



Local Democracy Working Group

Proposals For Planning (Recommendations #25-#30)

Date: 10 February 2021

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Director of Planning

Outline and recommendations

The purpose of this report is to update the Local Democracy Working Group (LDWG) on proposals to increase the openness and transparency around the planning process, particularly focused on effective decision making at planning committees.

The report sets out the interim changes that have been introduced as a result of the COVID-19 pandemic and proposals that have been developed following the February 2020 LDWG meeting and the response to the options presented there. On the basis of the information gathered and the outcome of the LDWG meeting, proposals have been prepared around three key themes:

- Decision making
- Consultation and engagement with public
- Communication

Timeline of engagement and decision-making

May 2018 – Mayor Damien Egan promises to launch a review that will make the Council ‘even more democratic, open and transparent’

July 2018 – Full Council agrees to establish a Local Democracy Review Working Group consisting of eight councillors. They are tasked with making recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making

September 2018 to January 2019 – the Working Group gathers evidence from a wide range of residents, community groups and local councillors (including an online questionnaire completed by over 700 respondents, workshops at four secondary schools and attendance at over 40 events)

January to March 2019 – the Working Group collects their evidence into a final report, which identifies 57 recommendations for change

March/April 2019 – Mayor & Cabinet and Full Council agree the report and recommendations

April 2019 to March 2020 – the retained Local Democracy Working Group oversees delivery of the recommendations

February 2020 – the Local Democracy Working Group welcomed the direction of travel for recommendations #25-#30

June 2020 – temporary changes agreed to the Council’s Statement of Community Involvement (SCI) to facilitate virtual meeting and introduce a temporary change to the scheme of delegation to introduce changes to cases that are referred to planning committee.

September 2020 – temporary changes to the SCI are extended for a period of 6 months due to the ongoing pandemic and consultation on permanent changes to those sections addressing planning policy consultation agreed

December 2020 – permanent changes to the SCI to those sections addressing planning policy consultation approved by Mayor and Cabinet

1. Summary

- 1.1. The purpose of this report is to outline the proposals for the delivery of the planning recommendations.

2. Recommendations

- 2.1. The Local Democracy Working Group is:

- Recommended to note the changes that have already been implemented:
 - Use of closed sessions in planning committees for legal advice
 - Uploading of PowerPoint officer presentations for planning committee Members
 - The preparation and use of committee informal protocol notes
 - The use of external planning training to support planning committee

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- members
- Permanent changes to the plan making sections of the SCI, following public consultation
- The temporary covid-19 related planning changes and the learning from those
- Recommended to agree:
 - Changes and improvements to the Planning web pages
 - Officers progress updates to the Local Information Requirements to require the submission community audit to accompany every major development
 - The development of a weekly list of applications for ward Cllrs to replace direct notifications
 - The introduction of regular pre-application reviews for strategic cases (virtual)
 - Preparation and updating of informal written protocols for how committees are undertaken to aid with public understanding and perception
 - Officers develop and set up a programme of member training and engagement
 - Greater use of the existing planning IT system to enable the public to monitor planning application progress
 - New acknowledgement letters prepared to be emailed when an application is received
 - Development of public consultation advice for developers and landowners for publication
 - Prepare proposals for a new SCI and any necessary associated changes to undertake engagement with relevant stakeholders including:
 - A period of engagement with community groups as to how best to formally recognise them
 - A period of engagement with Members and the public regarding possible revisions to planning committees
- Recommended to agree further development by officers of:
 - The approach to the automatic publication of letters of objection to follow the latest legal guidance

3. Policy context

- 3.1. The recommendations of the Local Democracy Review are consistent with all the Council's corporate priorities (contained within the new Corporate Strategy 2018-22). Effective decision-making underpins the delivery of every commitment within the strategy and we will continue to work closely with our residents to understand the differing needs of our diverse community. However, the recommendations are particularly relevant under the priorities of:
- *Open Lewisham* – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us

