

## **Participation Request Report – The Vennel**

A participation request was submitted by Linlithgow & Linlithgow Bridge Community Council to West Lothian Council – **“For representation on the Vennel project team and to contribute to the project briefing process to ensure the views of the community are taken into account”**

This report sets out detail on the participation request, the outcome of the process, the extent to which the participation of the community council influenced the process and outcomes and how the community council will be kept informed. The report has been prepared with the community council.

### **Background**

The Vennel is a development site in Linlithgow. Draft Planning Guidance had been prepared by the council to guide the potential re-use or redevelopment of land and buildings in the vicinity of the Vennel, which had been consulted on prior to the participation request being submitted. The community council had undertaken a community survey to gather views on the Vennel development and undertook an option appraisal exercise, which laid the foundation for their formal participation request, with the aim of giving the residents of Linlithgow a voice in the consideration of the specification and form of the redevelopment.

### **Validation and Decision-Making Process**

The participation request was submitted by the community council on 9 November 2018. A meeting had been held with the community council prior to the request being submitted. The request was validated by a Panel consisting of the council’s Head of Planning, Economic Development and Regeneration (PEDR), Governance Manager, Estates Manager and Community Planning Development Officers. The Validation Date was set as 19 November 2018. For various reasons, the Panel was not able to meet and make a decision within the 30-day timeframe and so an extension was agreed with the community council. A Decision Notice was issued on 25 January 2019.

### **Decision**

Although there were some inaccuracies with the terminology and detail included in the application, they were not material and the request was approved.

The Decision Notice clarified the current position of the Vennel development in order to frame the decision and outcome improvement process. There was no Vennel project team as such. Meetings had taken place amongst officers from the affected council service areas to draft the Planning Guidance, which was considered by members at a PDSP meeting (a discussion forum) and then made available for public comment and consultation. A report was then to be taken to committee for members to decide how to proceed.

The Decision Notice also highlighted that the drafting and preparation of and consultation on proposals are done by officers but the decision about how to proceed and deal with those proposals is for members at committee. It was not possible to say what might happen in the longer term and officers are not able to dictate to members, especially chairs of PDSPs and committees, how they wish to deal with issues brought before them at meetings. The request was therefore dealt with in relation to involvement in the process leading up to a decision by elected members as to how the council should proceed in relation to the draft proposals.

## **Outcome Improvement Process**

The following Outcome Improvement Process was agreed and implemented.

1. At least one meeting between council officers and the designated representatives of the community council will take place to consider and discuss the community council's response to the council consultation on its draft proposals.
2. If judged appropriate further meetings may take place by agreement of the council and the community council.
3. Officers will produce a note summarising their views on the community council's proposals and the outcome of the meeting(s) held and the community council will have the opportunity to produce a response.
4. Officers will report again to a PDSP meeting. The PDSP report will include the community council's response to the consultation and the note and response referred to in paragraph 3.
5. Officers will ensure the community council is aware of the date of the PDSP meeting and is provided with a copy of the report when it is issued to PDSP members.
6. Officers will suggest to the PDSP Chair that an invitation is made to the community council to attend the PDSP meeting and take part in the discussion of the officers' report. Officers cannot however guarantee that participation will be permitted, that is a decision for members.
7. The resulting committee report will include the note and response referred to in paragraph 3, as well as a note of the PDSP discussion.
8. Officers will ensure the community council is aware of the date of the committee meeting and is provided with a copy of the report when it is issued to committee members.
9. Officers will ensure that the community council is reminded of its right to request to attend the committee meeting through a deputation request. As with the PDSP stage, officers cannot however guarantee that participation will be permitted, that is a decision for members.
10. Once committee has decided how to proceed, officers will revisit the participation request and process and will discuss with the community council if and how ongoing involvement in a further outcome improvement process can be achieved.

Points 1-3 above were all carried out in 2019. The Planning Guidance was reported to PDSP in September 2020 and the community council were in attendance. The guidance was amended to incorporate some comments made by the community council. The Planning Guidance was reported to Council Executive on 6 October 2020, where it was agreed. A deputation was made by a representative of the community council. In relation to point 10, discussion has been held with the community council on ongoing involvement. The council's view is that this request can now be considered closed after being implemented in full.

## **What changed as a result of the participation request**

At the stage the participation request was submitted, the council had declared that the Vennel was surplus to requirements but had not yet decided how to progress. The Planning Guidance was an introduction to an opportunity and not a development brief. No decision was to be taken until committee had accepted the principle of development. Due to the stage at which the participation request was submitted, the request could therefore have limited impact on the decision-making process on how the site would be redeveloped. However, some changes were made to the wording of the development brief to reflect the input of the community council's views.

In response to the participation request, officers did undertake to bring the community council's representation on the draft guidance to the attention of the Development & Transport Policy

Development & Scrutiny Panel (PDSP) together with the officer response to it. The community council was also afforded a further opportunity to comment on the process and were invited to attend the PDSP and Council Executive meetings where the guidance was to be considered and ultimately approved.

The community council provided the following feedback on the process:

*“In the context of contributing to the decision-making process we were unsuccessful. However, we were given the opportunity to challenge some fundamental points through our representation at the PDSP although because of the formalised structure of the PDSP, the questioning by Councillors and the answer by officers, it was difficult to have a discussion and explore alternatives.*

*In conclusion I would summarise that our objectives in participating were very clear but they could not be achieved because of the stage in the process in which we engaged.”*

The point made about the formalised structure of the PDSP meeting is acknowledged. That is to a very great extent unavoidable where officers are presenting reports and recommendations to elected members for consideration and decision and are governed by the council’s Standing Orders in doing so.

### **Ongoing Involvement**

The next stage for the Vennel is to establish a Development Framework, building upon the Planning Guidance, to provide further detail for when the proposed development is exposed to the market. This is the stage where the community will have more input on the redevelopment of the Vennel. Council Executive has approved a report from officers outlining that there will be ongoing community and stakeholder involvement in establishing the Development Framework, involving the community council to feed in wider views from the community, and regular meetings will be held with the community council to keep them up to date and get their input.