



## Report to Cabinet

<b>Date:</b>	7 December 2021
<b>Reference number:</b>	n/a
<b>Title:</b>	<b>Adoption of the Statement of Community Involvement (SCI)</b>
<b>Cabinet Member(s):</b>	Gareth Williams, Cabinet Member for Planning and Regeneration
<b>Contact officer:</b>	Rosie Brake
<b>Ward(s) affected:</b>	All wards
<b>Recommendations:</b>	<b>To adopt the Statement of Community Involvement (SCI)</b>
<b>Reason for decision:</b>	The SCI is a statutory document that sets out how the Council will consult the public and other bodies on how they can get involved in planning issues, including the Local Plan and planning applications. Section 17 (8) (a) of the Planning and Compulsory Purchase Act 2004 requires that the SCI be adopted by resolution of the local planning authority as a local development document.

### **1. Executive summary**

- 1.1 The Statement of Community Involvement (SCI) is a document that we are required to produce and keep up to date to ensure effective community involvement at all stages in the planning process. The Council consulted on a draft SCI from February to April 2021. The SCI has been updated to respond to the feedback from the consultation and this updated version is being put forward for adoption by the Council.

## 2. Content of report

- 2.1 The SCI explains when, how, and for what reasons the community will be able to participate in planning issues. These include plan making (local plans), Supplementary Planning Documents, neighbourhood plans, planning applications, and planning enforcement. The main aim of the SCI is to make consultation and involvement in planning more transparent, accessible, collaborative, inclusive and consistent.
- 2.2 As a minimum, we will comply with any legislation that is currently in force or comes into force in the future. These legal requirements are therefore included as actions that 'we will' do in the SCI as opposed to ones that 'we may' do. It is however recognised that there needs to be a flexible approach to engagement depending on the scale, subject matter and sensitivity of the matter in hand.
- 2.3 We received around 700 responses to the consultation, a mixture of Your Voice Bucks submissions and direct emails. There were more than 140 identical responses generated from a campaign by the Beaconsfield Society.
- 2.4 A Statement of Consultation has been prepared which sets out the main issues raised and the Council's response to those issues. These are covered in more detail below.
- 2.5 A number of main issues were raised in the consultation. The most important are summarised below.
  - a) Increasing the number of commitments that we 'will' rather than 'may' make. Respondents felt that the Council should commit to more in terms of involving the public. Consequently, we have moved more of the 'we may' commitments into the 'we will' category. The intention of the 'we may' category is to set out a menu of options that we will draw on to allow us to tailor engagement and make proportionate use of Council resources.
  - b) Being clear on our commitments on planning notifications. Currently there is varying practice across the Council area and in our attempt to capture this we gave the impression that any kind of notification was in the 'we may' category. A separate project within Planning is preparing a Neighbour Consultation procedure note which will provide detailed guidelines for the use of planning notices, neighbour letters and a range of other measures to increase awareness and inclusion. We have added this commitment to the 'we will' category.
  - c) Concern that the Council is not committing to consultation on a draft Local Plan. Under the proposals set out in the [Planning White Paper](#), a draft Local Plan stage does not exist, however there continues to be considerable uncertainty about the scale and timing of any reforms. Under the current

system, a programme that included a draft Plan consultation would not deliver an adopted Local Plan by 2025. The longer it takes the Council to adopt a new Local Plan, so the risks to the Council increase, in terms of having up-to-date plan coverage of the Council area. Nevertheless, given the ongoing uncertainty about any planning reforms, and the strength of public feeling on this matter, we have included a commitment to consulting on a draft Local Plan under 'we will'. This may be conducted in stages as we are conscious that public interest is most closely focused on which sites are proposed for development.

- d) We also received a number of useful suggestions about how we can improve involvement, and have added some of these.