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4. Background

- 4.1. The recommendations of the Local Democracy Review around planning were grouped together under the theme of Openness and Transparency in the final report of the review. However in planning the delivery of the recommendations, it became clear that although there were strong elements of openness and transparency and public involvement in the planning process, delivery of them had the strongest link to the rest of the recommendations grouped under the Effective Decision Making theme. This enables the synergies between the work focused on councillors' roles and responsibilities and various other forms of council meetings to be reviewed by LDWG champions in the round. The recommendations state that:

'Communications policies for licensing and planning need to be updated in line with the democratic standards being developed to include effective digital communication. More effective and timely use of electronic communications should be a key focus, including an improved presence on the website and the online publication of notices' (#25)

'Clearer information should be provided to councillors, citizens, applicants and objectors about the role and power of planning and licencing committee and local councillors' (#26)

'The most appropriate way to provide professional support and guidance to councillors responsible for planning decisions should be further explored' (#27)

'A consistent, proportionate approach should be adopted to the provision of submissions and objections to planning and licensing committees. Full provision with suitable redaction should be the standard approach, with summaries also provided where appropriate' (#28)

'Ward members should be notified of all relevant applications and decision-making processes in a timely and appropriate manner' (#29)

'If required, the Planning Statement of Community Involvement should be reviewed in line with the democratic standards once developed, and the other relevant recommendations made within this report' (#30)

5. Work to date

- 5.1. A series of meetings, a site visit, research and benchmarking took place prior to the LDWG meeting of February 2020. Those activities have included:
- site visit to LB Brent (Local Planning Authority of the Year 2019, RTPI Awards for Planning Excellence)
 - attending Future of London community engagement forum
 - meeting with Planning officer focus group
 - meeting with resident/local amenity groups
 - meeting with Council lawyers who support planning
 - assessment of current ways of working/engagement within Planning (including comparison with other boroughs planning committees and review of website)
 - meeting between Cllr Davis and Planning Committee Chairs
 - meeting with strategic planning committee
 - 'secret shopper' planning objection
 - attending a local Planning meeting
- 5.2. Future actions after the February meeting included attending a community forum meeting, ward assembly and meetings between Cllr Davis, Planning and IT to discuss ICT requirements and communication officers to discuss support requirements

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- 5.3. Since that meeting, progress with future actions stalled due to the COVID-19 pandemic and the need to redirect resources to supporting the Council's response. However, the pandemic required some urgent temporary changes which reflected some of the emerging options and suggestions from Members as part of the LDWG.

6. Learning from COVID-19

- 6.1. The current unprecedented public health emergency means there has been a need to review and adapt existing processes in relation to Local Meetings and Planning Committee Meetings which are set out in the Council's Statement of Community Involvement (SCI) and the scheme of delegation set out in the Council's Constitution. Changes agreed in June 2020 enabled the Council to continue to fulfil its statutory duty to determine the full range of planning applications, including applications relating to critical major regeneration or housing schemes.
- 6.2. In response to the Covid-19 pandemic, the emergency temporary modifications to the Council's Statement of Community Involvement (SCI) agreed by Mayor and Cabinet were (unless schemes are to be refused):
- Threshold for applications being required to go to Planning Committee for decision raised from 3 to 5
 - Any application with an amenity society objection to be subject to case review with Chair to determine whether it is referred to planning committee for a decision
 - Any application with 5-9 objections to be subject to case review with Chair to determine whether it is referred to planning committee for a decision
 - Invitations to planning committee meetings and other communications and information (including publication of agendas) relating to planning committee meetings be carried out electronically wherever possible
 - Make it explicit that people wishing to speak at planning committee meetings will need to register to speak in advance of the meeting and will need to submit written copies of their speeches in advance of the meeting
 - A new online format for Local Meetings to be developed and implemented
 - Make any necessary amendments regarding the publication of agendas and decisions
- 6.3. The temporary changes to the Council's Statement of Community Involvement were accompanied by parallel changes to the scheme of delegation which were agreed at Strategic Planning Committee. These were reviewed on 3rd September and a 6 month extension was agreed due to the continued need to operate virtual meetings.
- 6.4. Similarly, the public health emergency has meant that there was a need to review and adapt existing processes in relation to the preparation of planning policy documents which are set out in the SCI. This includes Local Development Documents that form part of the Council's statutory development plan. Furthermore, a review and update of existing processes is required to ensure the SCI appropriately reflects the latest legislation, national planning policy and guidance, having regard to changes introduced since the 2006 SCI was adopted.
- 6.5. Since their introduction in June 2020, the Planning Service have been applying the increased scheme of delegation threshold. At the time of writing this report 41 decisions had been made by officers where there were 3 or 4 objections, 22 of which that would have otherwise had been determined at committee as the recommendation was for approval. The schemes have largely been small scale developments. The adjusted threshold has saved approximately 3 weeks on average that would normally

