

Council

4th November 2019

Report of:	Assistant Director for Planning and Regulatory Services
Cabinet Member	Portfolio Holder for Growth and Prosperity

STATEMENT OF COMMUNITY INVOLVEMENT (SCI)

1.0 Summary

- 1.1 This report seeks the Council's agreement to adopt a revised and updated Statement of Community Involvement. The Statement of Community Involvement (SCI) sets out how the community will be consulted on planning policy documents and planning applications, stating who the Council will engage with, when and how. It also sets out how the Council will engage with communities who wish to prepare Neighbourhood Plans.
- 1.2 The SCI provides clarity on the extent of community involvement that will take place as the Council fulfils the range of its planning functions.
- 1.3 Consultation was carried out on the draft SCI for a 5 week period, with all relevant stakeholders and members of the public. Further consultation was undertaken for a 5 week period with Parish Councils. The comments from these consultations are set out in **Appendix 3** and have been considered in finalising the document.

2.0 Recommendations

- 2.1 **That Council notes the responses given to consultation comments as outlined in Appendix 3.**
- 2.2 **That Council formally adopts the Statement of Community Involvement which appears at Appendix 1.**

3.0 Report Detail

- 3.1 The Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to produce a Statement of Community Involvement. From April 2018, under Regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Local Planning Authorities must complete a review of the Statement of Community Involvement every five years.

- 3.2 The Statement of Community Involvement sets out the key standards we will aim to achieve when involving the community throughout the preparation of Plan Documents, dealing with planning applications and engaging with communities who decide to prepare a neighbourhood plan.
- 3.3 This report has been prepared for consideration by full Council because, once adopted, it will be a change to the Council's policy framework which includes the Development Plan. The SCI is a local development document and a component of the Development Plan, as defined by section 17 of the Planning and Compulsory Purchase Act 2004.
- 3.4 This Statement reflects the technological changes which have increased the range of means available for consultation and engagement.
- 3.5 Sections of the SCI will also be available as 'extract' documents so that people can directly access only the parts of the SCI which are relevant to them. An example of one of the 'take-away' documents is attached as **Appendix 2** to this report.
- 3.6 The Council wishes to conduct its planning function in an inclusive and transparent manner, in order to consider all interests and a wide range of views that reflects the Borough's diverse environment and communities.
- 3.7 The SCI sets out in detail how the Council will encourage the engagement and participation of consultees within the relevant elements of planning, as required in section 18 (2) of the Planning and Compulsory Purchase Act 2004.
- 3.8 **Community Involvement in Planning Policy**
The first part of this section of the SCI outlines the Councils' standards of community engagement within the preparation and review of Local Plans and Supplementary Planning Documents (SPD's). The Council will consult at the earliest possible stage to inform the decisions to be made. The Council have established an extensive database of interested parties, including stakeholders, organisations and members of the public who will be directly informed of consultations on any SPD's and Local Plan reviews. Additional organisations or bodies will be consulted on SPD's where the Council considers they would have an interest in the subject of the SPD.
- 3.9 In relation to Local Plans, the Council have a duty to consult 'specific consultation bodies', the local community and the extended community, these consultees are outlined within an appendix to the main SCI. The Council also have a duty to cooperate with neighbouring authorities and prescribed bodies, lists of these consultees can be found within the Local Plan section of the SCI. The evidence and consultation responses gathered are relied upon when the soundness of the Local Plan is tested at independent examination. Flow charts have been included within the SCI to outline the processes of preparing and reviewing Local Plans and SPD's.
- 3.10 **Community Infrastructure Levy**
The second part of this section of the SCI summarises how the Council will engage consultants on a Community Infrastructure Levy (CIL), Sustainability Appraisals (SA) and non-statutory planning documents. The Council will engage with interested parties which could include developers, landowners, members of the public and statutory bodies, where appropriate.

The last section outlines how the Council will engage with Parish Councils, which will include general training/information events to be held throughout the year.

3.11 **Neighbourhood Planning and MBC Community Engagement**

This section outlines the process of preparing Neighbourhood Development Plans (NDPs) and how the Council will assist Neighbourhood Development Plan Groups. The Council has statutory roles in several key stages in the preparation of NDPs, these have been outlined, along with a detailed outline of the NDP process, in a flow chart within the SCI. The Council will also undertake more general duties such as attending meetings, liaising with consultants appointed by the NDP group, sharing data and signposting the NDP groups to other sources of information.

3.12 **Community Involvement in Development Management**

This section states how the Council will engage the community within pre-applications, planning applications and appeals. The SCI stresses the benefit of early engagement with the community and stakeholders, encouraging developers to consult with the local affected community prior to submitting planning applications. The required methods of engagement on planning applications depend on the type and scale of the proposed development. The relevant methods of consultation for each type of planning application have been outlined in a diagram within the SCI. The last section outlines how the Council will engage with Parish Councils, including consulting neighbouring Parishes where considered appropriate or necessary to do so.

3.13 **Monitoring and Review of the SCI**

The SCI will be reviewed at least every five years, in accordance with Regulation 10A of the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended). The SCI will be monitored to ensure that updates are made to accommodate significant changes in legislation or in the way in which the Council consults.

