

RESPONSE TO BARNET COUNCIL'S DRAFT STATEMENT OF COMMUNITY INVOLVEMENT

INTRODUCTION

The Barnet Society has over 500 members, mostly resident in Chipping Barnet, and this response is the collaborative product of its elected Committee and expert members.

We regard the draft Statement as good on aspiration to engage with the community, and in detailed description of planning processes. We also welcome a recent increase in community consultation and engagement by the Council – though the results are often not obvious.

OMISSIONS

The Statement has significant gaps:

A. There is a lack of information about the role of the Council's Highways department. In practice, this can be a significant part of planning proposals, but the least publicly accountable and contactable. Community engagement over the current proposal for pedestrian improvements to Chipping Barnet High Street, for example, was poorly handled until the Town Team took a lead.

B. There is insufficient information about responsibilities and processes for protection of trees and the natural environment. The section on TPOs is adequate, but listed trees are only a small part of residents' ecological concerns. The current division of responsibilities between Greenspaces, Streetscene, Conservation Areas and Arboricultural/Planning Officers is confusing, and it is unclear whether there is communication between them.

C. There is no mention of the roles of Area Residents Forums and Town Teams. These (or improved versions of them) should be key parts of local democracy. In practice they suffer from inconsistent Council and Officer support, lack of publicity and poor website sign-posting – and a widespread sense among residents that they are largely ignored by Cabinet and Committee decision-takers. At Forums, even though questions have to submitted well in advance, appropriate Officers are sometimes unavailable or poorly briefed.

D. The local list of buildings of architectural and historic importance is not mentioned, nor are community assets. Both need to be addressed and the opportunities for public/community engagement spelt out.

We made the same first three points in response to the Council's draft Statement three years ago, to no effect; so we hope this latest consultation goes further than window-dressing.

DETAILED COMMENTS

1.1.4 Introduction – Overall, the objectives for the document are good and would make an excellent organising principle for it (what, when, how and who). Unfortunately, the document only partly fulfils the objectives. Much of it describes the processes, sometimes from the Council's perspective (what planning officers should do) and sometimes from the applicant's point of view rather than from the community's point of view. An example, elaborated below, is sections 4.1-3. In general, the community involvement needs to be 'foregrounded' and placed in context.

Also at the general level, it would help if the document made clear what it means by the community. A reference and hyperlink to the Consultation and Engagement Strategy and the process/policy-led details in section 2.1.1 are not adequate: as it is critical to the sense and scope of the document, there needs to be a summary definition of how the community is represented.

2.2 Channels of communication – Since Barnet Citizens' Panel is highlighted on the Council's consultation web page, it should be referenced here. Its composition would also be useful to know, including any representation from Chipping Barnet (because the Barnet Society has not been invited to participate in it).

2.2.3 Barnet Council website – This short paragraph may be accurate, but disguises many shortcomings in the current website's design and management. Searching for information can be extremely frustrating. One example is that on the web page on town centres <https://www.barnet.gov.uk/citizen-home/delivering-for-barnet/town-centres.html> no reference can be found to the Chipping Barnet Town Centre Strategy (though references to other town centres' documents are provided). Another is that, despite past requests, no links to town team websites can be found. (For your information, our local one is <http://www.chippingbarnettownteam.org/> .)

2.2.4 Engage Barnet – Again, this is accurate as far as it goes. In reality, however, publicity for consultations is often poor or ineffective. For example, the recent public consultation on the Barnet & King George V Playing Fields was only received a brief mention in the Barnet Times four days before the deadline for comments. Proper advance notice and timely prompts to local stakeholders is essential.

2.2.6 Planning applications – It would be helpful if the search facility on the website had a dropdown list of the conservation areas.

2.2.11 Public notices – Publishing these in newspapers is not very effective. Our only local one, the Barnet Times, is no longer distributed and has very few articles to attract readers.

2.3.1 Involvement – Consultation catchment areas need to be appropriately gauged. A big issue like the Chipping Barnet pedestrian improvements affects a much wider community than just residents in the streets immediately off the High Street.

