

Report to: **Executive**
Date: **31 October 2019**
Title: **Statement of Community Involvement**
Portfolio Area: **Cllr Judy Pearce,
Strategic Planning / Joint Local Plan**

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:
following public consultation

Author: **Thomas Jones/Richard Grant** Role: **Head of Place Making/JLP Team Manager**

Contact: **01803 861404 thomas.jones@swdevon.gov.uk**

Recommendations:

That Executive:

1. approves for consultation purposes the Statement of Community Involvement (for South Hams, West Devon and Plymouth).
2. delegates authority to the Director of Place and Enterprise, in consultation with the Leader of the Council, to make presentational and minor amendments to the SCI ahead of consultation.

1. Executive summary

- 1.1 The purpose of this report is to seek approval to consult on the draft Statement of Community Involvement (SCI). Approval has been granted by Plymouth City Council and is also needed by West Devon Borough Council (WDBC).
- 1.2 The purpose of the SCI is to establish protocol, process and objectives associated with consultations on planning matters. It meets a statutory requirement of the Planning Regulations 2019.

- 1.3 The SCI will require separate adoption by the three JLP Councils. This would follow public consultation, possible revisions and the final version being approved by each Full Council.
- 1.4 To enable consultation on an identical SCI for the three Councils delegated authority is sought for the Director of Place Making and Enterprise, in consultation with the Leader of the Council, to make presentational and minor amendments to the SPD ahead of consultation.
- 1.5 The Councils are required to publish, review and update a Statement of Community Involvement by virtue of the provisions of regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

2. Background

- 2.1 The Council has a statutory duty to review its Statement of Community Involvement (SCI) at least once every 5 years. The current SCI was adopted in 2009.
- 2.2 Section 180 of the Planning Act 2008 stipulates that an SCI is a Local Development Document. In the interests of clarity and having a robust approach the SCI will be the subject of formal public consultation.
- 2.3 The SCI sets out the minimum requirements for consultation and involvement that must be followed by a Local Planning Authority (LPA) when preparing planning documents or consulting on planning applications. The document also sets out how the LPA will support groups undertaking neighbourhood planning, as required by section 6 of the Neighbourhood Planning Act 2017.
- 2.4 The SCI will provide certainty for communities about the basis upon which the Local Planning Authority (LPA) will engage with them in the future and to guide the LPA to provide an excellent and professional process as they undertake their responsibilities. The primary aim is to ensure that consultation and engagement is meaningful and effective, resulting in better outcomes for everyone.

3. Outcomes / outputs

- 3.1 This report sets out a proposal to consult on a Statement of Community involvement (SCI) that will apply across the whole area covered by the Joint Local Plan: South Hams, West Devon and Plymouth. The consultation would be run jointly.

- 3.2 Following consultation the SCI may be amended before being presented to Full Council for formal adoption. Each of the three Councils are required to adopt the SCI.
- 3.3 The SCI has been prepared jointly by Officers at the three Councils. It builds on the work of the Joint Local Plan and will establish a consistent approach for the continued cooperation in both strategic planning and development management planning. Currently each Council has their own SCI.
- 3.4 The introduction to the SCI provides all readers with a context and information about the the purpose of the document and answers some of the frequently asked questions.
- 3.5 The second section, 'Principles', sets the overarching principles for how the Councils will aim to conduct their community engagement and consultation processes for planning matters. The principles are:

1. Appropriate, Meaningful and Relevant

- We will deliver meaningful consultations, proportionate to their complexity, using Plain English and explaining technical terms.

2. Integrity and Honesty

- We will be clear about the scope of our consultations, so that those responding are aware of what they are able to influence.

3. Equality and Diversity

- We will ensure that all our consultations are fair and open, taking into account the needs of all sectors of the community relevant to the consultation.

4. Open and Fair

- We will give sufficient information and reasoning to allow for an informed response and we will give sufficient time for responses to be made, taking into account any statutory time requirements.

5. New Technology and e-consultation

- We will look to make best use of technology in the way we advertise consultations, provide information and collect comments from participants,

6. Climate Emergency

- We will design our consultation programmes with a view to an awareness of the climate emergency and the sustainability agenda.

7. Responsibility and Accountability

- We will ensure that all comments made in relation to our consultations are considered conscientiously when decisions are made, where appropriate publishing reports that explain key issues raised and how the consultation influenced the decision.

