

STATEMENT OF COMMUNITY INVOLVEMENT



Updated July 2021

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1.0 Introduction

1.1 What is a Statement of Community Involvement?

This Statement of Community Involvement (SCI) explains how we will involve local communities and other interested parties when we prepare our planning policies and determine planning applications. By engaging the community the Council benefits from detailed local knowledge and expertise, and community commitment to the future development of the borough.

The SCI forms an important part in ensuring good levels of engagement between the Council and all those that wish to have a say in Brent's Local Plan, which sets the strategy for future development in the borough. The Local Plan is made up of a number of documents as illustrated in figure 1. These include:

- **Development Plan Documents** - which set out both strategic and detailed planning policies which will be used when making decisions on planning applications.
- **Supplementary Planning Documents** - provide detailed guidance on how our planning policies will be implemented for specific topics.
- **Neighbourhood Plans** - these are produced by neighbourhood forums with support from the Council. These set out planning policies for a neighbourhood area.

Both the Council and neighbourhood forums are required to produce consultation statements, which set out how the consultation process followed is consistent with this SCI. It is also recommended developers follow the guidance in this SCI before submitting planning applications.

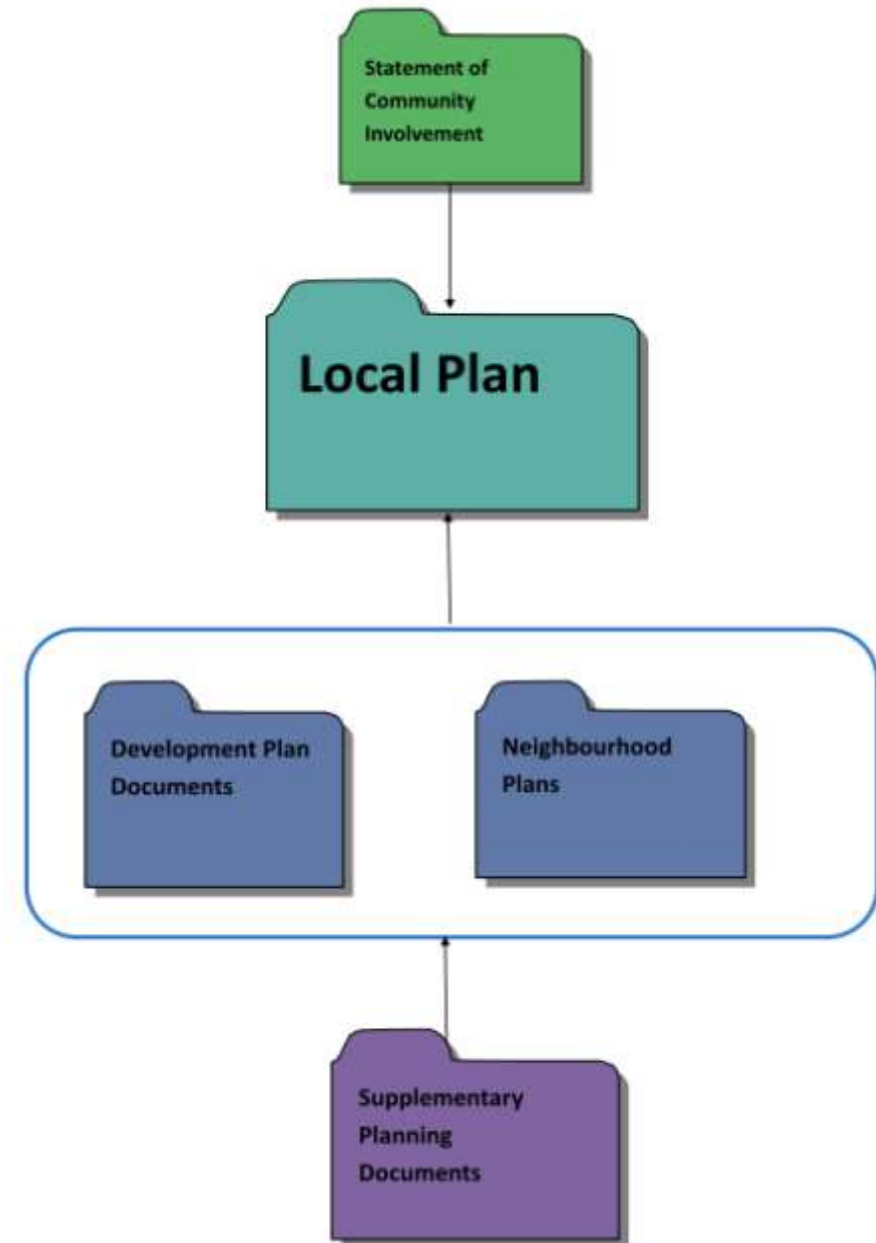


Figure 1

1.2 Approach to Engagement in Brent

The Town and Country Planning (Development Management Procedure) Order 2015 sets out guidance for consultation on planning applications and the Town and Country Planning (Local Development) (England) Regulations 2012 sets out minimum standards for community engagement in the development of planning policy. In addition, the Localism Act 2011 introduced a legal duty on local planning authorities to engage constructively, and on an ongoing basis on strategic cross borough issues. Where appropriate we will go beyond these standards and will seek to involve stakeholders at an early stage in policy development and on an ongoing basis.

It is important all members of Brent's diverse community are able to influence its future. The Equality Act 2010 identifies nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Although socio-economic status (people on low incomes, young and adult carers, people living in deprived areas, groups suffering multiple disadvantage, etc) is not a characteristic protected by the Equality Act 2010, we are committed to considering the impact on socio-economic groups and wherever possible improving their prospects and quality of life. Under the Act in exercising its functions we must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation.
- 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 those who do not.

To ensure all groups have an equal opportunity to participate in consultation we will:

- Seek to use new and creative forms of community engagement so that all of those who live, work and carry out business in the borough - including under-represented groups - can participate.
- Ensure consultation materials use visuals, are legible, clear and concise, avoiding technical language as far as possible.

- Undertake consultation events in accessible venues, at a range of times.
- Where appropriate provide assistance in translating materials, including British Sign Language.
- Seek to ensure local groups representing the protected characteristics are included on the Consultation Database.
- Engage with partners including Community Voluntary Sector Brent.

Throughout the Covid-19 pandemic it has proven at times difficult for the Council to undertake engagement that would normally occur as set out in this document. Notwithstanding any impacts of the pandemic on restrictions of people's movements there has and will continue to be an expectation that the Council's planning work progresses as normally as it can with the minimum of delays. It is unclear of the extent to which there may be future restrictions on people's movements or limitations on public meetings that can take place. Consultation methods used will however, need to conform with government guidelines at the time. As has been shown, these guidelines can change frequently and at short notice in response to national/ localised levels of transmission.

1.3 Engagement Methods

A range of consultation methods will be used, tailored to the particular consultation. A summary of the main methods is included in table 1. Commentary has been included as to if/ how this will take place in relation to any relevant advice or legislation associated with Covid-19 and have been identified in red. These will apply to the subsequent consultation methods set out in Sections 2-6 of this document.

1.4 Consultation Groups

The Regulations sets out the organisations and groups to be consulted in the development of planning policy. This list is included in appendix 1. We are committed to going beyond the requirements of the regulations, and will regularly update the planning policy

consultation database to include those who have requested to be consulted. Groups or individuals with an interest in the borough who wish to be consulted on future policy document should notify the planning policy team at: planningstrategy@brent.gov.uk.

1.5 Feedback and Monitoring

It is important stakeholders are aware of how their input has influenced policy development and planning decisions. A consultation statement will be produced alongside planning policy documents and updated. This will set out the comments and issues raised and how they are being addressed. In the case of planning decisions, the officer's report will include a summary of comments received and the reason for the decision. Both documents will be made publicly available. Levels of community engagement will be measured and monitored through the consultation statement. Lessons learnt will inform future engagement.

