

Report to: **Executive**

Date: **19 March 2020**

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:  
Formal adoption at the next Full Council meeting on 26<sup>th</sup> March 2020. Once adopted, the SCI will come into force and will be used to guide the consultations undertaken by the three Councils on a consistent basis

Author: **Richard Grant** Role: **Strategic Planning  
Manager (Joint Local Plan)**

Contact: **T +441752304331**  
**E [richard.grant@plymouth.gov.uk](mailto:richard.grant@plymouth.gov.uk)**

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**Recommendations:**

**That Council be RECOMMENDED that, subject to West Devon and Plymouth agreeing likewise, the Statement of Community Involvement (SCI) is formally adopted under section 23 of the Planning and Compulsory Purchase Act 2004.**

**1. Executive summary**

- 1.1 The report recommends the adoption of a new SCI relating to Plymouth, South Hams and West Devon, and which will therefore require separate adoption by the three councils.
- 1.2 The Statement of Community Involvement (SCI) provides certainty for communities about the basis upon which the Local Planning Authorities (LPA) will engage with them in the future and to guide the LPAs 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.

- 1.3 LPAs have a statutory duty to review and update their SCIs at least once every 5 years, a provision introduced in The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017. The current SHDC SCI was adopted in 2012 and it is therefore clearly time to review and update its content following the adoption of the Plymouth and South West Devon Joint Local Plan.
- 1.4 The SCI has therefore been prepared as a joint document between Plymouth City Council, South Hams District Council and West Devon Borough Council. It builds on the work of the Plymouth and South West Devon Joint Local Plan, providing a consistent baseline to support the continued cooperation in planning across the three LPAs.
- 1.5 The SCI sets out the minimum requirements for consultations and involvement that must be followed by the LPAs of the Councils when preparing planning documents or consulting on planning applications. The document also sets out how the LPAs will support groups undertaking neighbourhood planning.

## **2. Background**

- 2.1 The report is concerned with the Council's statutory duty to review its Statement of Community Involvement (SCI) at least once every 5 years, a provision introduced in The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017. In September 2019, the Executive approved an updated draft SCI for consultation, and consultation subsequently took place between November 2019 and January 2020. This report summarises the results of the consultation and recommends that the SCI is adopted. The new SCI will relate to Plymouth, South Hams and West Devon, in response to the collaboration by the three Councils on the Plymouth and South West Devon Joint Local Plan, and will therefore require separate adoption by the three councils.

## **3. Outcomes/outputs**

- 3.1 The timely adoption of the SCI is set out in regulation. Success in this regard will be to adopt the new SCI in line with the expectations of regulations cited in the previous paragraph.
- 3.2 The SCI establishes a clear framework for enabling community involvement in the planning process. The effectiveness of how consultation and engagement is undertaken is in part considered by the Planning Inspectorate when examining development plan documents, and reviewing the extent to which comments have been made with regard to planning applications.

#### **4. Options available and consideration of risk**

- 4.1 To produce and adopt a South Hams only SCI – as we are working jointly with Plymouth and West Devon on the Joint Local Plan this option would create confusion in the plan making and review process and present significant logistical difficulties for further joint planning policy work.
- 4.2 The draft SCI was considered and approved for consultation by Cabinet on 8<sup>th</sup> October 2019. Agreement was also given by South Hams Executive on 31<sup>st</sup> October and West Devon Hub on 5<sup>th</sup> November, and consultation on the SCI commenced on 13<sup>th</sup> November, running until 6<sup>th</sup> January 2020.
- 4.3 A total of 14 comments were received on the draft SCI from 7 respondents - South West Water, Natural England, Inclusive Totnes, Highways England, Bovis Homes, Plymouth Civic Society and a member of the public. In response to these comments, the following amendments to the consultation draft SCI have been made:
- Paragraph 1.13 has been amended to include a reference to the Town and Country Planning (Local Planning) (England) Regulations 2012, which set out a list of statutory consultees for the purpose of the Duty to Cooperate. This change has been made in response to a comment from Highways England.
  - The first sentence of paragraph 4.2 has been changed to read "All consultations on DPDs will comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 by achieving the following as a minimum:" to make clear that the process of producing a DPD will follow the steps set out in regulations. This change has been made in response to a comment made by Bovis Homes Plc.
  - The table under paragraph 8.5 has been slightly amended to bring it into line with National Planning Policy Guidance on the publicity around planning applications, to clarify that where site notices are required, at least one notice will be used.
  - The Councils have also taken the opportunity to make minor typographical and factual changes to the SCI before it is finalised.
- 4.4 The final adoption version of the SCI is therefore substantially unchanged from the version which was approved previously by Executive, and subsequently consulted upon.

## 5. Proposed Way Forward

- 5.1 Adoption of the SCI as per the recommendation would establish regulatory compliance with the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
- 5.2 The consultation and engagement process contained within the up-to-date SCI will allow for more effective community input into the planning process.

## 6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Adoption of the SCI as per the recommendation would establish regulatory compliance with the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
Financial implications to include reference to value for money	Y	<p>The costs of preparing the Statement of Community Involvement and public consultation are covered within existing budget Joint Local Plan budget, through which costs are shared between the councils.</p> <p>Effective community engagement can deliver real cost savings to the Council, as has proved the case with the adopted SCI. The cost of public examinations for the Joint Local Plan have been substantially less than could have been the case. In part, this is as a result of the effectiveness of the Council's approach to community involvement, which has helped reduce the numbers of representations needing to be heard at Public Examination.</p>
Risk	Y	<p>The risks associated with the adoption of the new SCI are negligible.</p> <p>The risks of non-adoption will result in the LPAs relying on older SCI documents that are considered out-of-date in regulatory terms.</p> <p>On that basis, there could be a risk to the LPAs if they are considered to not be consulting adequately or effectively with relevant stakeholders on planning matters.</p> <p>The risks of continuing to use out-of-date SCI is removed by the adoption of the new SCI.</p>

Supporting Corporate Strategy	Y	<p>The SCI is directly supportive of the Council's Corporate Strategy, and will enhance the Council's ability to meet our stated aims by consulting more effectively on issues that have direct implications for the delivery of new homes, supporting the rural economy and enterprise, protecting our natural and built environments from inappropriate development, promoting inclusivity in decision making for all members of our communities and improving health and wellbeing by delivering better places through the planning system.</p> <p>The SCI sets the minimum requirements for our engagement in relation to future reviews of the Joint Local Plan as well as any supporting planning documents such as Development Plan Documents or Supplementary Planning Documents.</p>
Climate Change - Carbon / Biodiversity Impact	Y	<p>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.</p>
<b>Comprehensive Impact Assessment Implications</b>		
Equality and Diversity	Y	<p>The SCI will 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.</p> <p>'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.</p>
Safeguarding	N	
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	N	
Other implications	N	

**Supporting Information**  
**Appendices:**

- A - SCI adoption draft
- B - Summary of SCI responses

**Background Papers:**  
None.