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be required for the process a committee meeting report preparation and a review of the decisions has shown that in most cases, issues raised were able to be successfully overcome via the imposition of conditions. The Planning Service have not seen an increase in complaints as a result of changes and the high quality of decision making has been retained.

- 6.6. Schemes with 5-9 objections or an amenity society objection have been subject to a Chair's Review meeting to determine whether a decision should be made by officers or committee. The Chair's Review meetings do not take a decision on if the planning application itself should be approved or refused, only who will be the decision maker for the application, based on a short presentation of the scheme and an overview of the material planning considerations/key issues. Following representations from amenity societies and feedback from the Council's Business Panel, a new field has been used on the Planning public access system to note the outcome of CRM meetings to ensure transparency on where a final decision would be taken. 47 schemes have been subject to this route with developments ranging from variations of conditions to development of a 6 storey building. 76% of schemes have been referred to officers to determine a development under delegated powers, with the remainder being decided by committee. In many instances, issues raised were able to be successfully overcome through the introduction of conditions. Those cases where more fundamental in principle objections were raised were more likely to be referred to planning committee. Reviews of the decisions made by officers has shown that the high quality of decision making and full and transparent analysis of objections in light of national, regional and local planning policies has still happened. Particular concerns were raised by amenity societies regarding the risk of harm to heritage assets in the Borough as a result of the automatic referral right to planning committees being removed. Officers have not seen evidence of this and remain confident that the decisions made have continued to appropriately protect and reflect the Borough's heritage assets.
- 6.7. Virtual planning committee meetings have been operating successfully in terms of public participation and decision making. They have been resource intensive, requiring additional officer support than would be needed for an in person meeting but the quality of decision making has been retained. An initial backlog of planning cases required regular meetings of all the planning committees but once cleared, the Planning Service have seen a reduction in cases requiring a committee decision due to the operation of the temporary scheme of delegation and Chair's Review meetings.
- 6.8. In order to ensure virtual committee meetings are conducted in an orderly fashion it has been necessary to introduce a new requirement for public speakers (including applicants and/or their agents) to register their intention to speak 24 hours in advance of the meeting so that the IT department can arrange for them to be invited to the meeting. Public speakers are also now required to submit their intended verbal statements in advance of the meeting as a precaution to ensure that their views can still be taken into account by the Planning Committee in the event that their verbal presentation is cut short due to technical difficulties. Both measures have been operating well and people have been taking part in virtual committees. Following early issues with attendees being able to operate their own technology successfully, additional support for members of the public in the form of a pre-committee test have also been introduced. These have been well received.
- 6.9. The SCI makes provision for Local Meetings where 10 or more objections have been received to a planning application. These meetings are an opportunity for the community to find out more about proposals which may affect them and to ask officers and applicants questions about the planning application. As it is no longer possible to hold face to face public meetings, a new electronic format for Local Meetings has been taking place to fulfil the same important role of community engagement. To date, this has largely relied on external IT support rather than a Council system, however

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progress is being made with an in house solution. 8 local meetings have taken place since June and have enabled public participation through an online meeting. A good level of public participation has been achieved and there has been no evidence of a reduction in engagement due to these measures.