Method	Explanation	Covid-19
Council Publications	Council publications such as magazines and newsletters are a useful method of publicising consultations in a targeted way.	Will continue as normal.
Community Events	We will raise awareness of consultation activity at community events, where appropriate.	Dependent on national guidelines on non-essential travelling and social gatherings. Potential for remote meetings via Team/Zoom will be explored.
Direct Mail/ Emails and letters	We will use emails as our main method of communication to raise awareness of consultations and, where appropriate, provide updates on progress. Letters will be used where electronic communication is not possible. A Consultation Database of interested individuals and organisations is maintained by the development management and policy teams.	Will continue as normal.
Drop in Events/ Exhibitions	To display specific proposals. These will be located in areas which receive a high footfall (e.g. Brent Civic Centre, transport hubs, religious buildings, supermarkets, libraries etc.) and can be manned.	Dependent on national guidelines on non-essential travelling and social gatherings. Possible that only displays will be provided, rather than allowing face to face meetings with officers. Potential for remote meetings/ appointments via Team/Zoom will be explored.
Documents	Making consultation documents available in prominent locations such as libraries and the civic centre.	Documents will be made available where possible depending on whether premises are open to the public. All documents will be on-line. Requests for paper versions will be considered and provide where reasonable/ the Council is able to do so.
Press Notices/ Press Releases	To raise awareness through adverts and/or articles in newspapers, such as the Kilburn Times.	Will continue as normal.



Harlesden Neighbourhood Forum Workshop

Method	Explanation	
Social media/ Digital	We will use social media, such as Facebook and Twitter, to publicise consultations.	Covid-19 Will continue as normal.
User Forums	We have a number of user forums which were set up to give local people a say about issues which matter to them. These include Area Forums and a Citizen Panels. Further information on how to become a member is available at: www.brent.gov.uk/your-community/brent-connects	Dependent on national guidelines on non-essential travelling and social gatherings. Potential for appointments/ remote meetings via Team/Zoom will be explored.
Questionnaires/ Surveys	These are a means for gathering feedback on emerging policies at drop-in events, exhibitions or by mail drop.	Will continue in electronic form, both through the Councils consultation hub, and through the downloading of survey sheets for postal return.
Website	All planning policy documents, consultations and supporting information will be available on our planning policy website (www.brent.gov.uk/localplan). In addition information on planning applications can be found on the development management website (www.brent.gov.uk/services-for-residents/planning-and-building-control/planning-application-and-making-comments). It is possible to receive notifications about planning applications.	Will continue as normal.
Workshops	Workshops and facilitated events to discuss issues in detail and engage a wider range of individuals.	Dependent on national guidelines on non-essential travelling and social gatherings. Potential for appointments/ remote meetings via Team/Zoom will be explored.
Meetings	To meet with groups and organisations relevant to the document being prepared, to gain their input. This can be used to target groups who do not normally respond to planning consultations. These could take the form of planning for real exercises, one-to-one meetings, focus groups, open meetings with external facilitators.	Dependent on national guidelines on non-essential travelling and social gatherings. Potential for appointments/ remote meetings via Team/Zoom will be explored.
Site Notices	For some planning applications site notices are displayed on and around the site. This is to further raise awareness of the application in the local area.	Site notices will be erected where possible and appropriate.




2.0 Development Plan Document

2.1 What is a Development Plan Document?

Development Plan Documents (DPDs) are planning policy documents which make up the Local Plan. They help to guide development within the borough by setting out strategic and detailed planning policies, which the Council use to make their decisions on planning applications.

Within London the Mayor's London Plan also forms part of the development plan. The Council also works with other West London boroughs in producing a waste Local Plan.

2.2 Process

The consultation process of a DPD can broadly be broken down into five stages:

- **Preparation** - this involves informal consultation to gather evidence and collect information on issues and options.
- **Preferred options** - public consultation inviting comments on a draft plan.
- **Publication stage** - at this stage of consultation comments are invited on the 'soundness' of the plan. This is whether it has been positively prepared; justified by evidence; effective (deliverable); and consistent with national policy.
- **Examination** - undertaken by an independent Inspector to test the soundness of the plan. This will normally involve a public examination, where evidence can be given verbally.
- **Adoption** - providing the plan is found 'sound' at examination it can then be adopted by the Council.



Figure 2

Preparation

Purpose	Required by law	Council's additional commitments	Audience
<ul style="list-style-type: none"> • Awareness raising • Identifying issues and options • Evidence gathering • Identifying interested parties 	-	<ul style="list-style-type: none"> • At this stage we will gain in-depth qualitative data on issues and options using methods such as workshops, meetings and community events • This can be supplemented with qualitative data from surveys/ questionnaire • Raise awareness through press release, website, social media, exhibitions and events, as appropriate 	<p>All stakeholders - councillors, residents, businesses, local interest groups</p> <p>Where relevant specific and general consultation bodies (appendix 1)</p>

Preferred Option (Reg. 18)

Purpose	Required by law	Council's additional commitments	Audience
<ul style="list-style-type: none"> • To refine the Plan • To allow informed decision-making • To provide feedback as to how consultation has informed the revised DPD, through the Consultation Statement 	<ul style="list-style-type: none"> • Make the draft DPD, Sustainability Appraisal, Consultation Statement and details on how to submit comments, available at Brent Civic Centre, on the website and other locations where appropriate • Consult the general and specific consultation bodies (as identified in appendix 1) 	<ul style="list-style-type: none"> • Consult those on Local Plan Consultation Database • Where relevant undertake further workshops, exhibitions and drop-in sessions, and attend community events • Raise awareness through press release, website, social media, exhibitions and events, as appropriate 	<p>Specific and general consultation bodies</p> <p>All stakeholders - councillors, residents, businesses, local interest groups</p>

Publication of draft (Reg. 19)

Purpose	Required by law	Council's additional commitments	Audience
<ul style="list-style-type: none"> • To allow any person or body to make comments on the draft DPD within a minimum six week consultation period • To provide feedback as to how consultation has informed the revised DPD, through the Consultation Statement 	<p>After publication of the new or revised DPD and before submitting to the Secretary of State (SoS):</p> <ul style="list-style-type: none"> • Make the revised DPD, Sustainability Appraisal, Consultation Statement and details on how to submit comments, available at Brent Civic Centre, on the website and other locations where appropriate • Send details to the general and specific (as identified in appendix 1) consultation bodies on where, when and how the revised DPD can be viewed and how to make comments 	<ul style="list-style-type: none"> • Send details of the consultation to those who commented previously and those on the Local Plan Consultation Database • Raise awareness through press release, social media, as appropriate 	<p>Specific and general consultation bodies</p> <p>All stakeholders - councillors, residents, businesses, local interest groups</p>

Publication of draft (Reg. 22)

Purpose	Required by law	Council's additional commitments	Audience
<ul style="list-style-type: none"> • To raise awareness • To provide feedback as to how consultation has informed the revised DPD, through the Consultation Statement 	<p>Following submission of the DPD to the SoS, as soon as reasonably practicable:</p> <ul style="list-style-type: none"> • Make the DPD, Sustainability Appraisal, submission policies map and Consultation Statement submitted to the SoS available at Brent Civic Centre, on the website and other locations where appropriate • Make copies of representations and supporting documents available at Brent Civic Centre, on the website and other locations where practicable • Make available on website and in Brent Civic Centre details of where, when and how the DPD and other information can be viewed • Inform the general and specific consultation bodies where, when and how the DPD and other information can be viewed • Notify anyone who requested to be 	<ul style="list-style-type: none"> • Publicise through press release, social media, as appropriate 	<p>Specific and general consultation bodies All interested parties</p>

Examination (Reg. 24)

Purpose	Required by law	Council's additional commitments	Audience
<ul style="list-style-type: none"> • To fully understand the views of those concerned and give them the right to be heard by an independent body • To test the soundness of the DPD 	<p>At least six weeks before the opening of a hearing session:</p> <ul style="list-style-type: none"> • Make details of the date, time and place of where the examination will be taking place and the name of the person carrying out the examination available at Brent Civic Centre, on the website and other locations where appropriate • Notify anyone who commented at publication (reg 19) stage and has not withdrawn that comments of the time and date of the examination 	<ul style="list-style-type: none"> • Publicise through press release and social media, as appropriate 	<p>All interested parties, including those who have submitted comments</p>

Adoption (Reg. 26)

Purpose	Required by law	Council's additional commitments	Audience
Raise awareness of adoption	<p>On receipt of the Inspector's report, as soon as practicable:</p> <ul style="list-style-type: none"> • Make the report available at Brent Civic Centre, on the website and other locations where appropriate • Give notice to those who requested to be notified <p>Once the DPD has been adopted, as soon as practicable:</p> <ul style="list-style-type: none"> • Make the DPD, finalised Sustainability Appraisal and an Adoption Statement available for viewing on our website, at Brent Civic Centre and in all local libraries • Send the Adoption Statement to anyone who has asked to be notified of the adoption of the DPD • Send a copy of the Adoption Statement to the SoS 	<ul style="list-style-type: none"> • Notify those on Local Plan Consultation Database • Publicise via press release and social media 	All interested parties, including those who have submitted comments

3.0 Supplementary Planning Document

3.1 What is a Supplementary Planning Document?

SPDs provide more detailed guidance which elaborates on policy in a development plan document. They may be used to cover a whole range of issues where we feel additional guidance is needed. For example character appraisals and design guides for conservation areas, topics such as household extensions, or the development of a particular site or area.