3.1.2 Planning application process – The flowchart is a good idea but it is a little confused in its portrayal of invalid applications and of those which can go straight to report and recommendation.

4.1-3 Pre-application consultations – 4.1 is about community consultation at pre-app stage whereas 4.2 and 4.3 are about pre-app advice not involving community consultation. This material needs recasting to lead with some context and to make clear that community involvement is only on a subset of pre-app cases, the process otherwise being one which takes place without it.

5.2.1 Planning applications – This is specific about Certificates of Lawfulness but not about other types of application. Without some clarity on that, the table that follows is academic. If the table describes the minimum required by government, what does Barnet do in practice? For example, how does the 28-day consultation envisaged at 5.1.2 relate to the 21 days for a site notice?

5.3.1 Who we consult – The role of Conservation Area Advisory Committees is noted but not explained.

5.4.4 Representations – This indicates what happens when an application is amended. The Council’s aspiration for a 14-day consultation period is likely to put a strain on the ability of the community genuinely to respond, especially if there is no prompt or trigger to consultees that the proposals have changed – the Premier Inn proposal on the Chipping Barnet Market site being a recent case in point.

5.5 Other types of application – This makes no attempt to describe how the community is consulted on these other types of application. Most of the text describes process or addresses the developer. As it stands, it implies that the national amenity societies comprise the community for LBC applications.

5.5.1 Listed building consent – This needs to include reference to grade II* listed buildings, make clear that the NAS are consulted on partial as well as total demolitions and say more than just that Historic England is consulted ‘in accordance with government guidance’.

5.7 Appeals – This is brief and addresses the developer not the community. For such an important element of the planning process, and one that is frequently invoked in cases where the community has made representations, the document should make clear how consultation with the community is brought to bear, if at all. The different status of comments on the appeal should be made clear (i.e. whether or not the commenter wishes to have the opportunity to be heard at any appeal hearing).

6 Brownfield land – This does not make clear how community consultation on this important element of the planning system will take place.

7 Enforcement – This helpfully sets out the enforcement process. The feedback from the Council in some recent conservation area cases has been that enforcement ‘is not considered expedient’. This is inadequate as an explanation and comes across as ‘spin’. Real reasons should be given. Enforcement should be the default not the exception.

7.1.1 Overview – The public are encouraged to notify the Council of any breaches, but their widespread occurrence without action, especially in Conservation Areas taken does not inspire confidence in the system. We appreciate that in reality a good deal is done by a small and hard-pressed enforcement team, and would often be hindered by publicity; but more should be done to publicise successes, which would help deter others.

9 Planning policy – This usefully summarises the local plan process, but it would be helpful to be a bit more specific at 9.9 on how community groups are engaged rather than just what the mechanism for comment is. The diagram for the hierarchy of the local plan (Fig. 5) does not make clear how the documents on the right hand side relate to the rest. Fig. 7 starts with the results of consultation without stating how it happened in the first place. Fig. 8 does not show all the opportunities for public involvement as spelt out in 9.7.1.

10 Neighbourhood Planning – This does distinguish between the role of the community in making plans and the role of community groups in responding to them; but, again, the main focus of the document should be on the latter.

11 CIL – This sounds generic: it would be helpful to have more detail on how Barnet will go about it (especially at 11.2.8).

12 CACAs – It is good to see this included. What is the mechanism for updating character appraisals? NB Reference to English Heritage needs to be updated to Historic England.

13 Article 4 directions – It would be helpful to set out the circumstances in which Barnet would seek to establish or amend these, and to indicate how the community would be engaged.

14 TPOs – Is it possible for Barnet to make the list of TPOs more accessible so that the community can engage better with their care and management?

CONCLUSION

Our final concern is about the considerable discrepancy between the good intentions the Statement espouses and its delivery in practice. It would be gratifying if the considerable effort that has clearly been put into this draft could be matched, in future, by more meaningful and timely consultation on planning issues great and small. As our Society is constantly reminded, they are of passionate interest both to our members and to the wider Barnet public.