- 6.10. To avoid delays to postal deliveries, wherever possible, notification of Local Meetings (in their revised electronic format) and Planning Committee Meetings have been made by email. Where an individual's or group's email address has not been given, the Council has continued to communicate with them via post. This has been operating successfully.
- 6.11. At this time, libraries remain closed, as does the Planning Information office. The SCI notes that these locations are available to view planning applications, committee agendas and decisions. As these locations are not currently available the SCI was updated to make it clear how the public can access this information such as via the Council website. The Planning Service have seen no indication that this has reduced participation in the planning process through the pandemic.
- 6.12. Officers consider that the temporary working arrangements and delegations have been operating successfully, albeit it is recognised that there has been much concern from amenity societies that their role in decision making has been weakened. Good quality decisions are being made under delegated powers on the most straightforward cases, with the cases being considered by planning committee being more complex or nuanced. The temporary measures have enabled the Planning Service to continue to issue decisions, engage with the public and reduce the committee backlog that had grown at the beginning of lockdown. The measures have not been found to give rise to concerns regarding the proper consideration of planning issues.
- 6.13. The pandemic has necessitated a level of change and adjustment to the Planning Service that has been unprecedented. Whilst the period has been challenging, it has shown that changes in how the service engages and undertakes the planning process in new ways, using technology has not disenfranchised the community. It is also evident that irrespective of where a decision is made, good quality decision making has been preserved throughout. Safeguards have been introduced through increased member involvement via Chair Review Meetings and call-in rights for ward Cllrs have also been retained throughout, ensuring proper democratic accountability remains at the heart of the planning process in Lewisham. This period has also shown that there is a need for flexibility in processes to enable the Council to respond to changes in circumstances.

7. Proposals

- 7.1. There are a number of detailed direct responses and actions to the local democracy review recommendations that have been formed based on the feedback and research to date and the learning during COVID-19. These fall under three key themes of consultation and engagement, decision making and IT/website. This report reflects on the proposals under these broad themes.
- 7.2. The local democracy review process and recommendations were expected to be achieved within existing resources wherever possible (given the Council's ongoing budget savings process). Following the COVID-19 pandemic, the Council's financial position has worsened. It is therefore necessary to look at opportunities to make savings as part of this process wherever possible. This is particularly important for the Planning Service as income levels have reduced significant with a projected overspend of c.£1m as of December 2020. Whilst this is not the driving force behind any proposal, this has influenced the proposals with this paper.

Consultation and engagement

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- 7.3. To aid greater transparency and trust in the planning process, good consultation and engagement with the public is key. Having undertaken the activities in part 5 of this report, it is clear that early engagement is vital along with clear guidance and a meaningful chance for communities to get involved in planning. Many feel that current planning engagement takes place too late in the process and can therefore feel tokenistic. The rationale that underpinned the options for improvement were to undertake earlier and therefore more meaningful engagement with the public. This aligns with the emerging findings from delivery of the wider consultation and engagement recommendations that approaches to early and meaningful engagement need to be better embedded across the organisation.

Current practice

- 7.4. All Councillors are notified of each planning application made in their ward. The public are consulted by letter (or automatically by email if an interest in a particular street is registered on the public access system) and local meetings are offered where more than 10 objections are received to a planning application. Amenity societies are consulted on applications in their area and any applications that they object to are automatically referred to planning committee. Letters that are received are not automatically published, instead being made available if requested after being redacted.

COVID-19 temporary changes

- 7.5. Due to the demands of resourcing virtual planning committees, the automatic call in right for amenity societies has been temporarily changed. This means that instead of an automatic referral to planning committee, an amenity society objection results in a Chair's Review meeting to determine where a decision is made. Greater use is also being made of electronic correspondence to reduce the need for officers to attend the office to handle post. Local meetings have been held virtually and many developers have been using online forums for pre-application meetings with good attendance being achieved