3.2 Process

SPDs follow a different process to development plan documents, as they are not subject to an independent examination. However, they should still be subject to rigorous procedures for community involvement. The process is summarised in figure 3 and set out in detail on the following pages.



Figure 3

Preparation

Purpose	Required by law	Council's additional commitments	Audience
<ul style="list-style-type: none"> Awareness raising Identifying issues and options 	<ul style="list-style-type: none"> Consult Historic England, Environment Agency and Natural England to identify if a Sustainability Appraisal is needed (SEA Screening) 	<p>Where appropriate:</p> <ul style="list-style-type: none"> raise awareness through Brent magazine, website, social media and publicity materials engage with affected groups through meetings and workshops 	<p>Relevant local community and partners</p> <p>Where relevant specific and general consultation bodies (appendix 1)</p>

Consideration of Draft (Reg. 13)

Purpose	Required by law	Council's additional commitments	Audience
<ul style="list-style-type: none"> Formal consultation to receive comments on draft SPD for a minimum of 4 weeks 	<ul style="list-style-type: none"> Make document and details of how to respond (known as SPD Matters) available at Brent Civic Centre and on website Publish Consultation Statement setting out consultation to date 	<ul style="list-style-type: none"> Consult those on Local Plan Consultation Database <p>Where appropriate:</p> <ul style="list-style-type: none"> Make document available in local venues such as libraries Raise awareness through local press, website, social media and events Where relevant engage with affected groups through meetings 	<p>Relevant local community and partners</p> <p>Specific and general consultation bodies (appendix 1)</p>

Adoption (Reg. 14)

Purpose	Required by law	Council's additional commitments	Audience
<ul style="list-style-type: none"> • Raise awareness of adopted SPD • Set out how consultation comments have informed final version 	<ul style="list-style-type: none"> • Publish final SPD, Adoption Statement and Consultation Statement • Make documents available at Brent Civic Centre and on website • Send documents to those who requested to be notified 	<p>Where appropriate:</p> <ul style="list-style-type: none"> • Advise relevant individuals, including those who submitted comments • Make document available in local venues such as libraries • Raise awareness through local press, website, social media and events 	<p>Relevant local community and partners</p> <p>Specific and general consultation bodies (appendix 1)</p>

4.0 Neighbourhood Planning

4.1 What is Neighbourhood Planning?

Neighbourhood Planning was introduced under the Localism Act 2011. It enables people to help shape development in their local area through neighbourhood plans and orders. Neighbourhood development plans and neighbourhood development orders are a community-led process delivered by 'neighbourhood forums.' However, forums will require the support of the Council to progress their plan or order. Once a neighbourhood plan is adopted it forms part of the Development Plan and sets out planning policies for the neighbourhood area. Neighbourhood development orders grant permission for specific types of development.

4.2 Process

The process a neighbourhood plan or order follows to being made (adopted) can broadly be broken down in 5 stages, as summarised in figure 4 and set out in detail on the following pages. The neighbourhood forum is responsible for many aspects of the consultation, however, this SCI sets out how and where we will provide support.

The Neighbourhood Planning Act 2017 requires local planning authorities to set out in their SCI policies for giving advice or assistance on proposals for making neighbourhood development orders or for modifications to neighbourhood development plans. This SCI and our Neighbourhood Planning Protocol, attached as Appendix 3, sets out the Councils policies. The SCI will also help to guide forums in undertaking consultation. Further information on neighbourhood planning is available at: www.brent.gov.uk/neighbourhood-planning.

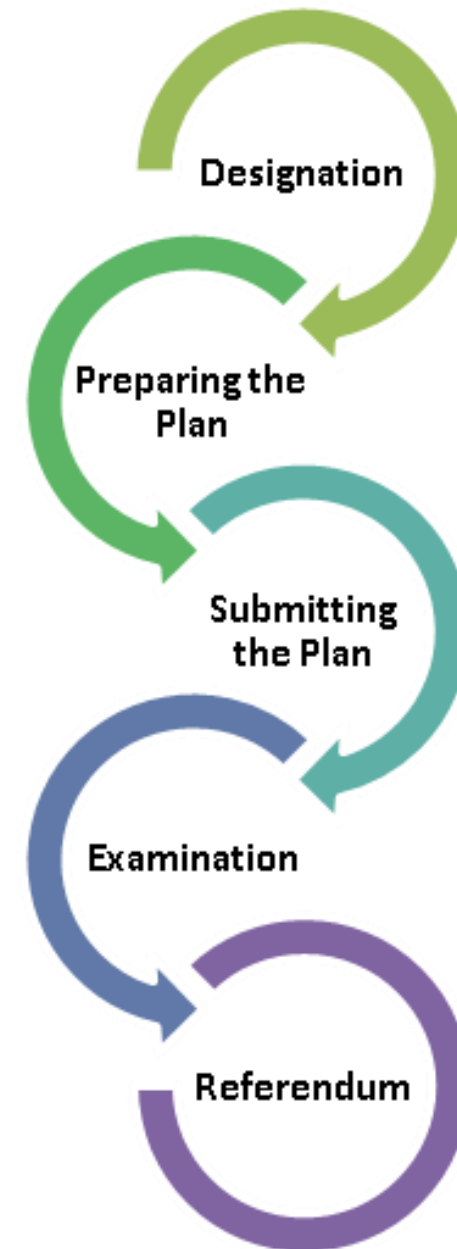


Figure 4

Designation (part 1)

Purpose	Forum's Responsibilities	Council's Responsibilities	Audience
<ul style="list-style-type: none"> • Establish an appropriate neighbourhood area boundary • Ensure the wider community are supportive of the proposal for a neighbourhood forum 	<p>Prior to submission, the council's Planning Policy team should be notified. The proposed boundary should be widely consulted upon using a variety of methods, with the resulting constitution demonstrating that the forum membership reflects different sections of the community and that all ward councillors have been invited to join.</p>	<p>Once submitted, the Council will provide advice on the application, and consult on the neighbourhood area and forum applications for 6 weeks. This should involve the assessment of the application against requirements as set out in the Neighbourhood Planning Regulations. An equality assessment should also be undertaken. The applications, details of how to make representations and the consultation deadline will be publicised as follows:</p> <ul style="list-style-type: none"> • consult those on the Local Plan Consultation Database • information in local library • site notices • website, social media and press release <p>After consultation the council will issue a Designation Report, or give reasons why an area is not appropriate for designation.</p>	<p>Those who live, work, carry out business in the neighbourhood area, and ward councillors Consultation bodies Local interest groups All other interested parties</p>

Designation (part 2)

Purpose	Forum's Responsibilities	Council's Responsibilities	Audience
<ul style="list-style-type: none"> • Publicise designation or refusal of application 	-	<p>Within 13 weeks (or 20 weeks if the area falls within two or more local authorities) of designating or refusing an application:</p> <ul style="list-style-type: none"> • publicise the Designation Report on the councils website and via social media • make hard copies of the Designation Report available in Brent Civic Centre and the nearest local library 	As above

Preparing the draft Plan (part 1)

Purpose	Forum's Responsibilities	Council's Responsibilities	Audience
<ul style="list-style-type: none"> Awareness raising Identifying issues and options to help formulate policies and inform draft plan 	<p>The preparation of the plan, and its community involvement are the responsibility of the forum. Recommended engagement methods include workshops, surveys/questionnaires, face to face interviews, regular meetings. The forum should seek to engage with groups operating in the neighbourhood area such as residents associations, business associations and faith groups.</p>	-	<p>Those who live, work, carry out business in the neighbourhood area, and ward councillors</p>

Preparing the draft Plan (part 2)

