

SUBJECT:	Statement of Community Involvement
REPORT OF:	Cllr Peter Martin / Cllr John Read Cabinet Member for Planning and Economic Development
RESPONSIBLE OFFICER	Andrew Ashcroft Interim Head of Planning & Economic Development
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WARD/S AFFECTED	All

1. Purpose of Report

- 1.1 Members will beware that the Government signalled its intent to legislate to require local plans to be regularly reviewed in last years White Paper 'Fixing our broken housing market'. The purpose of this report is to explain the implications of the Government's intentions connected with the above for statements of community involvement (SCI) and implications for the Councils SCI.
- 1.2 The report also explains that the SCI is not part of the exiting delegation by Cabinet to the Joint Committee on issues relating to the Local Plan As such the report recommends that powers related to the SCI and other joint planning policy related matters are added to the delegated powers to Joint Committee as part of Shared Service and decision making arrangements.

RECOMMENDATIONS

1. **To agree the production of a joint Statement of Community Involvement as part of the Chiltern and South Bucks Planning and Economic Development Shared Service arrangements.**
2. **Cabinet delegate to the Head of Planning and Economic Development in agreement with the Cabinet Member for Planning and Economic Development to prepare and publish a joint Statement of Community Involvement (SCI) for Chiltern and South Bucks District Councils based on the issues set out in the report.**
3. **That Cabinet agree to amend the Local Development Scheme by the insertion of a timetable specifically covering the update and review of the SCI and delegate authority to the Head of Planning and Economic Development to determine and amend as necessary the timetable.**

Cabinet are also recommended to recommend to Council:

4. **That the powers delegated to the Joint Committee by the Inter Authority Agreement be extended to include updates to the SCI (after Recommendation 1 above has been implemented), CIL and other Planning Policy matters considered relevant to the Joint Committee under the Shared Service arrangements.**

2. Executive Summary

2.1 Local planning authorities are required to publish a document called a Statement of Community Involvement (SCI) . The SCI set out the minimum requirements of how councils will involve the public and interested parties in their planning policy formulation. It also set out how councils will involve the public in the determination process for major planning applications.

2.2 The Government has signalled its intent to require councils to review local plans every 5 years and are bringing forward necessary arrangements soon to achieve this. New regulations coming into effect in April 2018 will require councils to also review their SCI documents. In addition regulations are expected to require councils to include in their SCI documents a sections setting out how the councils will assist parishes or other community groups in the neighbourhood planning process. The requirement to review the SCI would mean that the Councils SCI would need to be reviewed now and if necessary updated by the end of the year and regularly thereafter. However, the additional requirement to include a section on the neighbourhood planning process, depending on timing, could mean that the SCI may need to be updated on a further occasion

2.3 Chiltern and South Bucks District Councils' are preparing a joint Local Plan with delegated decisions to the Joint Committee and now have a complete Planning and Economic Development Shared Service, including a team in Development Management considering major planning applications. Effectively each council should produce an SCI but given the Councils joint arrangements one joint SCI document covering joint Local Plan, neighbourhood plans and major application publicity and public involvement is appropriate.

2.4 When the two Councils' respectively agreed to produce a joint Local Plan the respective Cabinets agreed – to amend paragraph 4.1 of the Inter Authority Agreement covering the functions of the Joint Committee to include the following:

'4.1.3.7 To make decisions and recommendations in relation to the Chiltern and South Bucks Local Plan.'

The SCI and other Shared Service policy matters such as Community Infrastructure Charging schedule (see separate report on this agenda) are not part of the Local Plan and although the intention of the delegation may have been to cover all local plan related matters it is not considered that the two items mentioned fall under the exiting delegated powers. Therefore it is recommended that the delegated authority from both Councils' is amended to include any joint planning policy related matters and specifically the SCI and CIL.

3. Reasons for Recommendations

3.1 The Council has agreed to produce a joint local plan and to operate a Shared Service for all planning matters therefore although an SCI should be a council based document there is no logic in having two identical SCI documents for a shared service area. A revision to the SCI needs to be included in a revised Local Development Scheme Timetable.

3.2 The SCI will need to be amended shortly and potentially soon after and periodically thereafter. The recommended delegations are designed to enable the Council(s) to efficiently

and effectively respond to the changing requirements for the SCI over the next few months and thereafter through the Joint Committee.

4. Content of Report

Background

4.1 The Government recent Housing White Paper made a number of suggestions to improve the planning system and speed up local plan making. One of the proposals was to alter planning regulations to require local authorities to review their local plans at least every five years.

4.2 In addition to the above the Neighbourhood Planning Act made a number of changes to the neighbourhood planning regime one of which was to require (subject to regulations), local authorities to state in their SCI's how councils will assist communities in producing neighbourhood plans.

4.3 The Government published the required regulations requiring local plans to be reviewed at least every five years on the 13th December 2017. The section of the regulations relating to reviewing Local Plans doesn't come into force until April 6th 2018.

