

Subject:	Draft Statement of Community Involvement		
Date of Meeting:	13 November 2014		
Report of:	Executive Director Environment, Development & Housing		
Contact Officer:	Name:	Carly Dockerill Senior Planning Officer	Tel: 29-2382
	Email:	Carly.Dockerill@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to seek authority to publish the Revised Draft Statement of Community Involvement (SCI) for public consultation for a period of eight weeks between November 2014 and January 2015. The current SCI was adopted in 2006. Since its adoption, there have been a number of changes to the planning system including the publication of the National Planning Policy Framework (NPPF) and the Town and Country Planning (Local Planning) (England) Regulations 2012. The SCI has been amended to reflect these changes and other updates in policy and practice. The Draft Revised SCI 2014 is included in Appendix 1.
- 1.2 The Statement of Community Involvement (SCI) is a statutory document which sets out the Council's approach to consultation during the preparation of planning policy documents, such as council's City Plan and Supplementary Planning Documents (SPD's) and in the planning application process. In addition to the requirements of planning legislation, the draft SCI also contains the principles for consultation on Neighbourhood Planning and The Duty to Cooperate.

2. RECOMMENDATIONS:

- 2.1 To note the content of this report and approve the Revised Draft Statement of Community Involvement for public consultation for a period of eight weeks from 20th November 2014.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 It is a key objective of the planning system to strengthen community and stakeholder involvement in the planning and development process. Planning affects all communities, therefore it is important that local people understand the process of participation and are given the opportunity to get involved.
- 3.2 Greater community participation and empowerment is outlined in the Localism Act 2011 and the National Planning Policy Framework 2012 which states that

one of the core principles of planning is to 'empower local people to shape their surroundings'¹.

- 3.3 Engaging communities early in the plan-making and planning application processes should ensure that plans and developments reflect the views of local people, and will allow for communities to fully understand the process from start to finish.
- 3.4 It is important that the SCI is up to date and reflects current national planning legislation and guidance. The existing SCI was adopted in September 2006. Since its adoption there have been changes to planning legislation. The draft document is reflective of the council's planning service review to deliver a more customer focussed service. The SCI has been amended to reflect these changes and to bring it up to date.
- 3.5 Opportunity has also been taken to review the entire SCI to take into account changes to the council's consultation procedures and good practice (e.g. Community Engagement Framework) which have been developed and adopted. It is also informed by experience of public consultation during plan making stages and consultation on planning applications. The use of technology has also changed since the 2006 publication of the SCI, resulting in the increase use of emails, social media and websites for consultation.

Links to other Council Policy and Strategy

- 3.6 The Corporate Plan 2011-2015 - The Revised Draft SCI seeks to work towards the Corporate Plan's four priorities to:
 - Tackle inequality – a fair city that works together with a shared responsibility for everyone's health and wellbeing and protects its most vulnerable citizens
 - Creating a more sustainable city – a world class economy and visitor destination that is a One Planet City
 - Engaging people who live and work in the city – a shared understanding of what is important to citizens and actively encouraging people to get involved
 - Modernising the council – a high performing local authority working toward a new model of self-sufficiency for public services in the city
- 3.7 Community Engagement Framework (CEF) - Opportunity has also been taken to review the SCI in light of the adoption of the Brighton & Hove Strategic Partnership's adopted Community Engagement Framework (CEF).
- 3.8 The SCI has been produced in accordance with these corporate policies, and our consultation activities will aim to meet their objectives and standards. We will continue to liaise with other departments to ensure that a consistent approach is taken to consultation.