Purpose	Forum's Responsibilities	Council's Responsibilities	Audience
<ul style="list-style-type: none"> A 6 week consultation on the draft plan led by the forum to gain the views of the wider community 	<p>The forum must publicise, in a manner that is likely to bring the plan to the attention of people who live, work or carry out business in the neighbourhood area:</p> <ul style="list-style-type: none"> details of where and when the plan may be inspected details of how to make representations and the deadline for representations <p>Recommended methods include those outlined above and social media, a dedicated website, local newspapers and radio, exhibitions/stalls at local events and venues.</p>	<ul style="list-style-type: none"> Consult those on Local Plan Consultation Database on behalf of the forum Consult Environment Agency, Natural England and Historic England on need for sustainability appraisal. Publicise by press release, social media and on the Council's website Make a copy of the document available in Brent Civic Centre and local libraries 	<p>Those who live, work, carry out business in the neighbourhood area, and ward councillors Consultation bodies Local interest groups All other interested parties</p>

Submitting the Plan			
Purpose	Forum's Responsibilities	Council's Responsibilities	Audience
<ul style="list-style-type: none"> • A 6 week consultation on the revised plan led by the Council • To collect comments, which will then be submitted alongside the draft plan to an independent examiner for consideration • Provide information on how consultation has informed the revised plan in a Consultation Statement 	<p>Submit relevant documents to the Council including the draft neighbourhood plan and a Consultation Statement.</p> <p>Promote the consultation via their website, social media and other contacts.</p>	<p>As soon as possible following receipt of the proposed plan, the Council must publicise:</p> <ul style="list-style-type: none"> • the plan proposal • details of where and when the plan proposal may be inspected • details of how to make representations • a statement that any representations may include a request to be notified of the Council's decision • a deadline for the representations <p>The above will be made available on the Council's website, in Brent Civic Centre and the local library where relevant.</p> <p>Those on the Local Plan Consultation Database and any body referred to in the consultation statement will be informed via email or letter.</p> <p>Where appropriate the consultation will be publicised by press release and social media.</p>	<p>Those who live, work, carry out business in the neighbourhood area, and ward councillors</p> <p>Consultation bodies</p> <p>All other interested parties</p>

Examination			
Purpose	Forum's Responsibilities	Council's Responsibilities	Audience
<ul style="list-style-type: none"> To raise awareness of the examination and allow participation of interested parties Publicise Inspector's report and Council's decision 	-	<p>The Council will send a copy of the plan and associated documents to an appointed inspector for independent examination. The Council will then:</p> <ul style="list-style-type: none"> Publicise examination on website Where the Examination includes a hearing session, notify those who commented by email or in writing <p>As soon as possible after making a decision, publicise on the Council's website and make available for inspection at Brent Civic Centre:</p> <ul style="list-style-type: none"> the examiner's report the Decision Report in light of the examiners report and reasons for it (known as the decision statement) inform those who requested to be notified 	<p>Those who live, work, carry out business in the neighbourhood area, and ward councillors</p> <p>Consultation bodies</p> <p>All other interested parties</p>

Referendum			
Purpose	Forum's Responsibilities	Council's Responsibilities	Audience
<ul style="list-style-type: none"> To enable those in the neighbourhood area to vote on the neighbourhood plan. If the majority of voters support the plan it can then be adopted by the Council. Raise awareness of the outcome of the referendum 	-	<ul style="list-style-type: none"> Organise and publicise the referendum including publicising documents and information statements for at least 28 working days (56 working days when a business referendum is also to be held) and make plan available for inspection during the referendum period Publicise the outcome of the referendum via the Council website, press release and social media 	<p>Those who live, work, carry out business in the neighbourhood area, and ward councillors</p> <p>Consultation bodies</p> <p>All other interested parties</p>

Adoption			
Purpose	Forum's Responsibilities	Council's Responsibilities	Audience
<ul style="list-style-type: none"> Raise awareness of adoption of plan, or decision not to adopt 	<p>Raise awareness of adoption via their website, social media and other contacts</p>	<p>As soon as possible after making the plan, publicise on the Council website, via a press release and social media:</p> <ul style="list-style-type: none"> the decision and reason details of where the decision can be inspected if made, the plan and details of where it can be inspected <p>The plan and decision will be made available for inspection at Brent Civic Centre and the nearest local library where relevant.</p> <p>A copy of the decision will be sent to the Forum, any person who has asked to be notified, and any person who asked where the plan may be inspected.</p>	<p>Those who live, work, carry out business in the neighbourhood area, and ward councillors</p> <p>Consultation bodies</p> <p>Those who asked to be notified of the decision</p>

4.3 Modifications to an adopted Neighbourhood Plan

Neighbourhood Plans may be updated at any time, and should be updated where the policies within the plan have become out of date. There are three forms of modifications:

1. Minor (non-material) modifications. E.g. correcting minor errors, typos, incorrect references etc. Where minor modifications proposed by the forum do not materially affect the policies within the plan the updates can be made by the Council.
2. Material modifications which do not change the nature of the plan or order. E.g. additional guidance that expands on existing policies. These require examination by an independent examiner, but do not require a referendum.
3. Material modifications which do change the nature of the plan or order. E.g. changes to policy. These require examination by an independent examiner and a referendum.

Material modifications will be subject to the process as outlined in this chapter for developing a Neighbourhood Plan, with or without a referendum as relevant. In addition to this, proposed material modifications will be subject to the following requirements:

- The forum must state at pre-submission publicity and consultation stages, and upon modification, whether the changes are so substantial so as to affect the general nature of the plan, giving reasons. The Council upon submission of the plan to the independent examiner, will state whether they believe the changes are so substantial so as to affect the general nature of the plan;
- The forum will then decide whether to continue with examination after the examiner has decided whether the modifications proposed change the nature of the plan.

4.4 Support for those making or amending of Neighbourhood Plans and Orders

It is expected that the proposed neighbourhood forum arranges to meet with the Council at an early stage to discuss the scope of the

plan or order and its potential boundary. The Council will provide advice, taking into consideration necessary statutory requirements on both parties. The requirements on the forum and the assistance offered by the Council at each stage are outlined in the neighbourhood planning protocol in Appendix 3. Going forward, the Council will provide support where appropriate to both prospective and designated forums. Such support may include the following:

- Providing guidance on national, regional and local policy, and any changes needed to ensure alignment with strategic policy.
- Advising on statutory procedures relating to the Neighbourhood Plan/ Development Order consultation process.
- Legal advice;
- Where appropriate, sharing evidence base or supporting documents which will assist in the development of the Neighbourhood Plan;
- Provide appropriate technical assistance, including the provision of data and mapping resources;
- Providing access to the communication tools at the Councils disposal in ensuring effective consultation;
- Ensuring the effective coordination of engagement events where appropriate, by both the Planning Policy team and the Neighbourhood Forum.

5.0

Community Infrastructure Levy

5.0 Community Infrastructure Levy

5.1 What is Community Infrastructure Levy (CIL)?

CIL is a statutory, non-negotiable standardised charge on new development within the borough. It has been implemented to help offset the impact of new developments on surrounding infrastructure, helping to make new developments financially obligated to contribute toward the provision of new supporting infrastructure based on the amount of additional floorspace being developed. The funds can be used to secure a wide range of infrastructure depending on the requirements within the area. The Council has adopted its own charging schedule which has been determined based on local land valuations, considering the competing viability constraints of significant subsidised variables such as affordable housing.

5.2 Process

The process for adopting a CIL Charging Schedule can be broadly broken down into 4 key stages, as depicted in figure 5 and detailed on the following pages.

