

Cherwell District Council

Council

18 July 2016

Statement of Community Involvement 2016

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To present the results of public consultation on the draft Statement of Community Involvement (SCI) 2016 and to seek adoption of the completed SCI as Council policy.

1.0 Recommendations

The meeting is recommended:

- 1.1 To adopt the completed Statement of Community Involvement (SCI) 2016 presented at Appendix 1 to this report as Council policy subject to final presentational requirements.
- 1.2 To note that upon adoption the SCI 2016 will replace the current adopted SCI 2006.

2.0 Introduction

- 2.1 A completed Statement of Community Involvement 2016 is presented at Appendix 1. It was approved by Executive on 4 July 2016 for presentation to Council (<http://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=115&MId=2743>).
- 2.2 The Council as Local Planning Authority must produce a Statement of Community Involvement under Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended).
- 2.3 The SCI sets out who the Council will engage with in the preparation of its planning policy documents 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 also enables the Council to demonstrate how it has met statutory requirements. In undertaking Local

Plan Examinations, Planning Inspectors consider whether Plans have been prepared in accordance the relevant SCI in assessing legal compliance.

- 2.4 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. Technological advances, including increased use and availability of electronic communications such as email and the internet, have also 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 complete a new SCI.
- 2.5 SCIs are no longer defined as 'Development Plan Developments'. 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 was decided by the Executive on 4 January 2016 to consult on the draft SCI 2016 before it was completed and presented for adoption (<http://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=115&MId=2566>). Consultation assists in the production of a robust SCI.
- 2.6 Following the approval by the Executive on 4 January 2016, the draft SCI 2016 was published for public consultation between 29 January and 11 March 2016. A number of consultation responses were received which are summarised at Appendix 2 to this report. The completed SCI presented at Appendix 1 takes into account those responses and other changes suggested by officers to improve the document. The changes made since the meeting of the Executive on 4 January are underlined. Council's adoption of the SCI is now sought. Upon adoption it will replace the SCI adopted in July 2006 with immediate effect.

3.0 Report Details

- 3.1 The SCI 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.
- 3.2 The completed SCI 2016 responds to number of changes to the planning system, including the latest plan-making regulations, the Duty to Co-operate with prescribed bodies and Neighbourhood Planning introduced by the Localism Act 2011.
- 3.3 The Council is producing a number of planning documents which involve community engagement and consultation. It is therefore important to have an up to date policy for community involvement. Documents being produced include Local Plan Part 2, the Partial Review of Local Plan Part 1 and a number of Supplementary Planning Documents (SPDs). Although the Community Infrastructure Levy (CIL) is a charge rather than a planning policy document, the consultation stages for CIL have been set out in the SCI. The Local Development Scheme that was approved by Executive on 4 January 2016 provides the programme for the completion of these projects.

- 3.4 The completed SCI 2016 clearly sets out the key stages for preparing the above documents, the methods of community engagement that will be employed and how and when people will be consulted. The only significant proposed retraction is to cease depositing planning policy documents on the County Council's mobile library service. Wider access to the internet makes this possible and there is little space on the mobile libraries for reviewing what are often detailed documents. A notable addition is the inclusion of Banbury Town Council as a specified 'deposit' location for documents. It is understood that building work at the time the 2006 SCI was prepared had prevented this.
- 3.5 Neighbourhood Plans can be produced by Town and Parish Councils. The consultation responsibilities for the preparation of those plans does not lie with this Council and the SCI relates only to the District Council's functions as Local Planning Authority. However, this Council is responsible for seeking representations on the submitted plans, organising referenda, and formally 'making' the final plans. The SCI therefore has some relevance and sets out the formal requirements. The Council's requirements in respect of Sustainability Appraisal and Habitats Regulations Assessment are also captured.
- 3.6 The completed SCI 2016 also clarifies the process for consulting on planning applications. It establishes how the Council expects applicants to engage with communities in preparing applications, particularly for major development. This part of the SCI has been prepared in consultation with the Head of Development Management.
- 3.7 The consultation on the draft SCI 2016 from January to March 2016 generated 12 responses which were made by Parish Councils, planning agents and local residents. The consultation responses, summarised at Appendix 2 to this report, have been taken into consideration by officers. Some minor amendments to the SCI have resulted from this. These and other changes made by officers to further improve the SCI are shown underlined in the completed document at Appendix 1. In brief, the main issues raised through the consultation exercise are:
- no reference is made specifically to Parish Meetings
 - concerns about the length and timing of consultation periods for understanding and responding to the number of consultation documents
 - the Council's website not being user friendly
 - request for explanations to be provided to Parish Councils where decisions on planning applications have overruled objections
 - engagement during the preparation of Local Development Documents
- 3.8 Officer responses to the comments made are provided within Appendix 2 to this report.

4.0 Conclusion and Reasons for Recommendations

- 4.1 A new Statement of Community Involvement is required. Following consultation on a draft document earlier this year, changes have been made and a completed SCI 2016 is presented for adoption at Appendix 1. The completed SCI is considered to be an appropriate basis for community engagement and stakeholder consultation on planning policy documents and in the consideration of planning applications. The

SCI was approved by Executive on 4 July 2016 and it is recommended that the Council adopt the SCI as policy. Upon adoption it will replace the existing SCI 2006 with immediate effect.

5.0 Consultation

5.1 Internal briefing: Councillor Colin Clarke, 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 proposed SCI 2016*

The completed SCI 2016 has been produced having regard to statutory and policy requirements for plan-making and development management. Examples of recently approved SCIs have been considered. Public consultation has been undertaken. It is considered by officers to be appropriate for formal adoption.

7.0 Implications

Financial and Resource Implications

No significant direct financial implications arising from this report. The cost of implementing the final SCI 2016 as proposed can be met within existing budgets and is likely to be comparable with the existing SCI 2006.

Comments checked by:

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Legal Implications

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

Comments checked by:

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8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

This report directly links to all four of the corporate priorities and objectives set out in the Cherwell District Council Business Plan 2016-17 as follows:

- A district of opportunity
- Safe, green, clean
- A thriving community
- Sound budgets and customer focused council

Lead Councillor

Councillor Colin Clarke - Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Statement of Community Involvement 2016 for Council
Appendix 2	Summary of consultation responses, officer response and proposed changes
Background Papers	
None	
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