### **3. Other options considered**

#### *Not to adopt the updated Statement of Community Involvement*

- 3.1 It is currently a statutory requirement to prepare and keep up to date an SCI, and review it every 5 years. Without adopting a new SCI, the Council would have to continue to rely on the old SCIs from the legacy councils, some of which are more than 5 years old. The Council would therefore not be complying with the law. Secondly, the lack of a single SCI would fail to meet the Council's aim of moving forward as a single Council and single Local Planning Authority.
- 3.2 It is not yet clear whether the Government's proposed planning reforms will abolish the requirement for an SCI, or change its form and role. Since these reforms still appear to be some way off, it is prudent for the Council to adopt an SCI that is compliant with the current system.

### **4. Legal and financial implications**

- 4.1 Finance – no specific financial implications identified. It is considered that this SCI is a realistic use of available resources. Resourcing of delivery will vary across the different services affected:
  - a) For Development Management and Enforcement, this is included in their Business As Usual plans and practices
  - b) For Planning Policy development, this is sourced from planning policy budgets, including the Local Plan budget. It may include commissioning of work internally (Comms / graphics) and externally
  - c) The Planning policy staff complement includes a Neighbourhood Planning Officer. The Council receives [grants](#) which contribute to the delivery of the Council's neighbourhood planning duties.

- 4.2 Section 17(8)(a) of the Planning and Compulsory Purchase Act 2004 (“the PCPA 2004”) provides that any local development document must be ‘adopted by resolution of the local planning authority’. The SCI is a local development document and while it does not set out planning policies, it does set out the policy which the Council will follow when consulting the public and other public bodies on the Local Plan and associated documentation.
- 4.3 It is important to note that if the Council does not undertake the specific commitments set out in the SCI then it could then be subject to legal challenge.

## **5. Corporate implications**

- 5.1 The SCI supports the Council’s Corporate Plan priority of ‘Strengthening our Community’ by taking on an inclusive approach and working with the Town and Parish Councils.
- 5.2 In terms of equalities, the SCI seeks to encourage everyone affected by planning issues to be involved and more specifically, aims to include "hard to reach groups" such as young people, ethnic minorities, disabled people, Gypsies and Travellers and Travelling Showpeople in planning issues, as far as is practicable. We have updated our Equalities Impact Assessment, and have included recommendations within the SCI, enhancing inclusion for groups with specific needs.
- 5.3 As indicated above in 2.5(b), the Council intends to prepare a Neighbour Consultation Procedure Note for planning applications. An Equalities Impact Assessment to fully assess the impact and effectiveness of all the potential options in this area will be undertaken as part of the formulation of the Procedure Note.

## **6. Local councillors & community boards consultation & views**

- 6.1 The SCI affects all wards and consequently there is not a ‘local’ focus for the decision. Members were made aware of the SCI as part of the Buckinghamshire Local Plan briefing meeting on 25<sup>th</sup> February 2021.

## **7. Communication, engagement & further consultation**

- 7.1 The draft SCI was made available on ‘Your Voice Bucks’ during the consultation period. We wrote to key stakeholders sending them a link to the Statement of Community Involvement and asking them if they wished to comment on its contents. Key stakeholders include Town and Parish Councils, local authorities who have strong links to Buckinghamshire, developers and landowners in the area, the local amenity groups and societies, Community Boards, MPs and statutory consultation bodies.

- 7.2 The consultation process was supported by the Communications Team through press releases, member newsletter, articles, etc.

## **8. Next steps and review**

- 8.1 Once adopted, as soon as reasonably practicable, we will make the SCI available on the Council's website. We will write to everyone who asked to be updated about the SCI to let them know that the final version has been adopted.
- 8.2 Depending on the final Neighbour Consultation Procedure Note, the SCI may require updating later to refer to the details in the final Note.

## **9. Background papers**

- 9.1 The final SCI, Statement of Consultation and Equalities Impact Assessment are attached as Appendices to this report.

## **10. Your questions and views (for key decisions)**

- 10.1 If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider please inform the democratic services team. This can be done by telephone 01296 382343 or email [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).

