

# REPORT TO CABINET

**REPORT OF:** Planning Policy & Partnerships Service Manager

**REPORT NO:** PLA 1063

**DATE:** 4<sup>th</sup> August 2014

<b>TITLE:</b>	<b>Revision to Statement of Community Involvement</b>	
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	Key Decision	
<b>PORTFOLIO HOLDER: NAME AND DESIGNATION:</b>	Cllr Frances Cartwright Grow the Economy, Economic Development Portfolio Holder	
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<b>INITIAL IMPACT ANALYSIS:</b>	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
<b>Equality and Diversity</b>	Yes	No
<b>FREEDOM OF INFORMATION ACT:</b>	This report is publicly available via the Your Council and Democracy link on the Council's website: <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a>	
<b>BACKGROUND PAPERS</b>	Statement of Community Involvement 2006 <a href="http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=1969&amp;p=0">http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=1969&amp;p=0</a>	

## 1. RECOMMENDATION

- 1.1 That the Cabinet approves the draft Statement of Community Involvement for the purposes of public consultation.

## 2. PURPOSE OF THE REPORT

- 2.1 To seek Cabinet approval of the draft Statement of Community Involvement (SCI) and for it to be published for public consultation prior to adoption.

## 3. DETAILS OF REPORT

- 3.1 The SCI sets out how the Council intends to seek the views of different sectors of the community during the preparation of planning policy documents and when planning applications are received.

- 3.2 The current SCI was adopted in 2006. Since then there have been significant changes to the planning system, particularly in plan making. The SCI, therefore, needs to be reviewed and updated not only to reflect the most up to date legislation and regulation changes but the lessons learnt from several years experience of using it.
- 3.3 As part of revising the SCI, in October 2013 consultation was undertaken with all Parish and Town Councils and a sample of customers who had either commented on or been notified of a planning application or planning policy document. The purpose of this was to help establish what was felt to currently work well when consulting on planning applications or policy documents and what needed to be improved. An overall response rate to the consultation of 27% was achieved.
- 3.4 The majority of respondents were generally satisfied with the way in which they were able to engage with the Council on planning matters, although a number suggested ways in which they thought these could be improved. These included: more people being notified of planning applications by letter; website improvements; more effective use of Parish Councils; holding Planning Committee meetings in the evening.
- 3.5 The findings of this consultation were reported to the Communities Policy Development Group (PDG) in January 2014. The PDG supported the use of electronic communication and social media and that greater use should be made of notice boards in local communities to publicise planning matters and that Parish/Town Councils should be encouraged to share information on planning matters more widely within their communities. The main concern of the PDG was that the period for commenting on amendments to planning applications was too short and should be extended.
- 3.6 The approach to consulting and engaging on planning matters needs to strike a balance between being accessible in engaging on planning issues, being efficient in the use of resources and officer time to enable this and allowing decisions to be made in a timely manner.
- 3.7 Although many of the principles and approaches set out in the original SCI remain, the following changes have been made to the revised SCI in order to update the document and ensure the Council's approach to consultation is robust:
- The details around plan making have been updated to refer to the new Local Plan
  - Increased importance has been placed on the need for the Council to be more efficient resource and time wise with regard to the type and methods of consultation undertaken
  - The process by which we will consult on both planning policy documents and planning applications has been updated to reflect the changes in planning legislation and guidance
  - The consultation techniques listed have been updated to reflect changes in technology, such as recent growth in social media
  - Any out of date references, such as consultees that no longer exist or documents that have been revised, have been updated.

- 3.8 Under previous planning regulations the SCI was required to undergo independent examination. This requirement has now been removed and the SCI can be approved and brought into effect more easily by a resolution of Cabinet. Whilst the content and process for preparing a SCI is no longer prescribed by regulation, it is considered good practice to hold a period of public consultation on a draft SCI prior to consideration of representations and subsequent adoption by Cabinet.
- 3.9 Subject to the decision on the report recommendation it would be the intention to commence the public consultation on the draft SCI on the 22nd August 2014 for a period of six weeks. Subject to the number and nature of any representations received, it is anticipated that the representations, together with an officer response to them, will be reported to Cabinet in November 2014 at which time Cabinet will be requested to adopt the revised SCI
- 3.10 A copy of the revised draft SCI is attached as Appendix 1.

#### **4. OTHER OPTIONS CONSIDERED**

- 4.1 To not review and update the SCI and continue to use the existing document. However, the existing SCI does not reflect current requirements set out in legislation or regulations.

#### **5. RESOURCE IMPLICATIONS**

- 5.1 Consultation costs on the draft SCI can be met from within existing Local Plan resources. The revised SCI offers the potential for financial savings by reducing the obligation to place public notices in the local press to advertise certain types of application or to routinely supply printed copies of all planning applications to Parish/Town Councils.

#### **6. RISK AND MITIGATION**

- 6.1 Risk has been considered as part of this report and no specific high risks have been identified.

#### **7. ISSUES ARISING FROM IMPACT ANALYSIS**

- 7.1 A Stage 1 Equality Analysis has been completed (Appendix 2) and has not identified any potential for discrimination. However, following consultation on the draft SCI the analysis will be reviewed to take account of any relevant comments that may be made.

#### **8. CRIME AND DISORDER IMPLICATIONS**

- 8.1 None arising out of this report.

#### **9. COMMENTS OF FINANCIAL SERVICES**

- 9.1 The costs associated with the SCI will be met from in-year budgets and will be incorporated into future service budgets as appropriate.

## **10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES**

- 10.1 In accordance with the Planning and Compulsory Purchase Act 2004 (as amended), the Council have a statutory duty to prepare a SCI.
- 10.2 The involvement of the public in preparing planning documents and the consideration of planning applications must follow the approach set out in the SCI.
- 10.3 Under the Planning and Compulsory Purchase Act 2004 S 20(5)(a) an Inspector is charged with checking that a Local Plan submitted for adoption has complied with legislation. This includes checking that the plan has been prepared in compliance with the SCI. Without passing this legal test the Council would not be able to demonstrate to an Inspector that the Local Plan is legally compliant and therefore could not be found sound at examination.

## **11. APPENDICES:**

- 11.1 Appendix 1: Draft SCI  
Appendix 2: Stage 1 Equality Analysis