



**HOUSING, PROPERTY AND REGULATORY
SERVICES CABINET MEMBER MEETING
15 August 2023**

ITEM 05

Report sponsor: Strategic Director of
Communities & Place
Report author: Planning Policy Team Leader

Statement of Community Involvement: Version 3

Purpose

- 1.1 The Statement of Community Involvement (SCI) sets out how the Council engages with the public in the preparation of the Local Plan and supplementary planning documents, neighbourhood planning, waste and minerals planning and the publication and consideration of planning applications.
- 1.2 Section 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires us to review the SCI every five years.
- 1.3 The current SCI was adopted in July 2017 and, to accord with the Regulations, a review has been undertaken to determine if the current consultation methods are fit-for-purpose, in-line with the Council's corporate policies and take account of new consultation methods. The review found that, subject to some minor changes and re-formatting, the SCI remains fit for purpose and the revised SCI is attached at Appendix 1 for consideration.
- 1.4 An up to date, adopted, Statement of Community Involvement will provide surety to everyone who deals with the Planning Department that all planning applications and the production of the Local Plan are publicised and consulted on in a consistent manner.

Recommendation

- 2.1 To approve the revised Statement of Community Involvement: Version 3 for use by the Council for the next five years.
- 2.2 To authorise the Chief Planning Officer, in consultation with the Cabinet Member for Housing, Property and Regulatory Services, to agree any final changes to the SCI prior to publication.

Reason

- 3.1 To comply with Section 18 of the Planning and Compulsory Purchase Act 2004 and 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 3.2 To agree any final minor amendments to the SCI prior to publication.

Supporting information

- 4.1 A key objective of the Planning and Compulsory Purchase Act 2004 is to encourage meaningful community involvement in the planning process. To ensure this, section 18 of the Act requires Local Planning authorities to prepare a Statement of Community Involvement or SCI. The SCI sets out how the Council engages with the local community, businesses and organisations in exercising its planning functions. This is both in preparing planning policy documents and determining planning applications.
- 4.2 Since the current version of the SCI was adopted by the Council in 2017, the Government has introduced, through amendments to the Town and Country Planning (Local Planning) (England) Regulations 2012, the need to review the SCI every five years. This is to ensure that the SCI reflects the current legislative requirements, amendments to the Council's own consultation standards, new consultation techniques and the expansion of social media.
- 4.4 The review, undertaken in 2022, found that while some references to paragraphs in the National Planning Policy Framework had changed and some terminology needed amending, the fundamental consultation principles were still effective and relevant. Consequently, only factual changes or amendments to clarify the Council's approach to dealing with planning applications, specifically neighbour notifications, are being made to the SCI as a result of the review.
- 4.5 A more fundamental change to the formatting of the SCI is being made to accord with the Council's accessibility standards. Previous versions of the SCI contained tables which set out the consultation methods used at each stage in the preparation of the Local Plan or Supplementary Planning Documents. These created difficulties for those that access documents using screen-reader technology. In the revised version attached at Appendix 1, these tables have been replaced by a list of methods and text informing the reader that they will be used, where relevant, at each consultation stage. This change addresses one of the recommendations in the Equalities Impact Assessment of the current SCI which concluded that, on request the document should also be made available in 'Easy Read' format.
- 4.6 The revised SCI: Version 3 has been reviewed in the line with regulations and modest changes made to the text to ensure the SCI is factually up to date. The revised SCI has also been re-formatted to meet the Council's accessibility guidance. Once approved the SCI will be used to inform our approach in both in preparing planning policy documents and determining planning applications.
- 4.7 The consultation arrangements for the Minerals and Waste Local Plans, which are produced jointly with Derbyshire County Council, are set out separately in the County Council's Statement of Community Involvement ([SCI](#)). In summary, for the Joint Minerals and Waste Local Plans, the County Council will devise and undertake all public consultation and we will be guided by their approach. Consultation within the City will aim to direct people to the County Council's web site.

Public/stakeholder engagement

- 5.1 The various consultation methods contained in the Statement of Community Involvement will ensure that all members of the community have an opportunity to be involved in the planning system and decisions that affect their local community.
- 5.2 The move towards on-line consultation and the use of social media will continue to require assistance from the Council's Communications and Consultation Team. Planning officers will continue to liaise with the Communications and Consultation team to effectively programme work requirements into relevant work plans.
- 5.3 Some consultation events will be held in external venues, often community facilities such as church halls, libraries and community centres, in the evenings and at weekends to ensure that as many people as possible have an opportunity to talk to an officer. Officers will assess each venue to ensure that it is situated in a sustainable location and easily accessible for all members of the community.
- 5.4 Members of Planning Control Committee will be kept apprised of the revisions to the SCI by way of regular Member training sessions undertaken directly before each planning committee meeting. This training is open to all members to attend alongside annual Planning training for all Members each May and the subsequent corporate member training in June.

Other options

- 6.1 Reviewing the SCI is a regulatory requirement. Whilst the revisions to the text of the revised SCI are minor; to rely on the current Statement of Community Involvement is not appropriate as this document has out-of-date links to the National Planning Policy Framework and does not meet the Council's accessibility requirements.

Financial and value for money issues

- 7.1 Certain aspects of implementing the SCI will require funding. This includes placing statutory adverts and notices for major applications, publicising key stages of the Local Plan process and occasional hire of venues to hold meetings and exhibitions. Consultation costs associated with preparation of the Local Plan for Derby are unlikely to exceed £10,000 over the plan preparation period and will be met from the annual Spatial Planning budget. Costs associated with publicising planning applications will depend on the nature and number of such applications, but will be covered from fees receipted from those applications. An estimate of consultation costs will be provided as part of future cabinet reports seeking authority to undertake those consultations.

The SCI: Version 3 carries forward the flexible approaches introduced in the current SCI, including a focus on the internet and social media advocated by the Government, which will help to reduce overall costs.

Legal implications

- 8.1 It is a legal requirement of the Planning and Compulsory Purchase Act 2004 (s18) and section 10A of the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 (as amended) for a local planning authority to prepare a Statement of Community Involvement and to review it every 5 years.
- 8.2 Failure to comply with the Statement of Community Involvement may lead to a legal challenge over a planning decision or, in the case of the Local Plan, an Inspector finding the Plan unsound.
- 8.3 To comply with General Data Protection Regulation (GDPR) requirements we do not publish representation letters from individuals on our web pages. They are not part of the Planning Register, and there is no legal requirement to make them available for public inspection. Such correspondence is subject to GPDR restrictions and we do not publicise any representations as we are not obliged to do so.

Climate implications

- 9.1 The Statement of Community Involvement does not have any direct impact on reducing emissions. However, the use of on-line consultation and engagement tools, the use of social media and the emergence of on-line meetings reduces the need for people to travel to specific meetings or events.

Other significant implications

- 10.1 An Equalities Impact Assessment (EIA) was undertaken for the current Statement of Community Involvement (2017) which concluded that, on request, the SCI should be made available large print, braille and alternative languages. The document should also be made available in 'Easy Read' format. As the SCI has only been factually updated and the recommendation to increase the documents accessibility addressed, it was determined that a new EIA was not needed.
- 10.2 The adoption of the SCI will not have any additional implications for staff. However, consultation events can be staff resource intensive and require work outside of office hours. Procedures will be put in-place to ensure that officers do not attend consultation events on their own.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Stephen Teasdale	28/07/2023
Finance	Janet Bowlzer	02/08/2023
Service Director(s)	Verna Bayliss, Director of City Sustainability	27/07/2023
Report sponsor	Rachel North, Strategic Director for Communities and Place	
Other(s)		

Background papers:

