

STATEMENT OF COMMUNITY INVOLVEMENT REVIEW- RESULTS OF PUBLIC CONSULTATION AND ADOPTION

Overview & Scrutiny Panel 26 August 2021

Report Author Adrian Verrall, Strategic Planning Manager

Portfolio Holder Cllr Ash Ashbee, Leader of the Council

Status For Decision

Classification: Unrestricted

Key Decision Policy Framework

Previously Considered by Cabinet - 29 July 2021

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 carried out a public consultation on the SCI Review from 25 February - 9 April 2021. This report sets out the main issues raised in response to that consultation and any resulting changes to be made to the SCI. Subject to an agreement by Cabinet, the reviewed SCI will be reported to Full Council for adoption.

Recommendation(s):

That Overview and Scrutiny agree that Cabinet recommends the reviewed SCI should be reported to Full Council on 9 September 2021 for adoption.

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 section 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended and in accordance with section 23 of the Planning & Compulsory Purchase Act 2004

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: -
(Delete as appropriate)

- *To eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.*
- *To advance equality of opportunity between people who share a protected characteristic and people who do not share it*
- *To foster good relations between people who share a protected characteristic and people who do not share it.*

You should then explain how your report supports the aims you have indicated in the table above.

In addition authors are required to conduct a Customer Impact Assessment where proposals affect customers or staff. Topics such as:

- *the introduction/change/cessation of a service*
- *introduction/increases in fees and charges*
- *staff restructures*
- *creation/amendment of policy or strategy documents*
- *introduction of new initiatives/schemes*

are examples of where an assessment should be carried out.

Compliance can only be achieved if we can evidence that due regard is given in substance, this means starting your assessment at the beginning of your piece of work and updating it throughout. Completing the assessment at the end or after a decision is taken will not satisfy the Duty.

Where an assessment is required please summarise the key findings here and append your full analysis to the report with any personal data redacted.

Please see the equality compliance toolkit on TOM or contact the Legal Department for assistance.

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 2012, 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 Council carried out a consultation on a review of the SCI from 25 February - 9 April 2021. A total of 74 comments were made by 20 respondents.
- 2.2 A link to all of the full responses online can be found in the Background Papers section of this report.

- 2.3 Some of the comments received did not relate directly to the SCI or related to the Local Plan and local plan process. Officers have carefully considered all of the comments received and have responded to the main relevant issues and common issues raised in the consultation responses. The table in **Annex 1** shows the summary of the issues, the Council's response, and any resulting changes proposed to be made to the SCI.
- 2.4 One of the main concerns raised by respondents was the proposal to charge administrative fees for officers to process long and complex representations to Local Plan consultations. This was not intended to affect representations made by local people. However, we have listened to the concerns raised by people during the consultation, and it is recommended that the fee proposal is removed from the SCI.
- 2.5 The main changes proposed to the SCI as a result of the public consultation include:
- Clarification that consultation events will be held in a variety of locations within the district
 - Amendments to make it clear that a Local Plan is a Development Plan Document
 - Additional text to refer to compliance with the Governments accessibility requirements
 - Additions to Table 1 (Methods of Consultation) to include more dialogue with Town and Parish Councils and wider distribution of publicity materials
 - Clarification in that a combination of methods of consultation will be used
 - Deletion of reference to a potential administration fee to process long and complex documents
 - More specific detail about which newspapers will be used for formal notices and press releases
 - Factual correction to Stage 1 of the Neighbourhood Plan process to reflect updated Neighbourhood Planning Regulations that no longer require the Council to consult on a proposed neighbourhood area if the boundary is the same as the town or parish boundary
 - New paragraph setting out how the Council will give advice or assistance throughout the neighbourhood planning process
 - Update contact details for the CPRE under the 'Where to get help with a Planning Issue' section

3.0 Options

- 3.1 Option 1 - To agree the responses to the consultation, agree the proposed amendments to the SCI and recommend that the reviewed and amended SCI be reported to full Council for adoption.
- 3.2 Option 2 - To require further changes to be made to the document and recommend that the reviewed and amended SCI be reported to full Council for adoption
- 3.4 Option 1 is the recommended Option. The SCI has been reviewed taking into consideration the most recent legislative requirements and government guidance, reviewed responses received during the public consultation and made changes to the SCI as a result of those responses where appropriate.

4.0 Next Steps

- 4.1 The SCI will be reported to:
Cabinet - 31 August
Full Council - 9 September

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

Annex List

Annex 1: Summary of Main Issues, Councils Response and resulting changes to the SCI
Annex 2: Equalities Impact Assessment

Background Papers

Title: [SCI Review Consultation Draft - February 2021](#)

Title: [Full responses to the consultation](#)

Corporate Consultation

Finance: *Chris Blundell, Director of Finance*

Legal: *Estelle Culligan, Director of Law and Democracy*