

Cabinet – 2 October 2024

Update to the Statement of Community Involvement

Purpose	For Decision
Classification	Public
Executive Summary	<p>The Statement of Community Involvement (SCI) sets out how the District Council will consult and involve others in planning matters. It covers both the preparation of local plans and planning guidance, and applications for planning permission.</p> <p>Whilst a required statutory document, it is also a critical statement of the council's commitment to the involvement of our communities in planning matters.</p> <p>Last revised in July 2020, it is important that the document is reviewed from time to time to ensure that it is up to date This report seeks Cabinet approval to consider draft amendments to the SCI (revisions shown in red underlined text in Appendix 1) and to seek authority to go out to public consultation on the document.</p>
Recommendations	It is recommended that the Cabinet:- agrees a 6-week consultation on the proposed amendments to the Statement of Community Involvement (changes set out in Appendix 1 shown in red) to inform a future Cabinet decision on whether to adopt the revised document.
Reasons for recommendations	<p>The Planning and Compulsory Purchase Act 2004 requires the council to have a Statement of Community Involvement (SCI).</p> <p>The SCI was last reviewed in 2020 and moderate changes are recommended to reflect changes in legislation, best practice and to aide clarity.</p> <p>The NFDC Corporate Plan puts community engagement central to its 'People' priority.</p>
Wards	All
Portfolio Holder	Councillor Derek Tipp – Planning and Economy

Strategic Director	James Carpenter – Place, Operations and Sustainability
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Introduction and background

1. Planning directly affects the places where people live and work, the economy and residents' health and well-being. Meaningful public consultation and engagement on all aspects of planning is vital. It allows communities to have an input into the planning of their area. By maintaining community involvement at the centre of what the council does, we can gain a real understanding of our communities priorities.
2. The Planning and Compulsory Purchase Act 2004 requires the council to prepare a Statement of Community Involvement (SCI) and associated regulations requires that these are reviewed at least once every 5 years to ensure that policies remain relevant and effectively address the needs of the local community.
3. The SCI only relates to the statutory function of the council in its role as local planning authority. The SCI is a statutory document which sets out the consultation and engagement methods that the council will use to involve interested residents, groups, organisations, businesses and other representatives and individuals in the planning process. It explains who will be consulted, when and how in the preparation and review of planning policy documents and the consideration of planning applications. The council's Statement of Community Involvement was adopted in 2015 and last revised in July 2020. The last update reflected changes to the way in which neighbours were notified of new planning applications, encouragement to developers to engage with the community via pre-application consultation and to reflect the adoption of the Local Plan Part 1 (2016-2036).
4. Given four years have passed since its last review, and work is beginning on a Local Plan Review, there is an identified need to review the document to ensure that it remains up-to-date.

Amendments to the SCI

5. The proposed revisions to the SCI are set out in Appendix 1 (shown in red underlined text). In summary these revisions relate to:

- Insertion of a number of weblinks;
 - Deletion of previous references to the Covid-19 pandemic and associated restrictions;
 - Clarifications on statutory legislation and updates where there have been changes to the National Planning Policy Framework;
 - Updates in relation to the Community Infrastructure Levy (CIL) and how the council will involve others in allocating CIL to projects;
 - Modest revisions to provide further detail in relation to the different stages of Local Plan production (Section 2); and
 - More extensive updates to the part of the SCI dealing with Development Management and what the council will do at various stages of the planning application consent process (section 6 and Appendix 4 of the SCI).
6. The commitments made and set out in the SCI, as proposed to be updated, represent the minimum that NFDC will do and how the council will engage with residents and wider public bodies.

Corporate Plan priorities

7. The existing SCI already helps to deliver all the priorities of the NFDC Corporate Plan. The Corporate Plan puts community engagement central to its 'People' priority, and under its 'Place' priority the council aims to balance growth with conservation and sustainable development. This also closely aligns with the objective to foster economic growth while ensuring inclusivity and sustainability (under its 'Prosperity' priority).

Options appraisal

8. The alternative options to that recommended are appraised as follows–
- a) Retain the existing adopted SCI with no updates. This has been rejected on the grounds that the existing SCI is dated. Failure to take opportunities to amend it, to reflect the latest Development Management processes and CIL arrangements, would risk harming future opportunities to encourage community involvement in the planning process. It is vital that communities have an input in the planning system and that community involvement remains at the centre of what the council does.
 - b) Introduce detailed changes which are mandatory and comprehensive. This has been rejected on the basis that the council is mindful of having the ability to ensure that the consultation undertaken is proportionate and utilises council resources efficiently. The SCI does not prevent the council from

utilising further measures, over and above the minimum set out.

9. It is considered that an approach to consultation is required which strikes the right balance between statutory requirements and particularly intensive engagement measures which stretches the resources of the council without scope to be flexible. The proposal is therefore for a modest revision to bring the SCI up to date.

Consultation proposed

10. A 6-week consultation is proposed on the draft amendments to the SCI. This will use the existing consultation database to contact all the requisite individuals and bodies as set out (listed) in the existing SCI. Social media and a press release will also raise the profile of the SCI to those not currently on the database.
11. The outcome of the consultation will be reported back to Cabinet for it to consider whether to adopt the amended document.

Financial and resource implications

12. The costs of undertaking the preparation of the SCI, and the implications for plan-making and the development management function of the council are capable of being met within existing budgets.

Legal implications

13. The requirement to prepare the SCI is set out in Section 18 of the Planning and Compulsory Purchase Act 2004.
14. Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations (as amended) requires that local planning authorities should review their SCIs at least once every 5 years to ensure that policies remain relevant and effectively address the needs of the local community.

Risk assessment

15. The SCI commits the council to undertake certain community engagement activities in its function as a local planning authority. Failure to undertake these activities as a minimum presents a risk of future local plans being found unsound and judicial challenge of future planning decisions with associated financial, reputational and planning consequences.

Environmental / Climate and nature implications

16. Consulting the community on proposed updates to the SCI will help to ensure that the council delivers high quality development within its area that reflects the needs of local communities.

Equalities implications

17. The proposed revisions to the SCI will help to ensure that opportunities to engage with communities on planning matters across plan making and development management are equal. There are opportunities to advance equality and foster good relations through targeted and specific consultation in plan-making, which will in itself be subject to continuing monitoring and review. The development of an appropriate consultation and engagement strategy for plan-making consultations and in relation to development proposals through development management should lead to positive engagement.

Crime and disorder implications

18. None arising directly from this report.

Data protection / Information governance / ICT implications

19. The council will continue to utilise existing ICT software and processes to maintain data protection of individuals and organisations involved in the planning system.

Appendices

Appendix 1 –
Draft Revision SCI October 2024

Background Papers: