

REVIEW OF THE MEMBER ENGAGEMENT PROTOCOL

To: **Assets & Investments Committee**

Meeting Date: **21st October 2016**

From: **Head of Strategic Assets**

Electoral division(s): **All**

Forward Plan ref: **n/a** *Key decision:* **No**

Purpose: **Committee Members have asked for an opportunity to review the current Member Engagement Protocol in relation to the work under the Property Portfolio Development Programme.**

Recommendation: **That the Committee notes the current Protocol and provides guidance as to whether any revisions to the Protocol are required.**

<i>Officer contact:</i>	
Name:	Roger Moore
Email:	Roger.moore@cambridgeshire.gov.uk
Tel:	07748 930905

1. BACKGROUND

- 1.1 Members are reminded of the Member Engagement Protocol approved by the General Purposes Committee of the Council in September 2015, a copy of which is attached as **Appendix 1**.
- 1.2 As the Property Portfolio Development Programme has progressed, a number of issues have come before the Assets and Investment Committee (A&I) in respect of promoting development sites for planning, or submitting planning applications, which have highlighted issues around engagement with Local Members and/or Parish Councils.
- 1.3 The existing protocol does not require Strategic Assets to contact Local Members or Parish Councils as a matter of course when considering bringing sites forward for planning applications, although the approach to date has been to bring these to the attention of A&I at an early stage and make that contact where it is deemed appropriate by either Strategic Assets or the Committee Members.

2. MAIN ISSUES

- 2.1 The principal issue before the Committee is whether a revision to the Engagement Protocol is required.
- 2.2 The main reason for the position in the original protocol is that at some level, there is likely to be some degree of commercial or corporate confidentiality around the early stages of selection or feasibility of sites for development. Sites are generally greenfield, and by its nature this type of development often attracts opposition from local communities.
- 2.3 Giving early notice of potential sites could give a community time to mount an opposition campaign before all the issues are fully identified and explained, but could also trigger local concerns before it is confirmed that a site is indeed being taken forward beyond feasibility.
- 2.4 Sites required for operational purposes are sometimes more controversial than housing development (waste sites & depots, Park & Ride, some types of Care facilities), and communications around these need to be carefully planned and timed.
- 2.5 In commercial terms, giving an early public indication of a potential site may prejudice the Council's interests if it allows other developers to bring their own potential sites forward more quickly, or for developers to develop objections because they themselves have alternative interests in the locality.
- 2.6 In terms of corporate risks, an automatic notification would give the Council no opportunity to control the timing of release of information to take account of wider corporate or political agendas.
- 2.7 It should also be noted that once a site is actually taken forward into discussions with the Local Planning Authority, the formal planning process provides for significant public engagement, including the Parish Council as a statutory consultee, a process which all developers of land need to follow.

- 2.8 There are a number of key points at which the council could first notify or engage with Local Members and Parish Councils:
1. When Council land is first identified as an option for a potential development
 2. When a site is for the first time, part of any internal consultation with Services or A&I Members, for an alternative use
 3. When any formal feasibility work is undertaken on a project which includes a specific site
 4. When any informal external consultation is undertaken e.g. with partners, or pre-application discussions with a Local Planning Authority
 5. When any formal external consultation is undertaken e.g. a planning application, making Representations to a Local Planning Authority, or appearing at Inquiries and local consultation events
- 2.9 Different standards could be applied to contact with Local Members and contact with Parish or Town Councils. Local Members could be approached on the basis of maintaining Council confidentiality, although this could be difficult to enforce.
- 3.0 Officers' view is that having a fixed protocol would potentially put Council proposals at risk in some situations, and that the current discretionary approach should continue.

3. ALIGNMENT WITH CORPORATE PRIORITIES

3.1 Developing the local economy for the benefit of all

There are no significant implications for this priority.

3.2 Helping people live healthy and independent lives

There are no significant implications for this priority.

3.3 Supporting and protecting vulnerable people

There are no significant implications for this priority.

4. SIGNIFICANT IMPLICATIONS

4.1

Implications	Officer Clearance
Have the resource implications been cleared by Finance?	Yes or No Name of Financial Officer: Sarah Heywood
Has the impact on Statutory, Legal and Risk implications been cleared by LGSS Law?	Yes or No Name of Legal Officer: Lynne Owen
Are there any Equality and Diversity	Yes or No

implications?	Name of Officer: Roger Moore
There are no significant implications within this category.	
Have any engagement and communication implications been cleared by Communications?	Yes or No Name of Officer: Mark Miller
Are there any Localism and Local Member involvement issues?	Yes Name of Officer: Roger Moore
The report above sets out details of significant implications in section 2	
Have any Public Health implications been cleared by Public Health	Yes or No Name of Officer: Tess Campbell

Source Documents	Location
Report to 22/07/16 Assets & Investments Committee	Democratic Services