

This Report will be made public on 26 August 2022



Report Number **OS/22/04**

To: Overview and Scrutiny Committee
Date: 6 September 2022
Status: Non key
Responsible Officer: Rebecca Chittock, Planning Policy Specialist
Cabinet Member: Cllr Monk, Leader of the Council

SUBJECT: Statement of Community Involvement (SCI) Update

SUMMARY: The purpose of this report is to inform Cabinet of the work being carried out to update the current Statement of Community Involvement (2015) and to ask for Cabinet approval to consult on the attached draft document.

REASONS FOR RECOMMENDATIONS:

So that the council can consult on the draft SCI presented in Appendix 1, or as amended by Cabinet, to set out the council's commitment to engaging with the community on planning decisions affecting them.

RECOMMENDATIONS:

1. To receive and note report OS/22/04.
2. To provide feedback on the draft Statement of Community Involvement prior to it's consideration at Cabinet on 21 September 2022.

1. BACKGROUND

- 1.1 The Statement of Community Involvement (SCI) is a statutory document that all local planning authorities are required to have in place. The SCI explains how people can get involved in decisions about plan making and planning applications, these are the two main ways to get involved in the planning system locally.
- 1.2 As Cabinet may recall, when the Core Strategy Review was taken to full Council for adoption on 30 March 2022, a resolution was tabled highlighting that the existing SCI (adopted 2015) is out-of-date in certain aspects and calling for it to be renewed by the end of 2022. This was approved, with 27 votes for, none against and no abstentions.
- 1.3 It is important that SCI's are kept up-to-date to ensure effective community involvement at all stages of the planning process. Subsequently this update has been prepared to take into account changes to the planning legislation and regulations, new digital technologies, such as inclusion of social media as a public engagement tool, local changes and out-dated terminology.

2. DOCUMENT STRUCTURE

- 2.1 The SCI update follows a similar structure to the 2015 document. Introducing what is meant by engagement and then, looking at both the national and local context, touching on the government's vision to increase the use of digital engagement within the planning process.
- 2.2 Following this, is our Community Involvement Principles which have been updated to include our duties under the Equality Act 2010 and to ensure that information received through consultation processes complies with all GDPR. The principles are set out below:

| Our Community Involvement Principles | |
|--------------------------------------|---|
| Seek views as early as possible | <ul style="list-style-type: none">• Involve the community as early as possible in the production of Local Plan documents• Pre-application involvement in planning applications, so that the applicants for certain types of development are encouraged to consult the community before submitting an application |
| Transparent planning processes | <ul style="list-style-type: none">• Make the purpose of planning consultations clear• Take account of views received and be clear about the scope of consultations from the start |

- Publish consultation material that is clear, concise and avoids unnecessary jargon

Choosing appropriate ways to involve as many people as possible

- Choose consultation processes that are proportionate in type and scale to the potential impacts of the proposed plan
- Target consultation to include people whom we consider would be most affected by the proposals or plans and organisations who may have specialist knowledge of the issues
- Provide sufficient information for people to comment effectively
- Ensure involvement is open to all
- Consider our duties under the [Equality Act 2010](#)

Listen and feedback

- Fully acknowledge and consider the results of consultations
- Provide accessible feedback on the results of consultations and how they have been used
- Aim to make all representations publicly available
- Ensure that information received through consultation processes complies with all [Data Protection legislation](#)

2.3 The document is then split into two main sections, Plan-Making followed by Development Management. The Plan-Making section looks at:

- Who within the community the council will consult and engage with,
- What the council will consult and engage the community on;
- When the council will consult and engage the community; and
- How the council will consult and engage the community.

2.4 The Development Management section runs through our consultation procedure for the planning application process, from start to finish. It also sets out the minimum publicity requirements for different types of applications.

2.5 The Coronavirus pandemic has seen changes in the way that we work, communicate and engage. Picking up on these changes and the government's push to increase the use of digital engagement, the SCI states that the council will look to capitalise on the increased opportunities for wider engagement that online platforms have provided and that going forward we will aim to take a hybrid approach to community engagement, offering alternative routes to engage alongside the traditional.

3. NEXT STEPS

- 3.1 There is no requirement for local planning authorities to consult when reviewing and updating their Statement of Community Involvement, however the council resolution of 30 March 2022 included the line: “To engage with all residents and stakeholders of the district with regards to the renewal of the document.” Therefore, with Cabinet’s agreement, we would like to carry out a six week (October/ November 2022) public consultation.
- 3.2 The public consultation will consist of an online consultation, advertised through the council’s social media channels, the council website, a press release in local media and direct notification to statutory consultees and relevant groups. Hard copies of the consultation document will also be made available for inspection at the council office and local libraries.
- 3.3 The draft document is attached in Appendix 1. The draft has been prepared with the close involvement of the Development Management and Communications & Engagement teams. The Communications & Engagement Team are going to reformat the document before the public consultation, so that it is visually engaging and user friendly to help ensure that it is easily accessible to local communities.

4. RISK MANAGEMENT ISSUES

- 4.1 A summary of the perceived risks follows:

| Perceived risk | Seriousness | Likelihood | Preventative action |
|---|--------------------|-------------------|--|
| That the council is held to account by a future local plan Inspector for having out-of-date materials to support its local plan. | Medium | Medium | That following the consultation the council proceeds to amend the SCI as necessary, adopt it in reasonable time and keep it under periodic review. |
| That emerging planning reforms (the Levelling Up and Regeneration Bill and supporting Regulations) remove the need to prepare an SCI or supersede it with an alternative mechanism. | Low | Medium | That the council continues to monitor emerging legislation and regulations and responds accordingly. |

| | | | |
|--|-----|-----|---|
| That the council cannot meet the engagement commitments set out in the SCI. | Low | Low | That the SCI is sufficiently flexible to adapt to changing circumstances (e.g. the occurrence of a pandemic-type emergency) while also meeting the community's needs and expectations to be engaged in planning decisions. |
| That the practices of the Development Management and/or Strategy, Policy and Performance teams fall short of the standards set out in the SCI. | Low | Low | That the Development Management and Strategy, Policy and Performance teams periodically compare their respective working practices to the standards set out in the SCI and amend practices as necessary. That the teams attend training on best practice in engagement techniques, when available, and familiarise new team members with the latest adopted SCI when there are personnel changes. |

5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

5.1 Legal Officer's Comments (NM)

"It is a legal requirement for the council to have both an SCI and to update it at least once every five years.

The review and subsequent update of the SCI means that the Council is acting in accordance with s18 of the Planning and Compulsory Purchase Act 2004. It also ensures compliance with regulation 10A(b) of The Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended by The Town and Country Planning (Local Planning)(England)(Amendment) Regulations 2017) which requires the Council to review their SCI every 5 years from the date of adoption.

5.2 Finance Officer's Comments (RH)

There are no financial implications arising from this report.

5.3 **Diversities and Equalities Implications (GE)**

There are no equality and diversity implications directly arising from this report. The Statement of Community Involvement is designed to encourage and engage with the widest range people within local communities across the district on decisions relating to plan making and planning applications.

5.4 **Climate Change Implications (AT)**

There are no Climate Change implications relating to the Statement of Community Involvement update.

6. **CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

Rebecca Chittock Planning Policy Specialist
Telephone: 01303 853337
Email: rebecca.chittock@folkestone-hythe.gov.uk

Appendices:

Appendix 1: Draft Statement of Community Involvement 2022