Proposal

- 7.6. The LDWG agreed that officers should progress proposals to improve early engagement that is developer led. It is proposed that there is a greater emphasis on early engagement by promoting pre-application consultation with local communities, led by applicants/developers in accordance with a Lewisham public engagement protocol. Evidence of engagement and details of feedback would form part of the planning submission and would be a material planning consideration. Developers would also be expected to undertake a community audit to support any planning application affecting community assets, including open space, noting the facilities/uses on a site and how they are used and valued by the public. Setting this requirement will help to signpost the importance of meaningful community engagement at the earliest stage of the design process for schemes of all scales. Coupled with the proposed reduction of planning committees, this will assist ward Members to have more time to take part in those early discussions and help shape and advocate for their communities. This is intended to address comments by the public and Members regarding the frustration felt when input is requested at too late a stage when an application is submitted and a scheme is designed.
- 7.7. For all major applications, early engagement would include a pre-application public meeting to undertake public consultation when there is a chance to influence scheme design. This would replace the existing local meeting requirements based on number of objections to ensure that the earlier engagement can be resourced and no local meetings would be held for minor schemes. Improved guidance would need to be produced for the public and developers to ensure that the expectations of these meetings are clearly set.

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- 7.8. Ward Cllrs would continue to be consulted on all applications in their ward but via a 'weekly list' showing the previous three weeks of planning applications.
- 7.9. Pre-application planning committee reviews would be undertaken for strategic schemes using a virtual format. In addition, the Council would develop a new Statement of Community Involvement and review of who is consulted as part of planning applications, how they are contacted and when. This would also review the role of and relationship with amenity societies. It is recommend that a period of engagement between the Council, Members and amenity societies/community groups takes place to explore this further and consider options for how best to formalise their role, recognise the value that our community groups bring to our decision making whilst ensuring a smooth process that works in the wider public interest.
- 7.10. Learning from COVID-19 suggests that an SCI which is a high level document that sets out minimum requirements with further details expanded via advisory notes as necessary hosted on the Council's website would enable standards to be set but give the Council greater flexibility to respond quickly should circumstances change.
- 7.11. One area that the Planning Service continue to keep under review is the automatic publication of letters received in response to planning applications. Guidance from the Planning Advisory Service and ICO continues to be awaited. Until that time, the Council's approach is based on the interim advice which recommends against automatic uploads.

Outputs

- 7.12. In order to deliver this proposal, the following outputs would be delivered:
 - A new SCI following the development of proposals and a period of engagement with amenity societies/community groups and Members
 - A public engagement protocol
 - A weekly list of planning applications for ward Cllrs to replace direct notifications
 - Regular pre-application reviews for strategic cases (virtual)
 - Change Local Information Requirements to include a requirement to submit a community audit for major schemes
 - Continue to review the automatic publication of letters of objection to follow the latest legal guidance

Decision making

- 7.13. The majority of planning decisions are made by officers using their delegated powers. Prior to the temporary emergency measures, for applications where there were three or more objections, those involving the loss of a pub or departures from the development plan, decisions are made by a planning committee.
- 7.14. Lewisham has one of the highest numbers of planning committees in London (three committees and strategic planning committee) and also one of the lowest triggers for referral through to planning committee. There have been occasions where training has had a low attendance and Members wider roles can make it difficult to make time to undertake a full review of planning reports. Feedback suggested that we need better and earlier engagement with Members who are on Planning Committees. This feedback recognised that this will require greater time commitment from Members and officers who support committees so changes would be needed to the number of meetings and types of applications that are taken to Planning Committee to support that type of change.
- 7.15. As discussed above, Lewisham has four planning committees and 31 Members who are involved in making planning decisions; committees A, B and C and Strategic

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Planning Committee (SPC). There are no set thresholds for which cases which go to A, B or C versus SPC, but generally the largest scale schemes go to SPC. The local democracy review feedback noted frustration and confusion from both Members and the public about roles, responsibilities and transparency of how decisions are made. In response to this, some immediate changes have been trialled at committees.

- 7.16. The rationale for the proposal below is to give a greater sense of fairness in terms of the type of cases that come to committee and the process of how decisions are made, enable better decision making by ensuring that sufficient time is available for those Members who are on committees for training and ensure that Members still have the opportunity to appropriately advocate for all their communities and effectively fulfil the wider range of responsibilities members have.