- 3.6 The third section of the SCI provides information and guidance about what a Consultation Programme should include. A core aspect of the SCI is the use of a Consultation Programme for most consultations. This ensures that the principles of the SCI and good practice of consultation are taken into account when conducting a consultation.
- 3.7 There are then a series of 'Consultation on' sections relating to the following topics which specify the minimum steps that must be taken when consulting on different types of documents and areas of planning. These sections ensure that legislative requirements are met for:
- Development Plan Documents
 - Supplementary Planning Documents
 - Neighbourhood Plans
 - Other Planning Documents
 - Planning Applications and Related Applications
- 3.8 The final section provides some additional tools and links for people carrying out consultations to go to and explore lots of information about techniques and best practice for engaging with communities.

4. Options available and consideration of risk

- 4.1 **Option 1** - South Hams District Council could chose to adopt an SCI covering the South Hams only;
- 4.2 **Option 2** – South Hams District Council could chose to adopt an SCI covering the South Hams and West Devon only;
- 4.3 **Option 3** – South Hams District Council could chose to adopt the proposed SCI, which covers the whole JLP area.
- 4.4 An SCI for a smaller geographical area (than the whole JLP area) could provide comprehensive and consistent guidance, but it would not take advantage of the economiy of working with the two other Councils since an SCI would need to be prepared, consulted on and adopted for each area. Whilst efforts would be made to ensure consistency in interpretation, this approach is also more likely to result in discrepanices over time, making the JLP less robust.
- 4.5 For these reasons and given that the current draft covers the whole JLP area it is considered that Option 3 is the only appropriate option to be pursued.

5. Proposed Way Forward

- 5.1 Following approval by the three JLP Authorities there would be further discussions with key stakeholders and an opportunity for public involvement through a six week public consultation.
- 5.2 Amendments may be made to the SCI as a result of this process. The SPD would then be presented to Full Council in the Spring of 2020 for formal adoption.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal / Governance	Y	<p>The legal requirement to review the Statement of Community Interest is set out in the body of the report.</p> <p>The SCI is directly supportive of the strategic objectives of the Council with respect to Governance and community. It prioritises: Ensuring that it is clear where the responsibility for decisions rests (Democratic); Enabling the trail of decision making to be open (Responsible); Being honest and open in how we conduct consultations and being fair to everyone (Fair), and; Where it is appropriate, ensuring that partners and communities are directly involved in shaping plans (Co-operative).</p> <p>The SCI sets the minimum requirements for our engagement in relation to future reviews of the Joint Local Plan (part of the Plymouth Plan) as well as any supporting planning documents such as Development Plan Documents or Supplementary Planning Documents</p>
Financial implications to include reference to value for money	Y	<p>The costs of preparing the SCI and public consultation are covered within the existing Joint Local Plan budget, through which costs are shared between the three councils.</p> <p>Effective community engagement can deliver real cost savings to the Council. This has proven to be the case with the adopted SCI as it was central to our ability to limit the cost of public examinations for the Joint Local Plan than could have been the case without an SCI in place.</p>

Risk	Y	<p>A key reason for seeking to adopt a JLP wide SCI is to improve the consistency and robustness in implementation / use of the JLP.</p> <p>A six week consultation period would follow a decision to proceed as proposed in the report. Engaging in consultation raises the expectancy that stakeholders and interested parties can influence the final form of the document. In order to ensure that those engaging feel they have had a fair hearing, consultation submissions will be documented and responses to them provided.</p>
Supporting Corporate Strategy	Y	The SCI consultation process supports all corporate strategies
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	The SCI seeks to ensure that a range of people have the opportunity to influence the plans (including specifically the Local Plan) related to planning, in accordance equality and diversity agendas. Equality and Diversity is clearly articulated as one of the core principles of the SCI. Furthermore, the SCI requires that consultations are supported by a Consultation Statement that, among other things, will state how the principle of Equality and Diversity has been taken into account in the running of the consultation. Where appropriate consultations will also be supported and informed specifically by an Equality Impact Assessment.
Safeguarding	Y	none
Community Safety, Crime and Disorder	Y	No direct implications. The clear democratic process established through an SCI is in the interests of maintaining good and positive relationships with our communities.
Health, Safety and Wellbeing	Y	No direct implications. JLP SPD guidance includes requirements to address health, safety and wellbeing in planning proposals and decisions made on them.
Other implications	Y	Although the SCI itself does not have any direct implications to the Carbon Footprint, it includes a key principle to design our consultation programmes with a view to an awareness of the climate emergency and the sustainability agenda.

Supporting Information

Appendices:

Statement of Community Involvement

Background Papers:

None