Implications for the Councils Statement of Community Involvement

4.4 What was not clear from the Governments' stated intention to require local authorities to review their local plans more regularly was that the regulations would also apply this requirement to SCI documents. However the regulations do specifically refer to SCI's and as such the Council will need to respond to this if it is to remain legally compliant.

4.5 The regulations introduce a requirement to review Local Plans and SCI at least every five years from the date of adoption. To comply with this requirement local authorities must every five years from the adoption of the Local Plan/SCI carry out an assessment of whether it remains relevant and effectively addresses the needs of the local community or whether it needs updating.

4.6 The Chiltern adopted SCI was in January 2012 / and South Bucks SCI in July 2013– this effectively means that when the regulations come into force in April 2018 the Chiltern SCI would have to be reviewed immediately and consideration would need to be given to reviewing the South Bucks SCI soon after. However, the expected requirement to include reference to how councils will assist in neighbourhood planning effectively means that both SCI documents are also soon to be out of date and will need to be reviewed. The SCI could also helpfully be reviewed to take account of experience from recent consultations and in particular the increased role of social media in the Councils' communications to local residents and shared service arrangements for major planning applications.

4.7 Neighbourhood planning regulations are expected to be published in January which also expect to require local authorities to set out in their SCI documents their policies for giving advice or assistance to neighbourhood planning groups and their policies for involving communities and other groups in the early stages of plan making particularly in relation to the survey stage and in the setting of the Local Development Scheme – the local plan and related document production timetable.

New Joint SCI or separate SCI's?

4.8 Technically an SCI is a local planning authority's statement on how it will involve the public and interested parties in its plan making and major planning application procedures added to this is the additional requirement to set out how the Council will assist in neighbourhood planning. However, as Chiltern and South Bucks Councils have agreed to produce a Joint Local Plan and associated documents such as the Local Development Scheme and potentially associated supplementary planning documents plus have a Development Management Shared Service there is logic in creating a joint SCI.

4.9 Officers sought advice from the Government official responsible for the new regulations on the issue of producing a joint SCI, and in their view given the Councils are producing a joint Local Plan it would be sensible to produce a joint SCI document.

4.10 Although the two Councils' agreed to produce a joint local plan and delegated decisions on the joint local plan to the Joint Committee the delegation only refers to 'decisions and recommendations in relation to the Chiltern and South Bucks Local Plan'. The SCI is not the local plan and indeed its content covers the Councils procedures for involving the public in major planning applications and soon to also be neighbourhood planning and as such a proposed Joint SCI document will need to be approved by both Councils' respective Cabinets. However, given the continuing need to review the SCI and the likely decision that the SCI should be a joint document it is considered that the two Cabinets should be invited to consider delegating future decisions on amending the SCI document to the Joint Committee. As a side issue it is recommended that the scheme of delegation should also be considered to be extended to other Planning Policy matters being jointly brought forward by the Councils' such as the Community Infrastructure Levy (see separate report on the Agenda). If agreed the Inter Authority Agreement will need amending to cover these additional delegated powers.

SCI Content

4.11 As a general point both Councils SCIs are very similar and have both proved effective such that amendments are expected to be minor other than the additional

requirements needing to be added and consideration of whether advances in communication such as the popularity of social media should be added.

- 4.12 Social media - The two existing SCI documents were updates of the two Council's respective original SCI documents dating from the early 2000's. Given this and the advances in social media in more recent time's neither of the documents specifically refer to these areas as a means to involve the public. It seems sensible given the Councils desire to go paperless and to use modern technology where possible to include such social media means of publicity within the SCI. Social media also has the potential to better engage with younger residents, often a hard to reach group for local plan matters.
- 4.13 Commitment to levels of Publicity - Both the SCI's were written in such a way as to make sure the Councils complied with the minimum national requirements for publicity whilst suggesting other methods of publicity may be used. Given the large resource implications in undertaking focussed publicity (exhibitions – individual; household newsletters/info leaflets etc) the SCI needs to be clear not to commit the Councils' to undertake levels of publicity that cannot be resourced or become a financial drain. If required and wished for by members at a particular stage or for a particular local plan document there would be nothing stopping the Councils' from undertaking wider forms of publicity than those set out in the SCI. However members should be aware that to do so could be seen to set a precedent and put pressure on the Councils' to 'normalise' extra consultations through future SCI updates. The minimum forms of publicity set out in the SCI must be undertaken and indeed is one of the aspects of the local plan process that the Examination Inspector has to determine before considering the local plan itself. As such levels of publicity as set out in the SCI need to be manageable, consistent and with 'front loaded' consultation to early plan stages.
- 4.14 Major Planning Applications – the SCI is required to set out how the Councils' will involve the public in publicising major planning applications. Given the recent bringing together of the Councils' respective development management teams into a shared service, the setting up of a major planning applications team and standardisation of processes this would also support a joint SCI. The Planning Policy Team will work closely with the Major Applications Team to update the section of the SCI relating to major planning application publicity to incorporate any new procedures resulting from the new shared service.
- 4.15 Neighbourhood Planning – officers in the Planning Policy Team have provided advice thought the neighbourhood planning process most notably Chalfont St Peter and Chalfont St Giles neighbourhood plans to date and advice on the setting up of neighbourhood areas and the Community Right to Build Order to parishes in South Bucks and Chiltern. Officers have indicated that this work can be and is often time consuming and so can only commit to levels of support that would not divert staffing resources from their focus on the joint local plan. There could be pressures for support from seven parishes across both Districts' that