Current practice

- 7.17. For planning committee members, training is held at the beginning of each new election cycle with optional training carried out from time to time. Reports have been refreshed to make them more accessible. Greater use is being made of confidential legal advice to Members as required during meetings along with providing electronic copies of all objections/support letter as confidential agenda items. Planning case PowerPoint presentations are also now provided in advance to Members.

COVID-19 temporary changes

- 7.18. Changes to the scheme of delegation has meant cases with 3-4 objections have been decided by planning officers under delegated powers. Schemes with 5-9 objections or an amenity society objection have been taken to a Chair's Review meeting where a decision is made by a planning committee chair on whether a scheme is decided by committee or under delegated powers. Member training and briefings have been undertaken virtually with high levels of attendance and engagement and protocols and standard scripts prepared for committees and chairs to assist with virtual committees.

Proposal

- 7.19. It is proposed to increase the threshold of objections that would trigger a committee referral to at least 5 objections to mirror the emergency temporary measures. It is also considered that Chair's Review meetings for those schemes with more than 5 objections should become a permanent feature of the scheme of delegation as an added safeguard. The temporary changes have demonstrated that good decision making has been safeguarded whilst ensuring that only the most complex and sensitive schemes are referred to planning committee. It is not proposed to alter Member call-in powers.
- 7.20. As a result of this and the likely reduced referrals to committee, it is proposed to review the structure, frequency and resourcing of planning committees. This review would also take in to account any changes needed to enable the Planning Service to refocus resource to support the increased early engagement activities and any freeing up of time for Members to assist with their wider roles and requests for earlier engagement.
- 7.21. Written guidance for Members would be retained and kept up to date with guidance also prepared to more clearly explain what is expected at a planning committee for publication on the Council's website. This will aid transparency for those who wish to participate in the decision making process.
- 7.22. Training for Members would be mandatory and held (virtually or as a hybrid meeting) at least annually to improve understanding and also help with public perception of good quality decision making.

Outputs

- 7.23. In order to deliver this proposal, the following outputs would be delivered:

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- Consult on the adoption of permanent changes to the scheme of delegation and the permanent use of Chair's Review meetings
- Prepare and update informal written protocols for how committees are undertaken to aid with public understanding and perception
- Set up a programme of member training and engagement

Communication

7.24. The planning system is complex and accessing good quality information is therefore vital to ensuring that the planning process is as transparent as possible. This is important for applicants as well as the public (including interest groups) and includes policy information, information on process and information on individual planning applications. Feedback has been almost universal that the current web pages are difficult to find and navigate and that those who are interested in planning application progress can be unsure of planning application stages and where applications are in the system. The rationale for the options are to provide more and better information that is easily understood and to make the process more transparent. simplifying the website to bring out the key information

Covid-19 temporary changes

7.25. The COVID-19 pandemic has shown the importance of good, regular and clear communications. The Planning Service have been keeping the planning pages on the web site up to date with the latest changes to service delivery and has adapted some of the information that is updated on the public access system to show the progress of cases.

Proposals

7.26. Changes have been introduced to web page management which now sits with IT. Staff within planning will be now able to update the planning web pages directly, ensuring that there is greater control over content and a better ability to respond to customer demands. Staff will be trained in the short term and after that point, it is proposed to refresh and update guidance pages and reintroduce some useful guides to help those participating in the planning process.

7.27. The current planning service IT system would remain but opportunities for more information to be input in to the existing fields to give more detail about how an application is progressing will be explored. Greater use of existing communication methods such as the Council wide twitter feed would be promoted to publicise key planning matters, as is already happening with the draft local plan. Letters would be sent to applicants notifying them when their application is received (as opposed to waiting until valid) and this would set out information on the overall process.

7.28. Longer term proposals for the replacement of the planning IT system are still in place but held in abeyance due to current capacity, risk given full reliance on remote working and proposals for wide scale digital changes outlined in the Planning White Paper.

