

Report of:	Director of Regeneration, Richard Horniman Executive Member for Regeneration, Cllr Ashley Waters
-------------------	---

Submitted to:	Executive 17 th March 2020
----------------------	---------------------------------------

Subject:	Statement of Community Involvement
-----------------	------------------------------------

Summary

Proposed decision(s)
That Executive approves the Statement of Community Involvement.

Report for:	Key decision:	Confidential:	Is the report urgent?
Decision	Yes	No	No

Contribution to delivery of the 2020-23 Strategic Plan		
People	Place	Business
		The new Statement of Community Involvement aims to improve the consultation processes associated with the Council’s planning functions, supporting the Council’s aim to introduce a new era of transparency and openness, and giving local communities a real say in the future of the town

Ward(s) affected
All Wards

What is the purpose of this report?

1. To seek approval for the Statement of Community Involvement (SCI).

Why does this report require a Member decision?

2. Whilst not part of the policy framework, this report is seeking approval for a new SCI. Such decisions fall within the remit of the Executive.

Report Background

3. Under the provisions of the Planning and Compulsory Purchase Act 2004, the Council is required to prepare an SCI, to explain how it will involve the community in the preparation of local development documents (such as the Local Plan), the preparation of neighbourhood plans, and on planning applications. They should set out how the Council will meet the legislative requirements in undertaking its planning activities, as well as any additional engagement it may do beyond what is legally required. National planning policy also requires the Council to review the SCI at least every 5 years.
4. The Council's current SCI was adopted in March 2016. Since then, there have been a number of changes to national planning policy and legislation, meaning that there are some aspects of the SCI that are out-of-date. It is important that the SCI remains up-to-date as it helps to ensure compliance with statutory duties.
5. In addition, the current SCI is highly detailed and technical, and commits the Council to doing certain engagement activities that are not always appropriate or necessary in effectively engaging the community.
6. In view of the legislative and policy changes, and the feedback received, a new SCI has been prepared. It has been structured and formatted to be as accessible to as wide an audience as possible.
7. Whilst the SCI seeks to clarify how the Council can deliver its statutory obligations, it also includes a commitment to prepare a bespoke consultation and communications plan for each stage of public engagement during the preparation of local development documents. This means that the Council can consider how to go beyond the minimum engagement levels in a way that is appropriate for the issues subject to the consultation at that time.
8. The new flexible approach set out in the SCI will allow high quality, bespoke consultations to be undertaken for local development documents. In addition, the SCI has been simplified through the use of non-technical, plain English to enable it to be more accessible to the public. Together, this should mean better engagement with the community, higher levels of openness and transparency, and more opportunities for local people to have a say in the future development of the borough.
9. For neighbourhood planning, it is not considered appropriate for the Council to seek enhanced consultation beyond the minimum levels as it is for the relevant neighbourhood forum to determine how to undertake consultation on its plan. The Council's role is simply to facilitate some of the statutory processes involved.
10. Similarly, there are no enhanced consultation requirements for planning applications, although developers for major schemes will continue to be encouraged to consult the affected community on their schemes ahead of the planning application being submitted. Therefore, for both neighbourhood plans and planning applications, the SCI provides clarity on the statutory processes and how the Council will discharge its statutory duties.

11. The SCI is being supplemented with a summary leaflet, which briefly sets out the key points from the SCI in a simple to use, 2-page document.
12. The SCI has been prepared in consultation with the Local Plan Member Working Group. There is no statutory requirement to undertake public consultation on the SCI.

What decision(s) are being asked for?

13. That Executive approves the new Statement of Community Involvement.

Why is this being recommended?

14. To ensure that the SCI: remains up-to-date; is appropriate in ensuring the Council fulfils its statutory duties with regards to planning activities; and is accessible for a wide audience.

Other potential decisions and why these have not been recommended

15. **To continue using the existing SCI** – Should the decision be made to continue to use the existing SCI, it would mean that the Council would be using an out-of-date document, which may be confusing and could lead to failure to meet statutory duties.

Impact(s) of recommended decision(s)

Legal

16. The SCI is a statutory document required under the Planning and Compulsory Purchase Act 2004. It provides information on how the Council will fulfil its obligations under planning legislation, and compliance with the SCI is a key consideration in the examination of Local Plans. Failure to have an SCI, or to comply with its requirements, would put the Council at risk of legal challenge against planning decisions.

Financial

17. The costs associated with the preparation of the new SCI have been met from established service budgets.

Policy Framework

18. This decision does not amend the policy framework.

Equality and Diversity

19. The impact of the changes has been assessed and will not have a negative impact. The impact assessment is attached at Appendix 3.

Risk

20. The new SCI is, in part, a response to changes in national policy and legislation, and will help ensure the Council meets its statutory duties (O8-055).

Actions to be taken to implement the decision(s)

21. Once approved, the SCI will be placed on the Council's website and will be used in the preparation of local development documents, neighbourhood plans and when determining planning applications.

Appendices

- Appendix 1: Statement of Community Involvement
- Appendix 2: Statement of Community Involvement Summary Leaflet
- Appendix 3: Impact Assessment

Background papers

22. No background papers were used in the preparation of this report.

Contact: Alex Conti, Strategic Policy Manager
Email: alex_conti@middlesbrough.gov.uk