

Report of	Meeting	Date
Chief Executive (Introduced by the Executive Member for Public Protection)	COUNCIL	23 September 2014

## STATEMENT OF COMMUNITY INVOLVEMENT (SCI)

### PURPOSE OF REPORT

- To advise Members of the responses to the draft Statement of Community Involvement and adopt it as attached at Appendix A.

### RECOMMENDATION(S)

- To adopt the Statement of Community Involvement.

### EXECUTIVE SUMMARY OF REPORT

- The Statement of Community Involvement (SCI) will provide the community and other interested parties with clarity on the levels of involvement in the planning process. It details how the Council will consult in relation to preparing planning policy documents and in determining planning applications. Once finalised, the Council is required to act in accordance with the adopted document. The Council adopted an SCI in 2006, and this is therefore being updated. The revised draft SCI has been subject to a 4 week consultation between Monday 30 June and Monday 28 July 2014 receiving 8 responses (5 had no comment to make, 1 support and 2 responses to amend the document). No changes are proposed to the main body of the document although relevant statutory consultees are added to Appendix 1 of the document. It is recommended the Statement of Community Involvement is adopted.

<b>Confidential report</b> Please bold as appropriate	Yes	<b>No</b>
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<b>Key Decision?</b> Please bold as appropriate	Yes	<b>No</b>
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<b>Reason</b> Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	4, Significant impact in environmental, social or physical terms in two or more wards

### REASONS FOR RECOMMENDATION(S)

#### (If the recommendations are accepted)

- To ensure that the Council fulfils its commitment set out in the Local Development Scheme to produce such documents in a timely fashion.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. None as subject to statutory regulations as how prepared.

## CORPORATE PRIORITIES

6. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	x	A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	x

## BACKGROUND

7. Under section 18 of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities (LPAs) are required to produce a Statement of Community Involvement (SCI), which outlines the Council's strategy for involving community groups, stakeholders and other organisations in the preparation and review of planning policy documents, and in the consideration of planning applications. The Council adopted an SCI in 2006, and this is therefore being updated.
8. The revised SCI has been produced in line with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which reflect the reforms set out in the Localism Act 2011, and consolidates the changes made to the 2004 Regulations into a single document; and ensure the new regulations are as effective and simple as possible. The main changes to the SCI of 2006 are:
- Local planning authorities are required to make information on their planning activity available to their communities as soon as it is ready, and to do so on-line;
  - The new regulations prescribe additional bodies that are subject to the 'duty to co-operate' under section 110 of the Localism Act 2011.
  - The preparation and adoption stages by local planning authorities of development plan documents and supplementary planning documents including as to consultation with interested persons and bodies and the documents which must be made available at each stage.
9. The SCI also covers the consultation process for when a Neighbourhood Plan application is submitted and the consultation process for the Community Infrastructure Levy Charging Schedule.
10. Local planning authorities have a statutory requirement to state how they will involve the community in preparing planning policy documents and in determining planning applications. Through the SCI, the local planning authority sets out clearly how and when the community, and other interested parties, can expect to be involved in the planning process.

## STATEMENT OF COMMUNITY INVOLVEMENT CONSULTATION RESPONSES

11. The revised SCI was subject to 4 weeks public consultation between Monday 30 June and Monday 28 July 2014 outlining how the Council now consults on all aspects of planning. Although part of the Local Development Framework, the SCI is not required to undergo the same level of consultation that other documents are. The Council notified all statutory consultees and those who have a duty to co-operate. In addition to this, the Council contacted interest groups and organisations, and the consultation was publicised via the Council's website, "In the Know" the Councillors electronic newsletter and "In the Borough" the Parish Councillors electronic letter which extends to the Council's partners, community and voluntary groups.

