

STATEMENT OF COMMUNITY INVOLVEMENT - REVIEW AND PUBLIC CONSULTATION

Cabinet	28th January 2021
Report Author	Tim Willis, Deputy Chief Executive
Portfolio Holder	Cllr Rick Everitt, Leader of the Council
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Reasons for Key	N/A
Previously Considered by	Full Council - 12 July 2012
Ward:	Thanet Wide

Executive Summary:

The Statement of Community Involvement (SCI) sets out how the Council will consult on planning policy issues, planning applications and neighbourhood plans. The SCI was originally adopted by Council in 2007. A reviewed and updated SCI was adopted by Council in 2012.

It is considered appropriate that the SCI should be reviewed now in line with the forthcoming Local Plan review, and to reflect changes in methods of communication and engagement. There is also a requirement under the Town and Country Planning Regulations that SCIs are reviewed every 5 years.

The Council will carry out a 6 week public consultation on the revised SCI. Responses to that consultation will be considered and any appropriate amendments made. It will then be reported to Cabinet and Full Council for adoption.

Recommendation(s):

That Cabinet agree the revised Statement of Community Involvement to progress for a consultation period of 6 weeks.

Corporate Implications

Financial and Value for Money

There are no costs directly associated with this report. However there will be costs associated with some methods of consultation and engagement to be funded through the Local Plan Reserve budget and operational budgets.

Legal

The Statement of Community Involvement should be reviewed every 5 years to meet the requirements of the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 and in accordance with the Planning & Compulsory Purchase Act 2004 (Section 23)

Corporate

The engagement and consultation requirements that apply to the Council's planning activity are extensive. However, it is important to reflect the Council's corporate commitment to community engagement, which the SCI seeks to do.

Equality Act 2010 & Public Sector Equality Duty

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

This report relates to the following aim of the equality duty: -

- *To advance equality of opportunity between people who share a protected characteristic and people who do not share it*

The SCI topic engages the PSED. The primary purpose and principal aim of the SCI is to provide everyone in the district, and elsewhere, with a better opportunity to become involved in the planning process, whether planning policy or planning applications, or other activity.

The draft SCI sets out how the Council will engage with different groups within the community, and seeks to provide a flexible response to the different needs of different groups, even on an individual basis, where this is appropriate. This consultation is a key part of ensuring that groups with protected characteristics can tell the Council how they wish to be engaged in the planning process, so that we can meet the PSED.

The SCI process is therefore designed in part to address the PSED. The SCI, when adopted, will help the Council fulfil its duties in relation to the PSED; and all consultation on planning issues will be in accordance with the SCI, thus ensuring an equal opportunity for everyone to become involved.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: *Communities*

1.0 Introduction and Background

- 1.1 The Statement of Community Involvement (SCI) sets out how the Council will involve people in the planning process. It explains how people can become involved when the Council is preparing planning policies, deciding planning applications and consulting on Neighbourhood Plans.
- 1.2 The SCI is a statutory document, required under the Planning and Compulsory Purchase Act 2004.
- 1.3 The Council has to review its Statement of Community Involvement every 5 years (Town & Country (Amendment) Planning Regulations 2017, 10A). It was originally adopted by the Council in 2007 and was reviewed in 2012. It was considered that the 2012 version was still fit for purpose for the Local Plan Examination which took place in 2019. The Inspectors' report concluded that 'the Plan meets the relevant legal requirements...' in relation to consultation. The consultations carried out during the Local Plan process were prepared in conjunction with the 2012 SCI. However it is now necessary to review the SCI, in line with the forthcoming Local Plan Review.
- 1.4 Since the last review of the SCI, communication methods have dramatically changed, allowing easier, more direct and more digitally focussed methods in addition to traditional methods of engagement. The updated SCI will reflect the Council's current practices, and will replace the 2012 version once adopted

2.0 The Current Situation

- 2.1 The methods of consultation the Council uses for planning policy consultations have been reviewed and are still considered appropriate. A combination of the methods were used during the process for the 2020 Local Plan and were appropriate for the various stages of consultation throughout the process. The methods of consultation have not been changed significantly in the SCI Review but have been updated as necessary.
- 2.2 The main changes in the SCI Review are as follows:
 - The structure of the document has been changed to make it more comprehensive
 - The new web address for our consultation portal (www.thanetcouncilplan.inconsult.uk) has been updated in Section 3
 - The SCI has been updated to reflect how registration on our consultation portal has changed so that communication from us is only about issues relevant to the user
 - The availability of paper copies of documents has been changed from the Gateway and Libraries to Council Offices and some public places as necessary/appropriate to allow more flexibility (particularly relevant when many libraries have not been open due to the current pandemic)

- Comments we receive either by letter or email have to be entered onto the consultation portal by Council officers, and this can be very time-consuming and cause delay to the Local Plan process. The SCI now states that an administration fee may be charged where these are long or complex responses. Based on previous experience, it is anticipated that the vast majority of representations would not be affected by fee charges
- Table 1 - Methods of Consultation has been updated and also includes Council Social Media and Online Engagement.
- The Strategic Planning Privacy Statement has been updated and will be included as an Appendix to the main document
- The section on Neighbourhood Plans has been moved from an Appendix into the main document
- The section on Planning Applications has been updated to reflect current practice
- The Review section has been updated to say that the SCI will be reviewed every 5 years and that the next review will incorporate any changes that have come into force from the Government's Planning White Paper proposing significant changes to the planning system and a stronger focus on digital methods of engagement
- Appendix 1 has been deleted as it is out of date and is not considered necessary for the purposes of the SCI.
- Appendix 2 has been renamed as Appendix 1. The list of 'General Consultation Bodies' has been deleted as they are suggestions rather than a definitive list
- Appendix 2 now contains the Strategic Planning Privacy Statement

2.3 The changes proposed to the SCI do not materially affect the way the Council will consult on planning issues, so the following process is considered appropriate:

- Formal Consultation stage for 6 weeks - expected February/March 2021
- Assessment of comments received and amend document as appropriate. Provide feedback on the results of the consultation
- Report to Cabinet and Council for Adoption

3.0 Options

3.1 Option 1 - To agree the contents of the reviewed SCI and give authority for public consultation to take place

3.2 Option 2 - To require changes to be made to the document and that public consultation can take place with those changes incorporated

3.3 Option 3 - Not to proceed with a review of the SCI

3.4 Option 1 is the recommended Option. The SCI has been reviewed taking into consideration the most recent legislative requirements and government guidance, and is considered appropriate for progressing to public consultation.

4.0 Next Steps

- 4.1 The draft SCI Review will be subject to a 6 week public consultation. Responses received will be considered and the SCI amended as appropriate. A summary of the responses received, any resulting changes made to the SCI and an amended version of the SCI will be reported back to Cabinet, and then to full Council for adoption.

Contact Officer: Adrian Verrall, Strategic Planning Manager
Reporting to: Bob Porter, Director of Housing and Planning

Annex List

Annex 1: *Statement of Community Involvement - draft review for Public Consultation*

Background Papers

N/A.

Corporate Consultation

Finance: *Chris Blundell (Director of Finance)*

Legal: *Estelle Culligan (Director of Law & Democracy)*

Equality: *Estelle Culligan (Director of Law & Democracy)*

Comms: *Hannah Thorpe (Director of Communications)*