

# Cherwell District Council

## Executive

4 January 2016

### Statement of Community Involvement 2016

#### Report of Head of Strategic Planning and the Economy

This report is public

#### Purpose of report

To seek approval of a new Statement of Community Involvement (SCI) 2016 for formal consultation.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the draft Statement of Community Involvement (SCI) 2016 (Appendix 1) for formal public consultation.
- 1.2 To authorise the Head of Strategic Planning and the Economy to make any necessary minor and presentational changes to the draft Statement of Community Involvement 2016 before formal consultation commences.

#### 2.0 Introduction

- 2.1 The SCI sets out who the Council will engage with on the preparation of Local Development Documents (LDDs), and how and when they will be engaged. The SCI also includes how the Council will consult on planning applications. Its aim is to encourage community and stakeholder involvement and set out clear expectations of the Council. The SCI therefore sets the framework for planning-related consultations which will ensure there is genuine involvement in plan-making. It will also enable the Council to demonstrate how it has met statutory requirements.
- 2.2 The existing SCI was adopted by the Council in July 2006. Since then there have been a number of changes to both planning legislation and policy and technological advances, including increased use and availability of electronic communications such as email and the internet, have changed the way public consultation is undertaken. The Council is at the early stage of producing a number of new planning policy documents which will require community and stakeholder involvement. It is therefore appropriate to prepare a new SCI.

- 2.3 SCIs are no longer defined as 'Local Development Documents'. They are no longer required to be submitted to the Secretary of State for formal public Examination and there is no statutory requirement to consult on an SCI. However, in view of their purpose, their use in preparing and examining planning policy documents, and their relevance to the preparation of applications for planning permission, it is considered to be necessary to consult on a draft SCI before it is completed and approved by Members for use. Consultation will assist in the production of a robust SCI.
- 2.4 Following approval by the Executive, a six week consultation on the draft SCI 2016 will commence in January 2016. A final SCI will be prepared taking into account representations received from the public consultation before being presented to Members for approval. Once approved it will replace the SCI adopted in July 2006.

### **3.0 Report Details**

- 3.1 An updated SCI 2016 has now been prepared for consultation (Appendix 1).
- 3.2 The SCI is a requirement of Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended). It needs to comply with statutory requirements and Government policy for plan making and consultation on planning matters. However, the Government no longer provides guidance on how to produce a SCI. It is for planning authorities to decide how they will prepare their own SCI.
- 3.3 The new SCI 2016 addresses a number of changes to the planning system, including the Duty to Co-operate with prescribed bodies and Neighbourhood Planning introduced by the Localism Act 2011.
- 3.4 The Council will be producing a number of Local Development Documents (LDDs), requiring consultation. It is therefore important to have an up to date SCI that sets out the requirements and strategy for engaging with communities and key stakeholders. Documents to be produced by the Council include Local Plan Part 2, the Partial Review of Local Plan Part 1 and a number of Supplementary Planning Documents (SPDs). An updated Local Development Scheme providing the programme for the production of these documents is presented separately to Members on this agenda.
- 3.5 The draft SCI clearly sets out the key stages for preparing the LDDs, what is required from the Council, how and when.
- 3.6 Additionally, Neighbourhood Plans can be produced by Town and Parish Councils or other designated Forums. The consultation responsibilities for the preparation of those plans does not lie with this Council. However, the Council is responsible for undertaking statutory consultation on the submitted plans and, through its Legal and Democratic service, for the holding of referenda. The Council also has responsibility for consulting on technical documents such as Sustainability Appraisal reports with specific stakeholders and the public at different stages alongside Local Plans.
- 3.7 The draft SCI sets out the proposed requirements of the Council in terms of engaging and involving people in the preparation of policy documents. It also clarifies the process for consulting on applications for planning applications. Importantly, it establishes how the Council expects applicants to engage with

communities in preparing applications, particularly for major development. This has been prepared in consultation with the Head of Development Management.

3.8 The main changes which feature in the new draft SCI are as follows:

- Duty to Cooperate introduced in the Localism Act 2011 –the list of Duty to Cooperate bodies clarified with a need to engage constructively, actively and on an on-going basis on strategic matters with those bodies
- Neighbourhood Development Plans (NDPs) introduced through the Localism Act 2011 - This involves the Council working closely with Parish and Town Councils in the preparation of Neighbourhood Plans. The SCI sets out how consultation will be undertaken by this Council (but not by the bodies preparing their plans)
- The Community Infrastructure Levy (CIL) as a result of the Community Infrastructure Levy Regulations 2010 – the SCI explains the consultation stages and what can be expected
- Information and communication technology – the SCI takes account of new communication systems including social media
- A review of deposit locations for planning documents – the inclusion of Banbury Town Council offices (understood to be inaccessible at the time that the last SCI was prepared)
- Hard to reach groups – inclusion of possible engagement methods should this be required in specific circumstances.

## **4.0 Conclusion and Reasons for Recommendations**

4.1 A draft SCI 2016 has been prepared for the purpose of public consultation. Upon completion and final approval, the SCI 2016 will be the Council's formal statement on community engagement in planning decisions. The existing SCI was adopted by the Council in July 2006. A number of changes have since been made to planning legislation and policy. Technological advances including increased use and availability of electronic communications have also affected how public consultation is undertaken. The Council is also at the early stage of producing a number of new planning policy documents which will require community and stakeholder involvement. It is therefore appropriate to prepare a new SCI and, in view of its purpose, to consult on it.

## **5.0 Consultation**

5.1 Internal briefing: Councillor Michael Gibbard, Lead Member for Planning

## **6.0 Alternative Options and Reasons for Rejection**

6.1 *Continue to use the SCI that was adopted in July 2006.*

This is not recommended as although the SCI 2006 is comprehensive, it is dated. It does not reflect changes to plan-making and development management processes.

## 6.2 *To reconsider the content of the draft SCI*

The draft SCI has been produced having regard to statutory and policy requirements for plan-making and development management. Examples of recently approved SCIs have been considered. It is considered by officers to be an appropriate consultation document.

## 7.0 Implications

### Financial and Resource Implications

- 7.1 No significant direct financial implications arising from this report. The cost of implementing the updated SCI 2016 as proposed can be met within existing budgets and is likely to be comparable with the existing SCI.

Comments checked by:

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### Legal Implications

- 7.2 The Council has a legal duty to produce an SCI under the Planning and Compulsory Purchase Act 2004 (as amended).

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## 8.0 Decision Information

### Key Decision

**Financial Threshold Met: No**

**Community Impact Threshold Met: Yes**

### Wards Affected

All

### Links to Corporate Plan and Policy Framework

- Accessible, Value for Money Council
- District of Opportunity
- Safe and Healthy
- Cleaner Greener

## Lead Councillor

Councillor Michael Gibbard - Lead Member for Planning

## Document Information

Appendix No	Title
Appendix 1	Draft Statement of Community Involvement 2016
Background Papers	
None	
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