currently have declared neighbourhood areas. Again therefore it is considered that the reference to providing the Councils support to the neighbourhood planning process should go no further than the levels of support given at present. ie advising on neighbourhood planning procedures and the content of neighbourhood plan draft documents. Members could also consider charging parishes for staff time for some neighbourhood planning processes/advice and the view of the Planning Policy Joint Member Reference Group (JMRG) has been sought on this and will be reported at the meeting.

- 4.16 Officers will draft a revised SCI document to take account of the above and any other views expressed at the JMRG and both Chiltern and South Bucks Cabinets. This could be subject to change as at the time of writing this report the regulations in relation to the neighbourhood planning requirements and any transitional arrangements were not published by the Government. Given this uncertainty and the imminent production of the new regulations it is considered prudent to delegate the production of the new SCI as set out in the recommendations.

Revision to Local Development Scheme

- 4.17 The Government requirement is that should a local plan or in this case the SCI need to be updated the timetable for updating that document should be included in the Local Development Scheme (LDS). Members will beware that the Government only require the LDS timetable to be published and that the Councils current LDS timetable in relation to the Joint Local plan and the timetable for the production of a Community Infrastructure Levy (to be reviewed – see separate report on the Agenda) is published on the website. Rather than amend that timetable officers consider the most practicable solution to meet the new requirements would be to publish a separate LDS timetable showing the time frame for producing the new SCI document.

5. Consultation

- 5.1 There is no requirement in the regulations to consult on the content of the SCI document. The Councils SCI makes no specific commitment to consult on SCI revisions. As such it is not considered necessary to consult on the content of a document which spells out how the Council will consult the public on other local plan documents/major planning applications.

6. Options (if any)

- 9.1 Given the imminent change to the regulations the Councils would have to update their respective SCI documents. The two options open to the Councils would be to produce two largely similar SCI documents one for each council or given the decision to produce a joint Local Plan and to establish a joint Planning and Economic Development service to produce

one joint SCI document. Given the legal requirement to have an up-to-date SCI document in place there are no other alternative options.

7. Corporate Implications

7.1 Financial – in relation to the production of the document the only costs would be staff time. Depending on the commitments as set out in the approved SCI document to certain levels of publicity future costs in terms of printing and or postage sots, cost is relation to the hiring of premises etc for public exhibitors etc will impact on service budgets and will need to be considered as part of the SCI review – however if recommendations are followed as set out in this report costs would expect to be covered in the current and next financial year budget and would need to be considered in future budget setting processes .

7.2 Legal – the Councils' are required to have an adopted SCI in place setting out their planning publicity arrangements. The new regulations will require these to be regularly reviewed and up to date. The additional requirements to include references to the Councils' assistance on neighbourhood planning means the documents would have to be amended/updated and at this time it is logical to combine into one document. The submitted local plan has to show how it has complied with the publicity.

7.3 ICT – the Councils' have committed to a more electronic business model moving where possible to electronic means of communication and reduction in the use of paper. Therefore it is sensible for the new SCI document to include reference to up-to-date electronic means of communication such as social media and use of the Council websites.

7.4 Partnership - a joint SCI with reference to the assistance to be given to neighbourhood planning groups will show partnership working between the two Districts and between the two districts parish councils and other community groups.

7.5 Social Inclusion – by stating clearly how the Councils' will consult on planning and neighbourhood planning matters the SCI will show how the Council aim to include all in the planning process.

7.6 Sustainability – the promotion of electronic means of communication will help the Councils' reduce the use of paper and thus improve their sustainability.

8. Links to Council Policy Objectives

8.1 The production of an up-to-date SCI document containing references to increase use of electronic communication and involvement of the public together with the Councils' stating how they will work with parishes and community groups on neighbourhood planning will meet the following Council key aims and objectives.

Chiltern

We will deliver cost effective, customer focused services

1. Provide best value for money services
- Reduce costs through the shared services programme with South Bucks District Council.

- Make better use of ICT to drive through savings whilst providing more flexible service delivery
- 2. Listen to our customers –
- Consult with you on key issues and respond to results
- Communicate widely and embrace social media

We will work towards safe, healthy and cohesive communities

3. Promote cohesive communities- Engage with Parish and Town Councils and local neighbourhoods

We will strive to conserve the environment and promote sustainability

2. Promote sustainability
- Put in place a new Joint Local Plan with South Bucks District Council to help meet local development needs

9. Next Step

- 9.1 The Councils' produce a new joint SCI document and the Joint Committee delegated powers are amended.

Background Papers:	Documents contained on the Councils' websites.
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