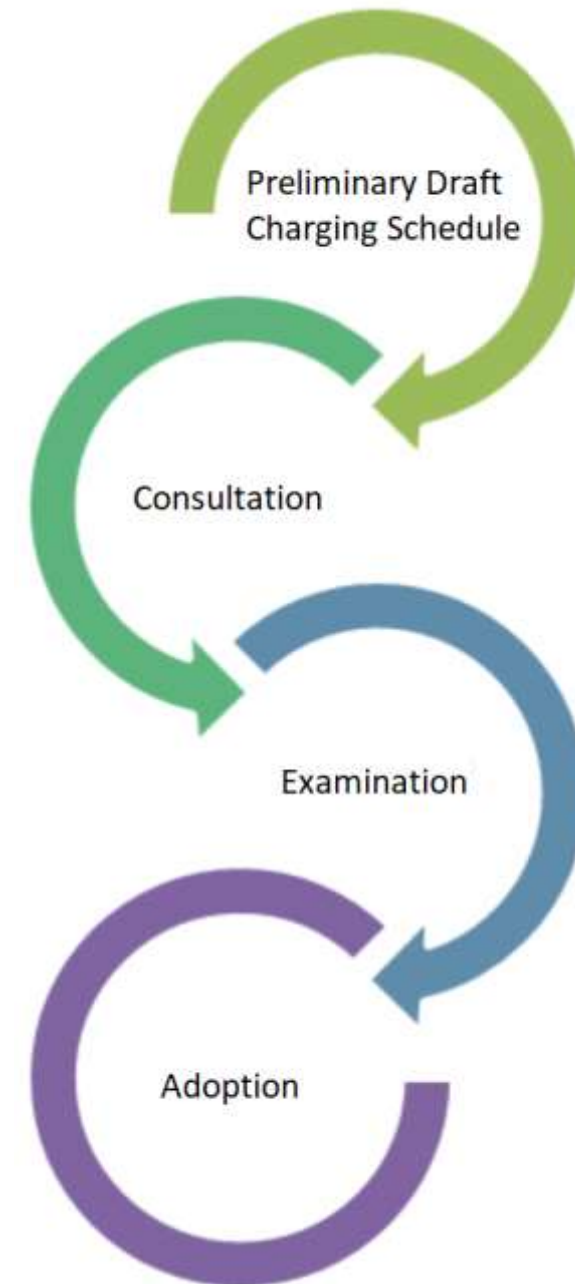


Figure 5

Preparing a Preliminary Draft Charging Schedule (PDCS)

Purpose	Required by law	Council's additional comments	Audience
<p>This process will enable the Council to take into account all the necessary considerations when coming up with a new CIL Charging Schedule.</p>	<p>Consult a wide audience to capture an accurate representation of stakeholder opinion to better help create an appropriate charging schedule.</p>	<p>This will include the consultation of bodies listed in the relevant regulations, and:</p> <ul style="list-style-type: none"> • Consult those on Local Plan Consultation Database; • Notification to councillors; • Public engagement through meetings, events and exhibitions; • Advertisement of consultation using appropriate mediums such as the local press, the Council newsletter, and email. 	<p>Those who live, work, carry out business in the borough, developers, councillors, consultation bodies, and those who asked to be notified of the decision.</p>

Consultation			
Purpose	Required by law	Council's additional comments	Audience
Final consultation on draft document before adopting and should demonstrate that appropriate consideration has been given toward stakeholder comments, including officer response to each comment.	The draft Charging Schedule should be made available on the Council website to enable stakeholders to comment. The consultation period should be for a minimum of 6 weeks.	<p>This will include the consultation of bodies listed in the relevant regulations, and:</p> <ul style="list-style-type: none"> • Consult those on Local Plan Consultation Database; • Notification to councillors; • Public engagement through meetings, events and exhibitions; • Advertisement of consultation using appropriate mediums such as the local press, the Council newsletter, and email. <p>In addition to the draft Charging Schedule, a consultation statement will also be made available, which sets out:</p> <ul style="list-style-type: none"> • A list of consultees; • Stakeholders and their comments; • A list of summarised comments and their associated response; 	Those who live, work, carry out business in the borough, developers, councillors, consultation bodies, and those who asked to be notified of the decision.

Examination

Purpose	Required by law	Council's additional comments	Audience
<p>Assessment by an independent inspector who will assess the document and decide whether it is sound, and if not, how to make it sound.</p>	<p>Submission to an independent inspector. Make the document publicly available, notifying all stakeholders which have been engaged up to this point. Publish the Consultation Statement.</p>	<p>This is the final stage in which the Council will receive comment from stakeholders prior to the adoption of the new Charging Schedule.</p>	<p>Those who live, work, carry out business in the borough, developers, councillors, consultation bodies, and those who asked to be notified of the decision.</p>

Adoption

Purpose	Required by law	Council's additional comments	Audience
<p>Providing the draft Charging Schedule is considered to be within national policy and legal requirements and is therefore considered sound, the document will be adopted by the Council and will supersede the document which preceded it.</p> <p>To meet national policy and legal requirements and be considered sound by the inspector.</p>	<p>Following adoption, the council undertakes the following which are required by government regulations:</p> <ul style="list-style-type: none"> • Make publicly available, via the Council's website, both the new Charging Schedule, and the Adoption Statement; • Provide those who have requested it with the Council's Charging Schedule Adoption Statement. 	<p>Where appropriate:</p> <ul style="list-style-type: none"> • Advise relevant individuals, including those who submitted comments • Raise awareness through local press, website, social media and events 	<p>Those who live, work, carry out business in the borough, developers, councillors, consultation bodies, and those who asked to be notified of the decision.</p>

6.0 Planning applications

6.1 Process

A planning application is the means by which someone applies for permission from the Council to develop land. The requirements for consulting on planning applications are set out in the Town and Country Planning (Development Management Procedure) Order 2015. We are committed to going beyond the minimum legal publicity requirements and promoting best practice. The planning application process can broadly be broken down into four stages as illustrated by figure 5.

- **Pre-application** - developer prepares the development proposal. Early engagement with the Council and community is strongly encouraged.
- **Planning application** - we consult on the planning application.
- **Decision making** - the decision is determined either by planning committee or delegated to a planning officer.
- **Appeals** - the applicant has a right to appeal where they disagree with the decision of the local planning authority to refuse permission, or to a condition attached to a consent. An independent Planning Inspector acting on behalf of the Government will then review the decision.

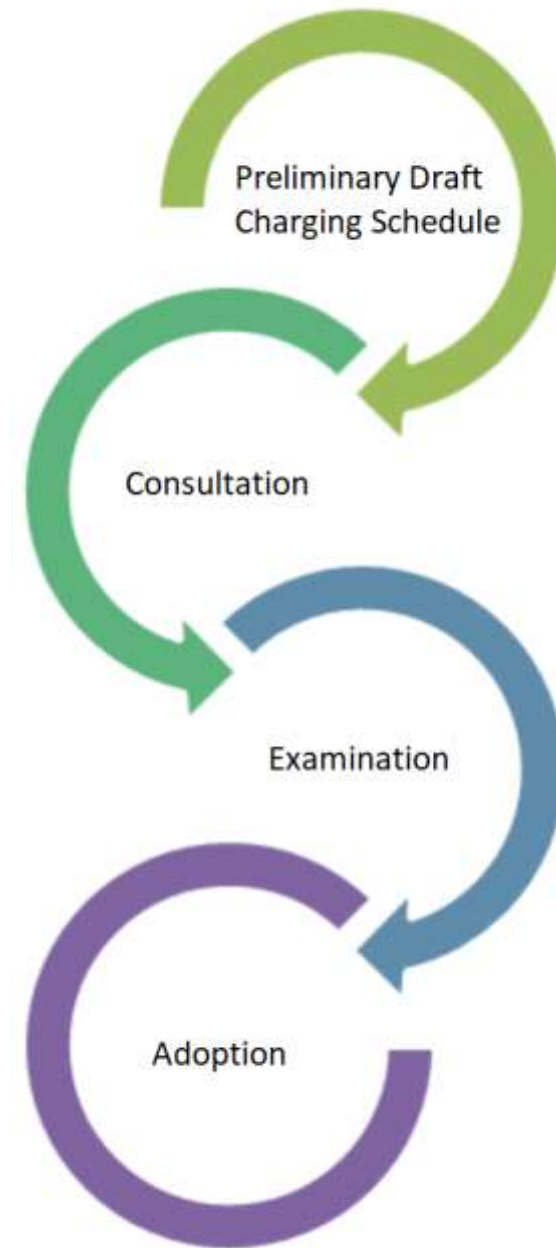


Figure 5

6.2 The pre-application process

We strongly encourage applicants to involve local communities at the pre-application stages. The Government's National Planning Policy Framework emphasises the importance of planning applicants carrying out community engagement on their emerging proposals and states:

'Applicants should work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.'

Table 2 sets out our recommended approach to proportionate community engagement, to be undertaken by the applicant at pre-application stage. This is a guide and further engagement may be needed where development has the potential to be sensitive. During pre-application discussions with the Council the applicant will be expected to demonstrate how the community has been involved in the formulation of the proposals at this stage. For major applications, an explanation of the community engagement at the pre-application stage, is likely to form part of the Committee discussion.

