

Statement of Community Involvement in Planning 2022

Report of the Planning Portfolio Holder

Recommended:

1. That the draft **Statement of Community Involvement in Planning (2022)**, attached at Annex 1 to the report, be published for public consultation.
2. That the **Head of Planning Policy and Economic Development**, in consultation with the **Planning Portfolio Holder**, be authorised to make changes of a minor nature.

SUMMARY:

- The purpose of the Statement of Community Involvement (SCI) is to set out the consultation measures that the Council will undertake when consulting on planning policy documents and publicising planning applications.
- The SCI complements the Council's broader commitment contained within its Corporate Plan with regards to promoting positive community engagement with local communities, businesses and interest groups. The preparation of an SCI is a legal requirement and once adopted, the Council needs to be consistent with its content.

1 Introduction

- 1.1 This report is proposing that the appended Statement of Community Involvement (SCI) is published for public consultation. This is proposed to replace the current SCI (2017). Under Regulation 10a of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) The SCI is subject to a 5 year review. When adopted, the Council would need to ensure that consultation in relation to planning policy and planning applications is consistent with the content of this document.

2 Background

- 2.2 Given the complexities of the planning system, a key issue is that local communities, individuals and local groups may not fully understand how they can participate in the planning process. A Statement of Community Involvement (SCI) seeks to address this by describing how the public, businesses and interest groups can get involved in the creation of local planning policy, neighbourhood planning and the planning application decision making process. This is essential to help improve understanding and openness of the planning process.

- 2.3 Whilst the SCI primarily sets out how the Council will engage with communities, it also provides useful guidance to help inform developers and applicants on how to undertake effective community consultation activities on draft masterplans and planning applications for major development proposals.
- 2.4 The preparation of a SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 (as amended) and once adopted the Council needs to be consistent with its content. Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review Statements of Community Involvement at least once every 5 years from their adoption.
- 2.5 The Council adopted its first SCI in August 2006. Since 2006, the Council has reviewed and updated the SCI on three occasions (December 2009 and September 2013 and December 2017) to take into account of changes within planning legislation. An addendum to the 2017 SCI was approved in June 2020 to enable the council to temporarily undertake revised consultation methods, to apply whilst coronavirus restrictions were in place.
- 2.6 The SCI complements the Council's broader commitment contained within its Corporate Plan 2019 - 2023 to focus on how to build upon the strengths of the Borough and its communities to improve the quality of life across Test Valley. This is to be achieved through continuing community engagement, the strengthening of representative and participative democracy and having community engagement form part of the evidence for making decisions. The draft SCI (annex 1) covers the following aspects of Planning:
- Barriers to Effective Participation
 - Planning Policy
 - Development Plan Documents
 - Supplementary Planning Documents
 - Other Policy Documents and Projects
 - Neighbourhood Planning
 - Community Infrastructure Levy
 - Planning Applications
 - Tree Works

3 Corporate Objectives and Priorities

- 3.1 The current Corporate Plan is focused on how to build upon the strengths of the Borough and its communities to improve the quality of life across Test Valley. The priority is to grow the already existing potential of Test Valley's communities, people and local environment, by supporting local communities to plan for their needs and supporting councillors to develop their community leadership role.

- 3.2 The SCI also complements the Andover Vision and Romsey Future place-based community partnerships' objectives and the Council's Community Planning Toolkit which promote the Council's commitment in engaging with local communities as well as facilitating innovative opportunities to encourage participation in Council services.

4 Consultations/Communications

- 4.1 The document has been prepared in liaison with the Strategy and Innovation service, Planning and Building Service and Community and Leisure Service. The involvement of the public and organisations in the preparation of planning policy documents is an integral part of the process.
- 4.2 It is not a legal requirement to undertake public consultation on the SCI; however the Council has undertaken consultation on its previous SCI documents. It is also good practice to undertake public consultation as it demonstrates the Council's commitment of strengthening public engagement opportunities within the Planning System. It is therefore recommended that the Council undertakes consultation for an eight week period.

5 Options

- 5.1 There are three options available to the Council:
- 1) to continue using the existing SCI;
 - 2) to consult on an updated revised SCI; or
 - 3) to take some other action.

