

STATEMENT OF COMMUNITY INVOLVEMENT UPDATE

Cabinet Member: Councillor David Johncock

Wards Affected: All

Officer contact: Aude Pantel Ext: 3538

Email: aude.pantel@wycombe.gov.uk

RECOMMENDATION TO COUNCIL

- (i) To agree the outcome of the Statement of Community Involvement (“SCI”) review as set out in this report; and
- (ii) To agree the Statement of Community Involvement update as set out at Appendix A and hence adopt the revised Statement of Community Involvement.

Reason for Decision

The Council has a statutory obligation to review its Statement of Community Involvement every 5 years from adoption. Following the review the Council is required to either update the Statement of Community Involvement or if it will not do so, to publish reasons for their decision. To comply with new statutory requirements it is recommended that a minor update to the Statement of Community Involvement is adopted now, but that a fuller review of the Statement of Community Involvement is undertaken once the Local Plan is adopted.

Corporate Implications

Legal requirements

1. Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended), requires the Council to prepare a Statement of Community Involvement (SCI). The National Planning Policy Framework (NPPF) (March 2012) emphasises the importance of community involvement in planning.
2. Regulation 4 of the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 added a new Regulation 10A into earlier 2012 Regulations, and introduced the need to review Statements of Community Involvement every 5 years from adoption. This requirement came into force on 6th April 2018.
3. Section 13(2) of the Neighbourhood Planning Act 2017 amended section 18 of the Planning and Compulsory Purchase Act 2004, to introduce the requirement for the Statement of Community Involvement to set out the local planning authority’s policies for giving advice or assistance in relation to neighbourhood planning under para 3 of schedule 4B to the 1990 Act and schedule A2 to PACPA. This comes into force on 31st July 2018.
4. The Neighbourhood Planning Act 2017 also adds via section 13(2) to the list of issues to be covered by the Statement of Community Involvement, namely the Survey of the Area (undertaken as part of early work on a local plan) and the Local Development Schemes¹. There are transitional arrangements for this requirement for plans which have passed Regulation 18 of the Local Plan

¹ The Local Development Scheme is effectively the work plan for the preparation of planning policy development plan documents including the local plan.

regulations, and these apply in Wycombe's circumstances.

Financial

5. The Wycombe Revised Statement of Community Involvement update is being prepared within existing budgets. The document already recognises the resource implications of undertaking community engagement and provides a wide range of engagement methods together with a flexible approach to which methods are employed. The update refers to a high level commitment to give advice in relation to neighbourhood planning, and that details are to be provided through further guidance. Whilst this flexibility is primarily to ensure that the right types of engagement are employed for the issues being addressed at the time, it does also enable a choice of methods to fit with the resources available and the approach to be agreed by Members as part of the wider "Fit for Competition" review of the Planning and Sustainability Service. Any approach adopted will live within approved budgets.

Risk management

6. The Council is at risk of not complying with the legislative requirements in relation to Statements of Community Involvement and hence the recommendation to adopt a revised Statement of Community Involvement
7. The Council has considered in this report the risk of not undertaking a full review in terms of legal requirements and has found that the risk is very low, and is relating to public satisfaction.

Equalities

8. It is expected that an Equalities Impact Assessment will be required when the SCI is fully reviewed in the future.

Executive Summary

9. The Statement of Community Involvement sets out the Council's approach to community involvement in planning. Recent changes in legislation require a review of the document. This review has been undertaken and it is recommended that a short update is required at this stage to set out the Council's policies for giving advice or assistance in relation to neighbourhood planning. It is considered that a fuller update of the Statement of Community Involvement is not appropriate at this stage but should be carried out once the Local Plan is adopted.
10. The revised document aims to give a clear indication of the Council's policies for giving advice or assistance in relation to Neighbourhood Development Plans or Orders. A consultation on the proposed approach to the review and on the proposed update has been carried out, providing the community with the opportunity to make comments on the document and feed into its revision. The Wycombe Revised Statement of Community Involvement as updated is now recommended for adoption.

Sustainable Community Strategy/Council Priorities - Implications

11. The Wycombe Revised Statement of Community Involvement is consistent with the current Communications Strategy and Engagement Standards. The Statement of Community Involvement will ensure that the Council works with all its communities in exercising its various planning functions, ensuring community involvement in helping deliver the "Place" priority in the Corporate Plan.

Background and Issues

Background

12. Statement of Community Involvements set out how a Local Planning Authority will engage with the community and stakeholders in plan making and decision taking activities (e.g. consideration of planning applications).
13. Their production is mandatory but there are no prescribed consultation requirements.
14. The Council's latest revised Statement of Community Involvement (SCI) was adopted in December 2012.

Legislation changes

15. There have been recent changes to the legislation in relation to statements of community involvement and neighbourhood planning that mean that a review of the SCI is necessary.
 - 15.1 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 introduced the need to review Statements of Community Involvement every 5 years from adoption. This requirement came into force on 6th April 2018.
 - 15.2 The Neighbourhood Planning Act 2017 introduces the requirement for the Statement of Community Involvement to set out the local planning authority's policies for giving advice or assistance in relation to neighbourhood planning. It also requires for the first time for SCIs to set out its approach to community involvement in relation the survey of an area (carried out as part of the preparation of a local plan) and in relation to the preparation and updating of local development schemes (effectively the work programme for a local plan).