Outputs

7.29. In order to deliver this proposal, the following outputs would be delivered:

- Updated content on the planning website
- Greater use of the existing system to be able to monitor planning application progress
- New letters prepared to be emailed when an application is received

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8. Conclusion

- 8.1. Recommendations #25-30 of the LDR required that key aspects of engagement with planning process were reviewed with a desire to increase transparency and understanding.
- 8.2. Having undertaken a review of the current process, meeting with various groups who engage with the service, visiting Brent Council to review best practice, undertaken benchmarking, learnt from the emergency temporary COVID-19 changes and had endorsement of the direction of travel from the LDRWG, there are series of proposals. The working group are asked to agree the proposal which seeking to make better use of the Council's website and existing IT systems to provide better and more user friendly advice and information, provide a more front loaded planning process where early (and therefore more meaningful) engagement is sought as opposed to a reliance on meetings during the formal process and changing practices for planning committees to facilitate good, transparent decision making.
- 8.3. The key actions/outputs proposed to deliver on these recommendations are:
 - A new SCI following the development of proposals and a period of engagement with amenity societies/community groups and Members,
 - A public engagement protocol,
 - A weekly list of planning applications for ward Cllrs to replace direct notifications,
 - Regular pre-application reviews for strategic cases (virtual),
 - Change Local Information Requirements to include a requirement to submit a community audit for major schemes,
 - Continue to review the automatic publication of letters of objection to follow the latest legal guidance,
 - Consult on the adoption of permanent changes to the scheme of delegation and the permanent use of Chair's Review meetings,
 - Prepare and update informal written protocols for how committees are undertaken to aid with public understanding and perception,
 - Set up a programme of member training and engagement,
 - Updated content on the planning website,
 - Greater use of the existing system to be able to monitor planning application progress,
 - New letters prepared to be emailed when an application is received.
- 8.4. Resourcing for this work and exact timescales will be dependent on the need to respond to the current pandemic. However, it is intended to progress these actions at the earliest opportunity.

9. Financial implications

- 9.1. The Local Democracy Review was delivered with a budget of £10k, primarily by using existing expertise and resources within Corporate Policy. No further budget was allocated for the delivery of the 57 recommendations and there is an expectation that implementation will be achieved within existing resources wherever possible (given the Council's ongoing budget savings process).

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10. Legal implications

- 10.1. The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 10.2. In summary, the council must, in the exercise of its function, have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - Advance equality of opportunity between people who share a protected characteristic and those who do not
 - Foster good relations between people who share a protected characteristic and persons who do not share it
- 10.3. The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 10.4. The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>

11. Equalities implications

- 11.1. There are likely to be equalities implications given the greater use of technology and virtual meetings. Some implications are likely to be positive as technology can aid greater participation for hard to reach groups or those with mobility issues who may find attending a meeting in person more difficult. Others may find it more difficult to engage using digital means. Implications will be kept under review as proposals are developed and consultation undertaken (where relevant).

12. Climate change and environmental implications

- 12.1. Greater use of electronic communication methods, will reduce the need for paper based correspondence.

13. Crime and disorder implications

- 13.1. There are no specific crime and disorder implications arising from this report.

14. Health and wellbeing implications

- 14.1. There are no specific health and wellbeing implications arising from this report.

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15. Background papers

- 15.1. [Evaluating The Potential Options For Planning \(Recommendations #25-#30\)](#)

16. Glossary

Term	Definition
ICO/Information Commissioners Office	The Information Commissioner's Office. The UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.
Local Democracy Review	The Local Democracy Review was a councillor-led review of local democracy in Lewisham, which made recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making.
Local Democracy Working Group (LDWG)	The Local Democracy Working Group is a group of eight councillors who are responsible for implementing the recommendations of the Local Democracy Review during 2019/20.
Statement of Community Involvement (SCI)	The SCI forms part of the Local Development Framework and is a legal planning requirement. It sets out the Council's policy for involving and communicating with interested parties in matters relating to the preparation and revision of local development framework documents and the exercise of the authority's functions in relation to planning applications.

17. Report author and contact

- 17.1. If there are any queries about this report, then please contact Emma Talbot (020 8314 9051).

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