6 Option Appraisal

Option 1; to continue using the existing SCI

- 6.1 The SCI is a legal requirement and therefore needs to be kept up to date. Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), local planning authorities must review Statements of Community Involvement at least once every 5 years from their adoption date. It is good practice for the SCI to be consistent with the Council's most current Corporate Plan which has been renewed since the last SCI in 2017 as this sets the tone and commitment for accessible engagement opportunities within Council Services. It is also appropriate for the SCI to document consultations on other types of Policy documents (i.e. Community Infrastructure Levy) and planning applications (Tree Works applications) to assist with communities in getting involved in the planning system. It is therefore considered that option 1) is inappropriate.

Option 2; to consult on the revised SCI (recommended)

- 6.2 Revising the current SCI ensures that it is up to date with Council's procedures as well as showing the Council commitment in reviewing its consultation practices and ensuring that legal consultation requirements are being followed.
- 6.3 A review has been undertaken to check that the SCI is still fit for purpose and adjustments have been made accordingly. The main changes to the SCI are as follows:
- The document has been written in a way that is more user friendly and has highlighted the need for consideration of neuro-diverse community members in engagement. The document signposts the reader to where further information / guidance can be found for that particular topic and defines jargon in footnotes and an expanded glossary. The design/layout is being considered by the communications team
 - The draft SCI also recognises the increasingly important role that technology and social media has with regards to communities and businesses engaging in Council services. Working with the Communications team, the SCI identifies the range of communication modes available to ensure equal accessibility for all members of the community.
 - The draft SCI goes above and beyond meeting the minimum statutory legislative requirements and includes a wide range of consultation methods designed to be inclusive for all members of the community and local interest groups.
 - The draft SCI has added some caveats around unforeseen circumstances that may potentially affect the way we engage with the public, for example coronavirus restrictions

Option 3: to take some other action in relation to the SCI.

- 6.4 Cabinet may be minded to take some other course of action however the revised SCI as annexed to this report has been prepared by professional officers bringing the document up to date in line with legislation and good practice and is, in their opinion the most appropriate course of action, therefore option 3 is not recommended.
- 6.5 For the reasons set out above, Option 2 is therefore the recommended option.

7 Risk Management

- 7.1 A risk assessment has been completed in accordance with the Council's Risk Management Methodology and the existing risk controls in place mean that no significant risks (Red or Amber) have been identified.

8 Resource Implications

- 8.1 The SCI is a requirement of Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) with the Council being legally obliged to comply with the SCI once it is adopted. Provision has been made in budgets for the implementation of the Local Development Framework, including the production, review and consultation of the SCI.

9 Legal Implications

- 9.1 Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)¹, local planning authorities must review Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. In addition, the revised SCI has been produced in accordance with the statutory requirements of the Planning and Compulsory Purchase Act 2004 (as amended). The Localism Act 2011, The Neighbourhood Planning (General) Regulations 2012, The Community Infrastructure Levy Regulations 2010 and Town and Country Planning (Development Management Procedure) (England) Order 2015.

10 Equality Issues

- 10.1 An EQIA screening has been completed in accordance with the Council's EQIA methodology and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EQIA has not been carried out
- 10.2 The new draft SCI has identified (at appendix 1) those demographic groups which may be under-represented and proposals for methods for engagement. This includes members of the community that are elderly, ethnic minority groups or who are neurodivergent. The EQIA has identified that these proposed methods will have a positive impact on the council's approach to public engagement in the future and no equalities issues have been raised.

11 Other Issues

- 11.1 Community Safety – no direct issues
- 11.2 Environmental Health Issues – no direct issues
- 11.3 Sustainability and Addressing a Changing Climate – no direct issues
- 11.4 Property Issues – no direct issues
- 11.5 Wards/Communities Affected – All those communities and Wards within Test Valley Borough with the exception of those within the extent of the New Forest National Park.

¹ [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

12 Conclusion

- 12.1 It is a requirement of the planning system that the Council produces a Statement of Community Involvement (SCI) which sets out how it intends to involve the local community in the preparation of planning policy documents and the consideration of planning applications. The Council's current SCI needs to be revised to be brought up to date with the Council's consultation practices. It is good practice for the SCI to be consistent with the current Council's Corporate Plan. Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review Statements of Community Involvement at least once every 5 years from their adoption.

Background Papers (Local Government Act 1972 Section 100D)

- [Growing Our Potential - the Corporate Plan 2019-23 | Test Valley Borough Council](#)
- [Statement of Community Involvement \(SCI\) | Test Valley Borough Council](#)

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	1	File Ref:	pp1_1
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(Portfolio: Planning) Councillor P Bundy

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Report to:	Cabinet	Date:	3 August 2022
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