

Report subject	<b>Adoption of the Statement of Community Involvement</b>
Meeting date	29 July 2020
Status	Public Report
Executive summary	<p>The Statement of Community Involvement (SCI) sets out how a local planning authority engages with its residents when preparing local plans and through the planning application process. The SCI was endorsed by Cabinet for public consultation for a six-week period in October 2019. The revised SCI has been amended following consultation, to reflect comments received and where necessary updated information. This includes recent government guidance on social distancing to allow for temporary changes to consultation arrangements.</p> <p>Cabinet is asked to approve the revised SCI and recommend it for adoption by Council.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>(a) Cabinet agree the revised Statement of Community Involvement (Appendix 1) and recommends adoption by Full Council.</b></p> <p><b>(b) Cabinet recommends to Council that prior to publication of the SCI, it delegates authority to the Director for Growth &amp; Infrastructure in liaison with the Portfolio Holder for Strategic Planning to make any further minor textual changes.</b></p> <p><b>(c) A review of the Statement of Community Involvement is undertaken within 1 year of adoption to assess and monitor its effectiveness.</b></p>
Reason for recommendations	<p>To replace the three legacy authority's SCIs with a single consolidated SCI to enable a consistent approach to planning engagement for local plan-making and decision-taking across BCP taking into account the responses to the consultation exercise undertaken in respect of the draft SCI.</p>

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Wards	Council-wide
Classification	For recommendation to Council

## Background

1. Local planning authorities are required through the Planning and Compulsory Purchase Act 2004 (as amended) to produce a Statement of Community Involvement (SCI), which sets out how they will engage with communities on planning matters including preparation of local plans and planning applications.
2. Due to Local Government Reorganisation BCP Council has inherited the three legacy SCIs from the preceding Bournemouth, Christchurch and Poole Councils. These remain in place and continue to guide the operation of the planning processes as per the legacy local planning authority area boundaries.
3. Continuing with three separate SCI documents is, however, not a long-term option and BCP Council now should adopt a consolidated SCI to ensure that a consistent approach to planning engagement can be established. Having an up to date SCI in place is also a requirement to be able to take forward the BCP Local Plan.
4. There is no statutory requirement to consult on a SCI. However, given the nature of the document the Council undertook a 6-week period of consultation on a draft SCI to seek the community's views on the consolidated approach. Comments received have informed the drafting of the final SCI document at Appendix 1.
5. The SCI has also been amended to reflect government guidance of May 2020 encouraging introduction of temporary consultation and engagement measures to reflect the restrictions in place due to the COVID-19 outbreak.

## The BCP SCI - Plan making and decision taking

6. The preceding Councils were consistent on plan preparation but differed in approach to publicising planning applications; Bournemouth publicise planning applications by site notices only, whereas Christchurch and Poole generally send neighbour notification letters as well as put up site notices. All existing approaches accord with statutory legal requirements but have different economic, environmental and social implications. A consideration of the options and cost implications was set out in the report to Cabinet on 11 September 2019.

7. For plan making, the SCI includes a greater emphasis on use of more innovative, digitally based techniques to ensure the Council is optimising available technology to reach as many people as possible when preparing plans. This is in addition to a broad range of traditional consultation techniques including hosting public exhibitions and engagement forums that will continue to be used when the lifting of the current restrictions allows for such techniques to be utilised.
8. For planning applications, the SCI proposes to meet the statutory requirements by notifying the public by site notices and press advertisements and cease use of letters as mandatory in Christchurch and Poole. The Overview and Scrutiny Board considered the content of the draft SCI in September 2019 and supported this option.
9. The SCI also sets out that the local authority will provide guidance to prospective neighbourhood groups wishing to establish themselves as neighbourhood forums and designate a local neighbourhood plan area. Since the introduction of the Neighbourhood Planning Act 2017, there is greater emphasis on local authorities to support community led plans, allowing local communities (through designated forums or town and parish councils) to produce their own plans, guiding them through the statutory stages to adoption of their neighbourhood plan.