3.14 **Methods of consultation**

Appendix 1 of the SCI lists the methods of communication the Council will use when consulting on Policy Documents and Planning Applications. These methods include the use of social media, Council websites and public 'drop-in' events.

4.0 **Consultation and Feedback**

4.1 Public consultation was undertaken between 11th April 2019 and 16th May 2019. The draft SCI was emailed to all the organisations and individuals on the planning policy consultee database, and the consultation was advertised in the local press and online. A copy of the draft SCI was made available online and in Melton and Bottesford libraries.

4.2 An article and press notice appeared in the Melton Times to notify members of the public and raise awareness of the consultation. An email was sent to all stakeholders to notify them of the consultation. This included Councillors; Parish Councils; developers; house builders; planning and land agents; registered providers; Homes England; the County Council; neighbouring Councils; Leicester City and Leicestershire Councils and relevant internal members of staff.

- 4.3 Five responses were received to the consultation, 3 from statutory bodies or utilities and 2 from Parish Councils. This is likely to be because of the limited interest of the document. A summary of the comments received is attached as **Appendix 3**.
- 4.4 A further e-mail consultation was undertaken with Parish Councils between 29th August 2019 and 4th October 2019. This consultation was to a further change to the draft SCI to ensure that the approach to engaging with communities on neighbourhood plans accorded with the latest best practice and regulatory requirements. No responses were received to this consultation.
- 4.5 One issue raised by Barkestone and Plungar and Redmile Parish Council was that Neighbourhood Plans were not the right tools for managing development in small rural settlements where the presumption should be against new development. The SCI can only relate to the national planning system and framework that the Government requires the Council to deliver and the adopted Local Plan addresses the policy issues this comment raises; so no changes are proposed to address this comment.
- 4.6 Knossington and Cold Overton Parish Council asked that adjoining Parish Councils be notified of Planning Applications that, although not within their Parish, could have an impact on the Parish residents. This has been accommodated in the final version of the SCI.

5.0 **Next Steps**

- 5.1 If the Council adopts the SCI, an adoption statement would then be published in local press, on the meltonplan.co.uk website and in libraries. Publicity would be given to the adoption of the SCI.
- 5.2 The approaches to community involvement included in the statement would then be implemented by all parts of the planning service.

6.0 **Financial Implications**

- 6.1 The financial implications of the SCI being formally adopted can be met through the existing Local Plans and Development Management budgets. In some cases, there may be cost savings arising from technological advances and reduced use of paper.

7.0 **Legal and Governance Implications**

- 7.1 Adoption of an up to date SCI is a legal requirement. The document needs to be updated at least every 5 years, and the existing SCI was adopted in 2014.
- 7.2 Following adoption, there is a 3 month period during which a party can apply to the High Court to challenge the adoption of the SCI. Any such challenge is on the basis of procedural errors during preparation rather than content of the SCI.

8.0 **Equality and Safeguarding Implications**

- 8.1 Provisions have been included within the SCI for documents to be made available in other formats (such as large print, braille etc.).

8.2 The SCI states that the Council will ensure all future consultation events will be held at varying times and locations and consultation materials and publicity will be accessible via several channels to ensure as many different groups and cohorts in the local community are aware of and able to engage in planning.

9.0 Community Safety Implications:

9.1 There are no community safety implications.

10.0 Other Implications

10.1 The SCI contributes to the Council's efforts to be open and transparent about the community involvement that will be undertaken in delivering the key aspects of the planning service.

11.0 Risk & Mitigation

11.1 The risk is that the Council would have out of date guidance which makes it unclear as to when, how and who to consult with. If the Council was to carry out a Local Plan Review with an out of date SCI, it risks the Plan being found unsound for procedural reasons. The Statement of Community Involvement will mitigate this risk.

11.2

L I K E L I H O O D	A	Very High				
	B	High				
	C	Significant		3	1	
	D	Low			2	
	E	Very Low				
	F	Almost Impossible				
			Negligible 1	Marginal 2	Critical 3	Catastrophic 4
			IMPACT			

Risk No	Risk Description
1	Don't adopt – we would be using an out of date SCI which may make other documents subject to challenges. Mitigate by adopting the document.
2	The SCI could get challenged – This would reduce the weight of the document and could lead to a review. Mitigate the risk of this by ensure that the correct processes and consultations have taken place.
3	Risk from content of document. This risk has been mitigated by carrying out the relevant consultations. The SCI will be reviewed at least every 5 years to update content.

Background Papers:

Melton Borough Council Statement of Community Involvement (2014)

Appendices

Appendix 1 – Statement of Community Involvement.
Appendix 2 – Example of a 'take-away' document.
Appendix 3 – Consultation Statement.

Report Timeline:

Equalities Check & Challenge	Not required
SLT Sign off	Not required
Previously Considered by Cabinet	No
Director Approval	18/10/2019
Chief Finance Officer Sign Off	18/10/2019
Monitoring Officer Sign Off	22/10/2019

Report Author & Job Title

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