Review and update

16. A review of the current (2012) SCI has been undertaken. There are four chapters of the SCI covering the following issues:
 - Chapter 1 "Get involved..." sets out the council's principles on community involvement and how and in what people can get involved.
 - Chapter 2 "... in Planning Applications" sets out what the development management process is and how people can find out about and comment on different types of applications. It also sets out what we do to engage with people on applications, from the local community to developers.
 - Chapter 3 "... in Plan Making" sets out what are statutory local plans, SPDs and guidance, and neighbourhood planning, and how to get involved in these place shaping projects.
 - Chapter 4 "Resources and review" considers resources implications of community involvement and mechanisms for review.

There are also 2 appendices:

- Appendix A provides a glossary
- Appendix B provides a detailed menu of commonly used methods of engagement

17. It is concluded that:
 - 17.1 Chapter 1 (Get Involved...), Chapter 4 (Resources and Review), and the Appendices, broadly remain relevant and should not be changed at this stage. They would benefit from updating to ensure it references the most up to date information, but that is not required now.
 - 17.2 Chapter 2 (... in Planning Applications) reflects current practice. The Service is currently undergoing a review – the Fit for Competition Review. As part of this all processes, including engagement with the public, will need to be reviewed, and any changes to the SCI will need to be made at that time.
 - 17.3 Chapter 3 (...in Plan Making)
 - 17.3.1 Firstly in relation to the Local Plan, this section needs to reflect lessons learned from the current local plan process. Any update will need to take account of this and potential changes to the nature of local plans coming forward in the future as set out in the draft National Planning Policy Framework, for instance the emphasis on joint strategic plans.
 - 17.3.2 The new legislative requirements regarding the Survey of the Area and Local Development Schemes contain transitional arrangements which mean they do not apply to a plan which has already passed Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Our emerging Local Plan is at Examination stage which is after Regulation 22 (Submission of the plan to the Secretary of State).
 - 17.3.3 Updates to this part of the SCI will therefore be needed prior to work starting on any future Local Plan document, but changes are not required at this point in time.
 - 17.3.4 Secondly in relation to Supplementary Planning Documents and other development briefs, updates would benefit from lessons learned in relation to the Reserve Sites where there is still one more development brief to be prepared.
 - 17.3.5 Thirdly, in relation to Neighbourhood Planning, there is a need to fulfil at this stage the requirement to set out policies for giving advice and assistance on neighbourhood planning matters, and an amendment to the SCI is therefore proposed at this time.
18. For a number of reasons set out above the review concludes that it is not appropriate to amend the Statement of Community Involvement at this stage, other than to update it in relation to the Council's policies for giving advice or assistance on neighbourhood planning. It will however be necessary to update the Statement of Community Involvement after the Local Plan is adopted to reflect the future direction of local plans, other national planning reform changes, and the emerging conclusions from the "Fit for Competition" review of the Planning and Sustainability Service.
19. Appendix A sets out the proposed update in relation to neighbourhood planning. It includes the advice the Council will provide before a parish council

or qualifying body commits to preparing a neighbourhood plan as well as the advice or assistance during the plan preparation process. The recommendation is that this update is agreed and a revised Statement of Community Involvement is adopted and published incorporating this update.

Consultation

20. There are no statutory requirements for consultation on a new SCI or its revision.
21. Consultation was undertaken through the weekly planning bulletin, from 5 June to 19 June 2018. Consultees were asked for comments on the review proposed (see background paper 2) and the SCI wording update (see Appendix A).
22. The Council received no response to this consultation.
23. In light of the consultation, no amendments were necessary to the draft update.

Options

24. There are 3 options to be considered in relation to this matter:
 - To do nothing: this would mean that the new legal requirements are not met.
 - To do a full update of the SCI: this would mean revisiting the review and its recommendations. This would delay the process of undertaking and publishing a review which is a legal requirement, and would delay the production of a legally compliant SCI. It may also mean a further review being required soon afterwards to address future local plans, ongoing national planning reforms and the “Fit for Competition” service review.
 - To accept the conclusions of the review and amend the SCI as proposed to comply with the legislation requirements whilst managing Council resources and allowing for a meaningful revision at a point in the future, aligned with the Council’s priorities and ambitions. This is the recommended option.

Conclusions

25. The SCI has been reviewed in light of legislation changes and it is recommended to amend the neighbourhood planning section of the document.
26. A proposed wording has been the subject of consultation via the Weekly Planning Bulletin and the update set out at Appendix A is now recommended for inclusion in a revised SCI, and this revised SCI to be adopted.
27. No other changes are proposed at this time
28. A wider update, possibly on a thematic basis, will be conducted in due course.

Next Steps

29. Adoption by Council, followed by publication of the adopted Wycombe Statement of Community Involvement (Updated July 2018) on the Council’s website and implementation in day to day planning functions of the Council.

Background Papers

- Wycombe Revised Statement of Community Involvement – adopted December 2012.
- Statement of Community Involvement review 05.06.18 final

List of Appendices

Appendix A – Update for revised Wycombe Statement of Community Involvement (Updated July 2018)