### **Draft SPD consultation responses and actions**

10. Following Cabinet approval on 11 September 2019 to consult on the draft SCI, the council undertook public consultation between 7 October 2019 and 18 November 2019. The consultation attracted 27 responses, as set out in the consultation report at Appendix 2. The majority of responses were from members of the public, the remainder being from organisations. A summary of the responses is shown below at Appendix 3.
11. Some of the comments informed amendments to the SCI. However, these were minor in nature and as such did not introduce any fundamental changes to the content or structure of the SCI. The main changes required were to add a respondent to the database of general consultees and update the SCI section on Community Infrastructure Levy to set out that the current legacy council approaches to allocating the CIL neighbourhood portion is too be updated into a BCP wide approach. The SCI has been revised to also clarify that advice and assistance would be provided to Town or Parish Councils in the same way as neighbourhood forums to progress their neighbourhood plan.

### **Summary of additional and consequential changes since October 2019:**

12. The following other changes have been made:
  - Updated the status of Corporate Strategy
  - Minor changes to improve readability and clarity.
  - Minor corrections/update to numbering.
  - Update to the status of Bournemouth, Christchurch and Poole Local Development Plan Documents adopted after SCI consultation period.

- Update to reflect new duty to advise neighbourhood forums and parish councils who wish to modify their “made” neighbourhood plans.
- Confirmation that the Council will meet its statutory requirements for planning application notification by site notices and press adverts and cease mandatorily sending letters in Christchurch and Poole. The rationale for this is explained further in the following paragraphs.

### **Impact of Coronavirus on plan making and decision taking**

13. In line with recent government guidance in response to COVID-19, Local Planning Authorities are recommended to update their SCIs with alternative consultation arrangements to reflect the need for social distancing. This informed amendments to general engagement and consultation principles to clarify that workshops, meetings and other events will take place during plan making unless this is inconsistent with government advice on staying away from others. The SCI clarifies that the council will utilise other methods of engagement such as using virtual technology to temporarily replace in person meetings or exhibitions with residents, community groups or other organisations.
14. Temporary regulations were introduced to supplement existing statutory publicity arrangements for planning applications, and guidance was published to highlight the alternative or reduced methods of communication and publicity that local planning authorities could undertake. In view of this, the SCI sets out that the public will be notified of planning applications by site notice and press adverts rather than sending letters. As set out in the September 2019 Cabinet report, there is a significant cost difference in notifying planning applications by site notice only as opposed to also sending letters. It is acknowledged that letters can be a good way of keeping residents informed of planning applications. However, the Council has less than 10% response rate with letter notification and given the financial constraints that now exist as a result of COVID-19, it is proposed to use site notices going forward. It should also be noted that site notices have been used successfully in Bournemouth for over 25 years.
15. Where applicable, planning applications will also be publicised by press advert. All applications will be publicised by weekly lists (available on the website) and direct communications with Parish and Town Councils and residents’ associations. The LPA will explore other electronic means of communicating with interested parties on planning applications and other planning matters through the use of the Councils e-bulletin subscriber service. The variety of methods engaged will mean that planning applications will continue to be widely publicised for the community to engage in.
16. The BCP Constitution was updated in response to COVID-19. This effected changes to planning committee which is currently being held virtually and therefore effected changes to the existing SCIs.
17. The SCI highlights the temporary closing of libraries until it is safe to reopen again, impacting on the requirements to deposit documents for public inspection. It relays government guidance that for neighbourhood planning, no elections or referendums can take place until 6 May 2021.
18. With the ongoing effects and timescales with COVID-19 unknown it is proposed that the SCI is reviewed within 1 year of adoption to assess its effectiveness. This will

allow 1 year for the methods within to be monitored and any changes necessary to be made in a relatively short space of time where required.

### **Summary of financial implications**

19. Cabinet considered a paper in September 2019 that set out that it costs the Council around £4 for each notification letter sent (including cost of postage, papers, ink, envelopes and officer time). With around 20,000 to 25,000 letters sent on average each year (depending on development activity), this amounts to an existing whole life cost in Christchurch and Poole of around £80,000 to £100,000 per annum. It should be noted that the majority of this cost is in officer time, with the cost of materials (postage, paper, ink, envelopes) around £15,000 to £19,000 per annum. This would net down to around £14,000 to £18,000 factoring in a need to produce some more site notices than under current arrangements. However, the lower end of the saving is expected to be realised by the end of the current financial year with the proposals in the SCI to use site notices as the main way to notify planning applications. There will likely be further savings in the future to be derived from a reduction in officer time spent producing the letters but subject to a further review before they can be realised.
20. The use of more online platforms for plan making should also save resources in the future.

