should always be in person meetings with preferably some one-on-one meetings
- The loudest voices do not always represent the whole community
- Consultation must continue throughout, including the build out stage
- It can be helpful to use experts to run some engagement such as heritage workshops to ensure feedback is meaningful
- Consultation and engagement must produce meaningful and tangible

outcomes and residents must understand how they are influencing the scheme – so this must be relayed back to them in a succinct easy-to-understand way

5.6 The Committee asked the expert guests a number of questions and the following key points were made:

- Early engagement is good for developers – it is important market research and helps developers create better places
- For large developments, early meanwhile interventions are useful as they benefit residents and can assist with engagement
- It is useful to start with a relatively 'blank piece of paper' but any site constraints / 'red lines' need to be clearly articulated to residents, together with a clear explanation of any trade offs (e.g. if you want X you might not get Y etc)
- Most residents think engagement is boring and those with the loudest voice can dominate interaction so it is important to engage in ways which don't feel like engagement (such as via an activity – at People's Day there was the option to make a t-shirt and engagement happened naturally as the t-shirt was being made; after work art activities and other immersive experiences also work well) and employ a range of methods (e.g. use lego to demonstrate heights and massing, use a social media takeover to engage young people)
- Being accessible and visible is important, along with feeding back ("you said, we did")
- Using the local voluntary and community sector (VCS) can be beneficial, they can offer advice on who to engage and how – and assist with the engagement process itself (however the VCS is not a free resource, they should be compensated for their time, and you need to safeguard the VCS from being seen as 'working for the developer')
- Specific consultants can also be used who ideally represent the community they are consulting
- Linking into existing campaigns and programmes can help, for example offering funding in exchange for some engagement time
- Social media is important, for major developments residents expect there to be relevant social media accounts
- Lewisham's Young Mayor and advisors are a useful resource in terms of engaging young people (who tend to be particularly concerned about a development's impact on employment, skills, sustainability, biodiversity)
- Collecting equalities monitoring information is important to ensure that engagement is representative of local communities
- Honesty, transparency and timely feedback is key – developers sometimes want to delay bad news and this is not helpful
- Residents need to be made aware of and understand the relationship between the council and the developer and their specific roles and responsibilities
- Landsec runs a Design Champion Group in Lewisham – this involved 16 local residents applying to be part of the group (with positive action taken

to ensure the selected group was representative of the local community) in return for being paid for their time (London Living Wage) and expenses (transport and childcare) – they were briefed on design codes and the masterplan before starting and their input has had tangible outcomes

- The Design Champion Group's remit has now expanded and they provide input on a wide range of issues including, most recently, the meanwhile use of a car park
- Social value is important and the Catford Conversations work on commonplace was a good example of achieving this (starting with something as basic as what residents like and don't like about an area, before moving onto what they want the development to achieve for them)
- It is important that Developers are familiar with the Planning framework and relevant council priorities and strategies and the Planning team are good at relaying this information to developers and working with relevant teams within the Council (for example, ensuring that teams such as the local assemblies team, who can provide relevant community insight, are engaged)
- The tension between the public progression of an application and the developer's conversations with planners has to be recognised, as it is not possible to go public with everything immediately – however it is important to try to move all stakeholders ahead at the same time

5.7 The following points were noted in relation to Community Plan for Holloway:

- Community Plan for Holloway is a very structured way of helping residents respond to developments - independently funded and with an oversight board – with the aim of facilitating feedback, not providing it themselves
- It has worked hard at its relationship with Peabody, the developer of the prison site, to demonstrate its worth
- It ran an Architects Working Group which allowed residents to look in detail at the plans and translate them into everyday language for wider residents

5.8 It was noted that in relation to the Lewisham Town Centre development five core themes had come through via the engagement:

- A mix of shops, leisure and eating venues was favoured
- Safety was important
- Local job creation was essential
- There should be community infrastructure
- There needed to be green space (the number one priority)

The next stage in the development was the design phase.

5.9 The Director of Planning emphasised the importance of the protocol being scalable and being feasible, whilst setting a high bar.

5.10 Standing orders were suspended to allow the item to be concluded.

5.11 **RESOLVED:** That the following recommendations be made in relation to the good practice guide for developers for pre-application resident engagement, being produced by the Planning team:

1. Equalities must play a central role in pre-application engagement.
  - The guide should set the expectation that proportionate EAAs should be carried out on the proposals.
  - The engagement plan should seek to ensure that the engagement reflects the make-up of the affected communities.
  - Seldom heard groups should be specifically consulted
  - The guide should ask developers to engage in equalities monitoring where it is possible, especially to ensure smaller working groups are representative
  - The Fairer Lewisham duty should inform equalities monitoring to ensure social economic background is considered alongside protected characteristics
  - Local organisations with specialised knowledge of the local area should be engaged to ensure participation is high quality and representative.
2. The guide should ask developers to see themselves in partners in our aim to build community and empower residents with the skills, knowledge and tools which will enable them to take part in local decision making beyond the engagement process including understanding the planning framework and associated rules, which can be difficult to comprehend.
3. The guide should make it clear that engagement has to be meaningful. Developers must be willing to allow residents to influence the application in a tangible way, and any developer 'red lines' should be clear from the outset.
4. The guide should differentiate between different scales of development and different levels of impact; and suggest different levels of engagement based on scale and impact: with developers of larger, more complex developments encouraged to carry out larger, more in-depth engagement. The most affected residents should be engaged most intensively.
5. The guide should articulate that engagement should be accessible to as wide a range of people as possible; aim to meet the engagement preferences of local residents; and not involve an onerous time commitment – consideration should be given to taking a creative approach.
6. The guide should encourage developers to take a social value approach which asks open ended questions about what residents value and what they want, to help identify residents' feelings and aspirations for their area.
7. The guide should acknowledge potential barriers to engagement and suggest ways in which these might be overcome (e.g. digital exclusion, childcare/caring responsibilities, language barriers etc)

8. The guide should include (a) template early engagement strategies which can be used by developers and (b) case studies showcasing successful pre-application engagements that have utilised a range of different engagement models with an articulation of their benefits.
9. The guide should establish a framework for developers engaging with the planning team (and through them, other relevant council teams) and the council's formal strategies and priorities, in order to gain both local and borough wide insights. The principle of "we come to you" in engagement is important, and Community Development Officers have valuable local experience and can highlight to the Planning team local organisations and groups, including the voluntary & community sector, who can play an important part in the engagement (providing information on "who, when and where"). Some proposed developments may benefit from being considered at local assembly meetings as part of the engagement process.
10. The guide should look to ensure that, as a result of resident engagement, residents understand the distinction, and relationship, between the council and developers.
11. The guide should make clear that good engagement is important so it should be properly funded in order to (a) enable early discussions; (b) allow time for feedback to be given to the community on how their points have been responded to; and (c) allow for the preparation of a report on the engagement activities to form part of the eventual planning submission.
12. The planning team should investigate whether it is feasible to create a community engagement post to assist local engagement on behalf of developers for a fee.
13. Developers should consult residents on whether the land they have purchased for development has meanwhile use potential and could be utilised by local residents, groups and businesses for creative and community projects with social value outcomes prior to its redevelopment.

The meeting ended at 21:52

Chair:

-----

Date:

-----