12. The Council received 8 responses to the draft SCI. English Heritage, Lancashire County Council, the Highway Agency, South Ribble Borough Council and Heskin Parish Council have no comments to make and Natural England is supportive of the principle of meaningful and early engagement.
13. Anderton Parish Council has concerns regarding Section 3 of the SCI in respect of the development of the policy regarding pre-application consultation for planning applications:
  - If not treated very carefully pre-application advice can have the effect of giving an incorrect impression to the potential applicant. The parish council are concerned that para. 3.3 states that these consultations will be confidential (presumably to planning officers) whilst in para. 3.4 an objective is claimed to be to obtain community acceptance.
  - Preference for a more formal structure such as Stage 1 and Stage 2 planning applications. Stage 1 would constitute pre-application advice but would have a restricted circulation including appropriate community representatives, such as borough and/or parish councillors. Stage 2 would be the normal application process.
  - The first line of para. 3.9 is too definitive. It should say 'Small scale proposals such as house extensions or advertisements may also benefit from community involvement at an early stage'.
14. In response to Anderton Parish Council the Localism Act 2011 proposed mandatory pre-application consultation on large scale major applications with local communities but to date this has not been enacted by the Secretary of State. Developers are encouraged to incorporate community involvement into their development programme to allow for enough time to be devoted to involve the community. Pre-application consultation for planning applications is encouraged and will remain confidential between the party and the local planning authority, allowing advice to be given on the most appropriate consultation methods, who to consult within the local area and where to hold a public exhibition (if appropriate). The Council cannot regulate that small-scale proposals such as house extensions or advertisements benefit from community involvement. Applicants are encouraged to discuss their proposals with the occupiers of neighbouring property that might be affected and to take account of their concerns where possible and check individual requirements with infrastructure providers and key consultation bodies. No changes are proposed to the SCI document in respect of Anderton Parish Council's concerns. Nevertheless please note that a full assessment of the proposal can only be made as part of a planning application and Planning Policies/legislation may have changed and pre-application comments are for general guidance only and are made without prejudice to the determination of any future planning application.
15. The Canal & River Trust notes the draft SCI does not make provision for engaging with statutory consultees during the pre-application consultation process. The Canal & River Trust is keen to be consulted at the pre-application stage in respect of significant development proposals in the vicinity of the Leeds & Liverpool Canal. The Canal & River Trust requests they are also identified as a general consultee in respect of local planning policy (Appendix 1 of the SCI).
16. In response the Council note the National Planning Policy Framework and National Planning Policy Guidance advise that it is good practice for statutory consultees to provide advice at the pre-application stage so that the relevant issues can be raised and addressed upfront. The Council will always encourage an applicant at pre – application stage to consult with statutory consultees that may have an interest in the proposals and to seek out their advice. Para 191 (the Framework) says "The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle, even where other consents relating to how a development is built or operated are needed at a later stage. Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible". The National Planning Practice Guidance (updated June 2014) lists statutory consultees on applications for

planning permission and heritage applications and includes the Canal and River Trust, The Theatres Trust and Sport England as statutory consultees. The SCI, Appendix 1 lists statutory consultees and it is proposed to add the Canal and River Trust, the Theatres Trust and Sport England to this list.

17. The adoption of the SCI will set the standards for community engagement in all planning policy matters, such as the Local Development Framework process, as well as detailing pre-application consultation and consultation on planning applications. The Council must adhere to the SCI for all consultations relating to planning issues. The methods of consultation set out in the SCI are a minimum standard that the Council is expected to undertake as part of the planning process. In certain circumstances, if it were felt necessary, wider consultation techniques can be used, in addition to those set out in the SCI.

### IMPLICATIONS OF REPORT

18. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	x
Human Resources		Equality and Diversity	x
Legal		Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	x

### COMMENTS OF THE STATUTORY FINANCE OFFICER

19. The report sets out the Council's approach to consultation. The biggest element of cost is likely to be officer time which is contained within the Council's base budget. There may be some marginal costs dependent upon the scale of the consultation, but these will be contained within current budget allocations where possible. Any deviation required will be reported to Members.

### COMMENTS OF THE MONITORING OFFICER

20. The legal position is properly detailed within the report.

### COMMENTS OF THE HEAD OF POLICY AND COMMUNICATIONS

21. The statement of community involvement sets out the council's approach to consultation on planning matters. It supports the council's consultation and engagement strategy and equality scheme.

GARY HALL  
CHIEF EXECUTIVE

Background Papers			
Document	Date	File	Place of Inspection
Draft Statement of Community Involvement June 2014	26 June 2014		Union Street

Report Author	Ext	Date	Doc ID
Alison Marland	5281	9 September 2014	***