### **Summary of legal implications**

21. The Planning and Compulsory Purchase Act 2004 - Part 2, para 18 states that the Local Planning Authority must prepare a Statement of Community Involvement and review it every five years, starting from the date of adoption of a local plan. However, given that BCP is a new authority, it is of importance that a new SCI is adopted at the earliest opportunity, to enable the authority to set out the principles for engaging with the community at the outset of the BCP Local Plan process. When adopted, the SCI must subsequently be published on the council's website to view. It is proposed that a review of the SCI is undertaken within 1 year of adoption to assess its effectiveness. This is within the statutory five-year period and therefore does not raise any legal issues

### **Summary of human resources implications**

22. Engagement and consultation are integral to the work of the Planning Service. The level of resource required to carry out engagement shall vary with the type of engagement techniques being utilised.
23. The most effective methods of consultation in terms of cost and engagement technique, will be undertaken for both plan making and decision taking. This will ensure that local people and other interested parties have a range of opportunities to get involved with planning in line with the 'Gunning Principles', which state that (i) consultation must take place when a proposal is still at a formative stage, (ii) that there is sufficient information provided for the public to make an informed choice (iii) that adequate time is given to consultees to respond to consultation and, (iv) that responses are fully considered by the local planning authority.

### **Summary of sustainability impact**

24. BCP Council will reduce its environmental impact for statutory consultation on planning applications by adopting the approach of using site notices and other online platforms to inform residents of planning proposals. This flexibility would reduce the use of paper and other consumables and employ use of technology and social media to involve the community in planning decisions, reducing the need for postal delivery and associated environmental costs. This would contribute to the corporate strategy priority to ensure sustainability underpins all our policies and tackle the climate and ecological emergency.

### **Summary of public health implications**

25. Improving and streamlining consultation techniques, using less resources and reducing energy use in our engagement processes has a direct impact on carbon emissions to air, land, and water, helping to offset harmful environmental impacts on human health. Moving towards using technology to inform and engage communities will have a positive effect on health and wellbeing.

### **Summary of equality implications**

26. The Equalities Act 2010 (Section 149) places a duty on public authorities in the exercise of their functions to ensure that they do not discriminate against any group or individual in the community. In the plan-making process, this is commonly achieved through the use of Equalities Impact Assessment (EqIA). In the development management process, regulations have similarly been subject to EqIA before publication.
27. Therefore, the statutory requirements for local authorities to undertake consultation on planning matters will have dealt with equalities' implications. However, publicising a planning application solely by site notice could result in residents being unaware of an application. This may include housebound residents, for example those with physical or visual impairment, or the elderly or infirm, to those with other issues who may feel uncomfortable viewing information in a public place.
28. To mitigate this the SCI states however that a broader range of engagement beyond purely the use of site notices will be used, including press adverts where required, weekly lists of planning applications being deposited online and for viewing at particular public buildings (when current restrictions are lifted) and individuals can request to be sent weekly lists. In addition, applicants are encouraged to undertake pre-submission consultations with local communities on large or significant development proposals. This will be a change from current arrangements in Christchurch and Poole where letters are sent however such methods are in accordance with the statutory requirements.

### **Summary of risk assessment**

29. It is a challenge for local authorities to streamline and enhance consultation and engagement methods when seeking to be more efficient. Reduced funding for local government puts pressure on local authorities find innovative ways to use technology to provide a quality service to residents and help them to feel empowered in their local community. The SCI will reflect the priorities and objectives of the adopted Corporate Plan by setting out the most appropriate strategy, to provide a level of service which meets communities and interested stakeholder's requirements and expectations, so that they can be involved in planning matters. This will reduce any financial risk to the council.

**Background papers**

None.

**Appendices**

Appendix 1: Revised Statement of Community Involvement

Appendix 2: Consultation Report

Appendix 3: Summary of Draft SCI Consultation Responses