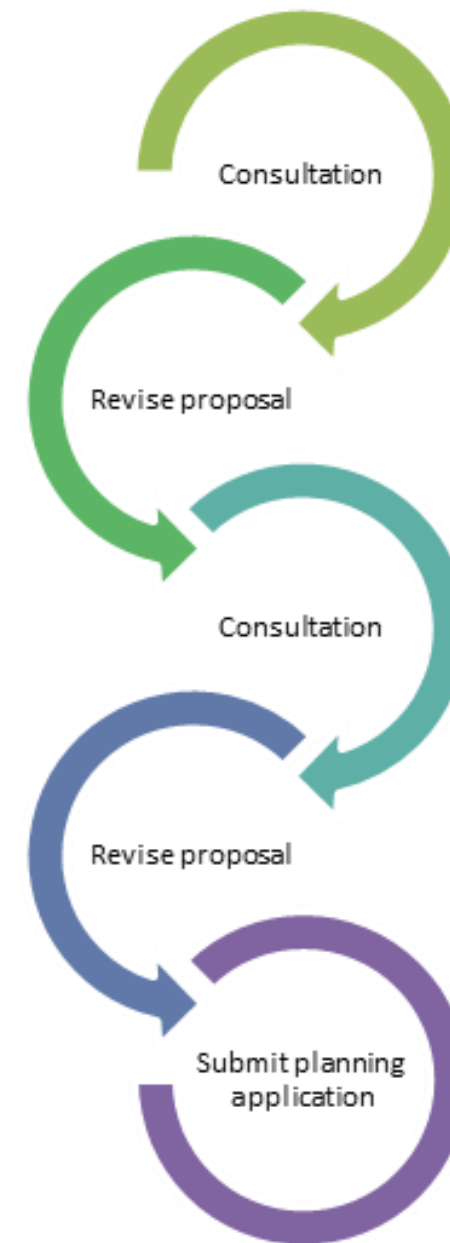


Figure 6. Recommended process for significant applications

Pre-application stage consultation to be undertaken by the applicant	
Nature of Application	Recommended pre-application engagement
<p>Householder & Small business Development within the curtilage of a house (or a single flat) requiring planning permission. E.g. extensions, conservatories, loft conversions, dormer windows or small business premises (main property is up to 300m²)</p>	<p>Discuss proposal with neighbours and other nearby occupiers / owners of properties / land/ local interest groups (e.g. neighbourhood forums and residents associations) at earliest possible stage in developing the proposal. The use of Brent Council's pre-application advice service is encouraged.</p>
<p>Minor development This is defined as:</p> <ul style="list-style-type: none"> • Less than 10 homes, including the change of use to flats • Less than 1000 m² of non-residential floorspace 	<p>Discuss proposal with neighbours and other nearby occupiers / owners of properties / land/ local interest groups (e.g. neighbourhood forums and residents associations) at earliest possible stage in developing the proposal. The use of Brent Council's pre-application advice service is encouraged.</p>
<p>Small Major developments This is defined as:</p> <ul style="list-style-type: none"> • 10 - 24 homes • 1,000 m² - 4,999 m² of non-residential floorspace 	<p>Discuss proposal with statutory bodies, neighbours and other nearby occupiers / owners of properties / land/ local interest groups (e.g. neighbourhood forums and residents associations) at earliest possible stage in developing the proposal. Flyers/mail drop to interested parties. The use of Brent Council's pre-application advice service is strongly encouraged.</p>
<p>Medium Major developments This is defined as:</p> <ul style="list-style-type: none"> • 25 - 150 homes • 5,000 m² - 14,999 m² of non-residential floorspace 	<p>Discuss proposal with statutory bodies, neighbours and other nearby occupiers / owners of properties / land/ local interest groups (e.g. neighbourhood forums and residents associations) at earliest possible stage in developing the proposal. Public meeting with interested parties. Public exhibition and drop in session in an accessible local venue. Publicise via website, local press, social media and flyers. The use of Brent Council's pre-application advice service is strongly encouraged.</p>
<p>Significant Major developments</p> <ul style="list-style-type: none"> • 151 or more homes • 15,000 m² or more of non-residential floorspace or on a site of at least 2 hectare • Waste development 	<p>Two rounds of consultation. Workshop/public meeting with statutory bodies, nearby occupiers, businesses, ward councillors and local interest groups (e.g. neighbourhood forums and residents associations). Public exhibition and drop in session in an accessible local venue. Publicise via website, local press, social media and flyers. The use of Brent Council's pre-application advice service is strongly encouraged.</p>

6.3 Once a planning application is submitted

The Council expects that applications will include a statement demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals. The level of detail provided should reflect the scale of the development.

Each application has an initial statutory consultation period of 21 days. The methods of consultation include:

- **Neighbour Notifications** - where required, notifications of planning applications will be sent to properties that are immediately adjacent to an application site and/or directly affected by an application
- **Site Notices** - where required, a site notice will be put up nearby
- **Press Notices** - where required, a public notice will be placed in the local press
- **Council website** - information is displayed online
- **Designated Neighbourhood Forums** - where an application is within a neighbourhood area the forum will be consulted
- **Residents Associations** - residents associations will first need to register with us by demonstrating they are representative of their area. i.e. adhere to a constitution and membership reflective of the area. They will be consulted on applications as agreed

A more detailed summary of the consultation process at planning application stage is included in table 3. Anyone wishing to be notified about planning applications can register online. Further guidance on how to register and comment on an application is included in appendix 2.



Figure 7

Application Submitted - summary of requirements				
Nature of Application	Website	Site Notice	Newspaper Advert	Consultation Letter
A. Major applications † B. Departures from the Development Plan C. Any application affecting a public right of way or footpath/way (but excluding pavement crossovers, new/revised vehicular or pedestrian accesses) D. Development where the application is accompanied by an Environmental Statement E. Any planning applications (either for development or demolition) that would affect the character or appearance of a Conservation Area	✓	✓	✓	Occupier(s) of the application property. Owner/occupiers of land which has a common boundary with the application site and those close by; the extent will depend on the nature and scale of the proposal. Where relevant, neighbourhood forums and residents associations
Minor applications* where criteria B to E do not apply	✓	Only if within a conservation area; Statutory Listed Building; or affecting the setting of a Statutory Listed Building		Occupier(s) of the application property. Owner/occupiers of land which has a common boundary with the application site and those close by; the extent will depend on the nature and scale of the proposal. Where relevant, neighbourhood forums and residents associations

† 10 or more homes, or on a site of at least 0.5 hectares; 1,000 m² or more of non-residential floorspace or on a site of at least 1 hectare; waste development

* Less than 10 homes, including the change of use to flats; less than 1000 m² of non-residential floorspace

Application Submitted				
Nature of Application	Website	Site Notice	Newspaper Advert	Consultation Letter
Applications for Listed Building Consent	✓	✓	✓	Dependant on the scale and potential impacts of the proposed development. Where relevant, neighbourhood forums and residents associations
Advertisement consent within a conservation area, a Statutory Listed Building, or affecting the setting of a Statutory Listed Building	✓	✓	✓	As above
Applications to remove or vary conditions	✓	✗	✗	Notify anyone who made comments on the original application.
Approval of details reserved by condition	✓	✗	✗	✗
Reserved Matters Application	As appropriate.			
Work to trees in conservation areas and TPOs	✓	✓	✗	The owner or occupier of the land on which the tree stands will be consulted.
Advertisement consent – on shop fronts or business premises	✓	✓	✗	✗
Advertisement consent - hoardings on flank walls and boundaries	✓	✓	✗	✗

Application Submitted

Nature of Application	Website	Site Notice	Newspaper Advert	Consultation Letter
Prior Approval - telecommunications	✓	✓	✗	✓
Prior Approval - other	✓	✗	✗	Only in relation to larger extensions built under the increased permitted development rights.
Certificates of Lawfulness	✓	✗	✗	✗
Revisions to applications	<p>Where an application has been amended before a decision is made, we will decide whether further publicity and consultation is necessary. In deciding whether this is necessary we will follow the assessment set out in Planning Practice Guidance which states the following considerations may be relevant:</p> <ul style="list-style-type: none"> • were objections or reservations raised in the original consultation stage substantial and, in the view of the local planning authority, enough to justify further publicity? • are the proposed changes significant? • did earlier views cover the issues raised by the proposed changes? • are the issues raised by the proposed changes likely to be of concern to parties not previously notified? <p>Where it is considered that re-consultation is necessary, the timeframe for responses will be shorter than the initial 21 days, usually 14 days.</p>			

6.4 Making a decision on a planning application

Following the end of the consultation period, we consider relevant planning comments received and makes a decision on the planning application having regard to development plan policies and all other relevant planning considerations.