Summary of changes to the SCI

¹ NPPF Para 17

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

- 3.9 The Revised Draft SCI sets out when communities can become involved in planning and the methods of engagement. The SCI establishes the minimum amounts of public consultation and publicity that the council is required to meet and sets out when these requirements will be exceeded.
- 3.10 The 2006 SCI was produced under the Planning and Compulsory Purchase Act (2004). Since adoption, the Planning Act (2008), Localism Act (2011) and associated Regulations have come into force and have introduced changes to the way Local Plan Documents are produced. The key amendments are summarised below:
- Removal of the statutory requirement of the Preferred Options stage for the production of Local Plan Documents
 - Introduction of a flexible participation stage as appropriate to the issues covered by the Local Plan Documents;
 - Removal of the requirement for the SCI to be subject to specific consultation stages, independent examination and to be listed in the Local Development Scheme (LDS).
 - Removal of the requirement for Supplementary Planning Documents (SPDs) to be subject to Sustainability Appraisal (except in the cases where the appraisal of the parent DPD has not covered all issues) and to be listed in the LDS.
 - The introduction of Neighbourhood Planning – publicity and consultation arrangements
 - The introduction of The Duty to Cooperate
- 3.11 In light of the above, the Revised Draft SCI 2014 addresses these changes and sets out the different stages of plan preparation, consultation arrangements and techniques for community engagement.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The council could consider the retention of the current SCI and not revise the version adopted in September 2006. This document is however dated, and does not reflect the current legislative context. It is therefore viewed as risk to have an out of date document. In addition there are now unnecessary and out of date stages and requirements in the 2006 document. The ongoing preparation of the City Plan Part One presents an opportune time to publish the updated SCI before the commencement of work on the City Plan Part Two.
- 4.2 It is important that consultation policy in planning is consistent with council policy and adopted practice. These risks are reduced by the preparation of a revised Statement of Community Involvement which is up to date and will provide clarity on how the local planning authority will engage and communicate with partners, communities and individuals for planning related matters under current planning legislation.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 There is no longer a statutory requirement to consult on the SCI; however, it is considered good practice to do so. Subject to approval it is anticipated that the consultation period will be between 20th November 2014 and 15th January 2015. This is for eight weeks instead of the usual six weeks to take account of the Christmas holidays.
- 5.2 Representations received will be considered in finalising the SCI for adoption. It is intended to bring the SCI back to committee for adoption in March 2015 with a report setting out the representations received and the amendments made in response to comments.

6. CONCLUSION

- 6.1 The SCI is a legally required document which sets out how a local planning authority proposes to engage with stakeholders and residents in the development plan-making process and planning application process.
- 6.2 An up to date revised Statement of Community Involvement which will provide clarity on how engagement will be undertaken with partners, communities and individuals and that minimum requirements are met.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The cost of officer time and public consultation in respect of Revised Statement of Community Involvement will be funded from the existing Planning Policy revenue budget within the Planning & Building Control service. There are no expected additional costs to the council arising from the adoption of the SCI

Finance Officer Consulted: Steven Bedford

Date: 08/11/2014

Legal Implications:

- 7.2 The Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to produce a statement of community involvement. Section 18 of that Act provides that a statement of community involvement is a statement of the authority's policy as to the involvement, in the exercise of the authority's planning policy and development control functions, of persons who appear to the authority to have an interest in matters relating to development in their area.
- 7.3 As stated in the report, there is no legal requirement to consult on a draft statement of community involvement but it is good practice to do so.

Lawyer Consulted:

Hilary Woodward

Date: 24/09/14

Equalities Implications:

- 7.4 The Council has already adopted a Statement of Community Involvement 2006, which encourages effective social inclusion for all groups to influence the policy-making agenda. DPDs are subject to an Equality Impact Assessment (EQIA). It is

intended that the revised SCI will help to the planning service to engage effectively with different sectors of the community including those hard to reach groups.

Sustainability Implications:

- 7.5 Sustainability considerations are central to the new planning system. Each local development document requires an integrated sustainability appraisal.

Any Other Significant Implications:

- 7.6 The SCI will help to deliver the priorities of the Corporate Plan 2011-2015 citywide.

SUPPORTING DOCUMENTATION

Appendices:

1. Draft Revised Statement of Community Involvement 2014

Documents in Members' Rooms

Adopted SCI 2006

Background Documents

Community Engagement Framework