Some applications are decided by planning officers using authority delegated by the Council. The officers report includes a summary of comments received and the reason for the decision. This is made available on the Council website.

The Constitution sets out which proposals will be decided by Planning Committee. Generally larger scale and /or particularly sensitive or controversial development proposals go to committee. This is a public meeting with the opportunity for members of the public to speak by prior arrangement. Any comments and objections will also be summarised in a publicly available report submitted to that meeting.

6.5 Appeals

The applicant has a right to appeal where they disagree with the decision of the local planning authority to refuse permission, to a condition attached to a consent, or where a decision is not reached within the statutory time period. When we have been notified of an appeal by the Planning Inspectorate, we will notify all interested parties of the appeal and provide a copy of all comments made on an application to the Inspectorate. Interested parties are advised of how they can be involved in the appeal process.

If an appeal is to be considered at an informal hearing or public inquiry, we will also notify all interested parties of the venue and time of the hearing in line with the Planning Inspectorate's requirements. The venue will be accessible and inclusive.

Please note that should a householder application become the subject of an appeal dealt with by written representation, there may be no opportunity under the fast track Householder Appeal Service

procedure to make further comment at the appeal stage. Comments received at the application stage will be forwarded to the Planning Inspectorate.

Appendix 1: Consultees

As defined in the Town and Country Planning Regulations(2012) as amended.

Specific Consultation Bodies

- The Coal Authority
- The Environment Agency
- Highways England
- Historic England
- Marine Management Organisation
- Natural England
- Network Rail
- Neighbouring Local Planning Authorities (Barnet Council, Camden Council, Ealing Council, Hammersmith & Fulham Council, Harrow Council, Old Oak and Park Royal Development Corporation, Westminster Council, Royal Borough of Kensington & Chelsea)
- Utilities Providers
- Homes and Communities Agency
- Greater London Authority
- Transport For London
- Brent Clinical Commissioning Group
- Local Wildlife Partnership
- Local Economic Partnership

General Consultation Bodies

- Voluntary bodies some or all of whose activities benefit any part of the local planning authority's area, including residents associations and neighbourhood forums (see www.brent.gov.uk/neighbourhoodplanning)
- Bodies representing the interests of different racial, ethnic or national groups in the local planning authority's area
- Bodies representing the interests of different religious groups in the local planning authority's area
- Bodies representing the interests of disabled persons in the local planning authority's area

- Bodies representing the interests of persons carrying out business in the local planning authority's area

We will seek to engage with groups representing the nine protected characteristics under The Equality Act: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Appendix 2: How to comment on a planning application

Making comments on planning applications is your opportunity to have a say in the decision making process by looking at and considering the documents and plans and sending us your comments.

Understanding the proposal

The application documents will be available to view on our [planning searches and consultations page](#) where you can search for an application.

If you have viewed the documents and have any further queries, please contact the planning officer who is dealing with the case. Their contact number is provided on our website and on any consultation letter you may have received.

Having your say

Once you understand the proposal, you may wish to comment. Comments can be made online if you register an account. You may also submit your comments by post to the case officer at Planning and Regeneration, Brent Civic Centre, Engineer's Way, Wembley, HA9 0FJ.

If submitting a petition or we receive a standard template letter from multiple contacts, we will record the comments as 'PETITION received', either against the contact details of the Head Petitioner / Original Author of standard template letter, where known, or against the first name and address that is listed on the petition or that we receive the standard template letter form.

Please reply within the stated time scale. If you respond after this period, your views may only be taken into account, if the application has not yet been decided.

A warning about your comments

Any comments we receive about an application are not private or confidential. They are a public record for anybody to see, including the applicant or other neighbours. Therefore, please avoid writing anything that you would not want other people to read.

How to comment online

1. To create a new user account go to our [planning records database](#), click on 'Register' in the menu bar and fill in the required fields. Please note you will be required to provide your full name and address.
2. Go to our [planning records database](#) on the [planning searches and consultations page](#). Log in, select 'Planning simple search', and enter the application reference number.
3. You then go to the 'comments' tab and select 'make a comment'.

Please note that when adding your address, if you live in a building divided into flats, please state your flat number clearly, even if you share a communal entrance door or letterbox with the other residents.

We reserve the right to not accept any comments which incorporate language that it considers could be deemed to be offensive or are incompatible with its statutory duties under the Equalities Acts.

For data protection reasons, we do not display on the website

personal data such as your signature, telephone or email contact details. However, your comments as received, may still be inspected at our offices, or may be made available in an electronic format with signature and personal contact details removed.

Relevant considerations

Planning law specifies what factors may be taken into account when deciding a planning application. Planning considerations relate to with the appearance of new buildings, their impact upon neighbours and the locality, and the appropriateness of the use of land and buildings. Planning regulations are not designed to deal with structural matters (e.g. foundations and drainage), civil matters (e.g. boundary disputes), or personal matters (e.g. people's approval or disapproval of particular individuals or organisations).

An application may not be refused simply because many people are opposed to it. The planning process seeks to balance the rights of applicants to develop or use their land as they wish, with the rights of neighbours to continue to enjoy the use of theirs. It also has to consider the wider public good, government guidance and planning policies.

Objections normally relevant to planning

- problems of increased noise, smell, dust, traffic, etc. caused by the use (but not during construction work)
- loss of light, privacy or outlook
- number, size or design of buildings
- traffic safety or congestion, including effects on pedestrians
- effect on parking
- transport issues, e.g. availability of public transport, facilities for pedestrians, cyclists and people with disabilities
- loss of trees or other natural features
- effect on the character of the area

- effects on conservation areas, listed buildings, protected open spaces and nature conservation areas
- loss of more beneficial land uses, e.g. employment uses, homes or community uses
- opportunities for crime arising from a development
- conflict with government or Council policies.

Objections not normally relevant to planning

Some objections cannot be taken into account because they are outside the control of planning legislation. This list is not exhaustive but highlights the most common issues:

- possible loss of value to properties in the area
- nuisance caused during construction work - this is covered by environmental health legislation
- concerns regarding foundations and sewerage - these are dealt with under the building regulations
- moral objections to a proposed use e.g. religious opposition to alcohol, gambling and animal slaughter
- an applicant's personality, character, behaviour, ethnic origin or way of life
- private matters between neighbours e.g. boundary disputes over fences and rights of way
- loss of a view from a private property
- commercial competition or loss of trade
- the fact that a development may be profit-making
- the history of the site e.g. any restrictive covenants
- the internal layout of private buildings (except where an undesirable use of part of a building, such as one involving noise or vibrations from industrial machinery, could affect neighbours)

- health concerns about mobile-phone masts - such masts already have to comply with existing national and international guidelines for radiation emissions; any further legislation needed to safeguard public health is the responsibility of central government, not local councils.

What happens after you have commented

We will endeavour to log your comment on the application record within five working days of receipt. You may wish to check online to see if your comment is listed.

If an application is to be considered by the Planning Committee, anyone who has made a comment on an application will be notified of the date and how to apply to speak to the Committee.

If you wish to know the outcome of the application, please check the website for a decision. Please see the decision notice for details of either its refusal or if granted, any conditions attached to that permission.

Appendix 3

Neighbourhood Planning Protocol

Appendix 3 Neighbourhood Planning Protocol

Neighbourhood Planning was introduced under the Localism Act 2011. It enables people to help shape development in their local area through:

- Neighbourhood development plans that set local land use policies.
- Neighbourhood development orders that grant planning permission for a specific development.
- Community right to build orders that identify land for new development.

Neighbourhood planning is a community-led process delivered by 'neighbourhood forums.' However, forums will require the support of the council to progress their plan. This protocol sets out the roles and responsibilities of the forum and of Brent Council during each stage of the process.

Throughout the protocol...

..the role of the Forum is shown in blue,..

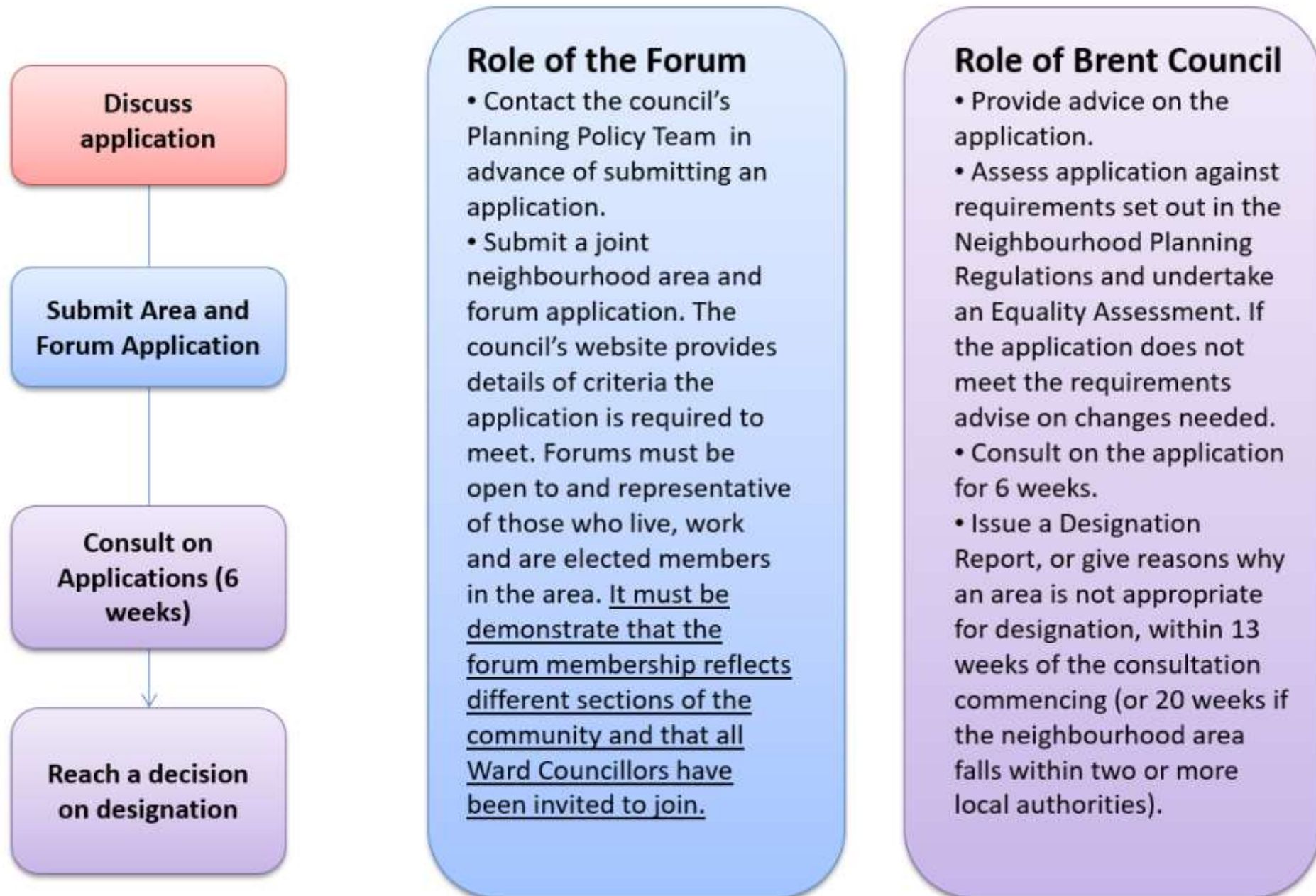
...the role of Brent Council in purple

...and shared roles are in pink.

Useful Information:

- Planning Practice Guidance <https://www.gov.uk/guidance/neighbourhood-planning--2>
- Locality www.neighbourhoodplanning.org
- Brent Council www.brent.gov.uk/neighbourhoodplanning
- Neighbourhood Planners London <https://www.neighbourhoodplanners.london>

Stage 1: Becoming a Forum and Neighbourhood Area



Stage 2: Preparing the Neighbourhood Plan



Role of the Forum

- Once designated the forum is responsible for preparing the neighbourhood plan.
- Continue to engage the local community and Ward Councillors as the plan develops through consultation activity. It is advisable to consult the wider community on options for the policies in your plan.
- As soon as a draft of the plan is available submit to the council for comment.
- Consult on the draft plan for 6 weeks.
- Amend the plan as required in light of consultation responses.

Role of Brent Council

- Make available evidence base documents.
- Provide advice on writing planning policies.
- Provide detailed comments on a draft of the plan.
- Undertake a Screening Opinion to identify if the Plan will need a full Strategic Environmental Appraisal (SEA) or Habitat Regulation Assessment (HRA).
- Write to the consultation bodies, as set out in the Neighbourhood Planning Regulations, on behalf of the forum as part of the 6 week consultation.

Stage 3: Submitting the Neighbourhood Plan to the Council



Role of the Forum

- Prepare supporting documents:-
 1. Consultation Statement – providing a summary of consultation activity and how this has informed the plan.
 2. Basic Conditions Statement – setting out how the plan meets the [basic conditions set out in Neighbourhood Planning Regulations](#).
 3. Map or statement which identifies the area to which the plan relates.
 4. Strategic Environmental Appraisal or Habitat Regulation Assessment (if required).
- Submit supporting documents and the plan to the council.

Role of Brent Council

- Assess if the submission meets the requirements of the Town and Country Planning Act 1990 (as amended) and confirm the outcome in writing to the forum.
- Providing the requirements are met seek Planning Committee and Cabinet approval to progress the plan.
- Publish for 6 weeks for comment.

Stage 5: Examination

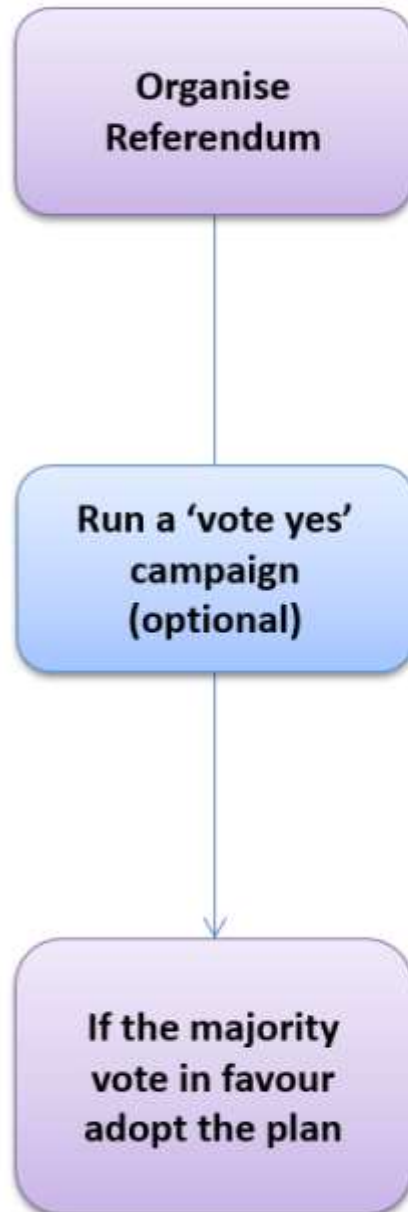
**Role of the Forum**

- Jointly appoint an independent Examiner.
- The forum may be required to respond to questions from the Examiner, this is usually in the form of written representations. In exceptional circumstances there may be a hearing session where the forum can provide oral representations.
- Amend the plan as recommended by the Examiner.

Role of Brent Council

- Jointly appoint an Independent Examiner.
- Submit documents and consultation responses to the independent Examiner.
- Respond to Examiner's questions as required.
- Fact check Examiner's Report and issue report once finalised.

Stage 6: Referendum

**Role of the Forum**

- The forum may wish to run a campaign to encourage people to vote yes to the plan. The forum will be responsible for organising and funding any 'yes' campaign. The council must remain neutral during the referendum.

Role of Brent Council

- Organise Referendum.
- Advise the forum on the procedures to be followed before and during the referendum.
- If the majority of voters support the plan the council takes the plan to Full Council for adoption.
- The neighbourhood plan becomes part of the council's Planning Framework and will guide development in the neighbourhood area alongside other Development Plan policies.

