

Classification Open	Item No.
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Meeting:	Cabinet
Meeting date:	14th October 2020
Title of report:	Adoption of Revised Statement of Community Involvement
Report by:	Cllr. Eamonn O'Brien (Leader) – Cabinet Member for Finance and Growth
Decision Type:	Key Decision
Ward(s) to which report relates	All

Executive Summary:

This report brings forward a revised version of the Statement of Community Involvement (SCI) which will set out how the community will be involved in preparing and revising all local planning documents and in making decisions on planning applications.

The Council's current SCI was adopted in October 2015. Planning Practice Guidance states that SCIs should be updated every 5 years from the adoption date and, since the last revision, there have been a number of changes to planning legislation, policy and guidance that need to be reflected in the SCI.

In addition, the Government has been clear that everyone should adhere to various measures to help combat the spread of coronavirus (Covid-19). These measures have implications for planning-related consultation, including how the public are engaged in plan-making and the ability of local authorities to comply with arrangements set out in their existing SCIs – particularly those forms of engagement that involve public gatherings and/or face-to-face contact whilst social distancing measures are in place.

A decision was made under delegated powers by Cabinet Member for Finance and Growth on 27th July 2020 to approve a draft version of the revised SCI for a 4-week public consultation. A

total of 10 representations have been received and approval is now sought for the adoption of the attached revised SCI.

Recommendation(s)

That:

1. Members adopt the attached revised SCI (Appendix 1).
2. Members delegate the subsequent removal of the temporary changes highlighted in the document once the current Covid-19 restrictions have been lifted by the Government to Cabinet Member for Finance and Growth.

Key considerations

Background

- 1.1 The SCI sets out how the Council will involve the community in preparing and revising all local planning documents and in making decisions on planning applications. The Council's current SCI was adopted by the Council's Cabinet on 14th October 2015.

The proposal

- 1.2 Planning Practice Guidance states that SCIs should be updated every 5 years from the adoption date and, since the last revision in 2015, there have been a number of changes to planning legislation, policy and guidance that need to be reflected in the SCI.
- 1.3 The need for a spatial plan to provide certainty and guide development, investment and infrastructure has never been stronger. The Government has been very clear that the challenge posed by Covid-19 is not a sufficient reason to delay local plan preparation or the determination of planning applications. Equally, the Government has been clear that everyone should adhere to various measures to help combat the spread of Covid-19. These measures have implications for planning-related consultation, including how the public are engaged in plan-making and the ability of local authorities to comply with arrangements set out in their existing SCIs – particularly those forms of engagement that involve public gatherings and/or face-to-face contact whilst social distancing measures remain in place.
- 1.4 The Government has published updated planning guidance, including temporary measures to make it easier to operate the planning system (<https://www.gov.uk/guidance/coronavirus-covid-19-planning-update>).
- 1.5 In terms of Local Plans, the guidance is clear that Government continue to want to see Local Plans progressing through the system as a vital means for supporting economic recovery in line with the government's aspirations to have plans in place across the country by 2023.
- 1.6 To assist in progressing plans, Government has introduced temporary arrangements through the Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020 which change the requirements to make certain documents available for inspection and on request. These regulations make temporary

changes to how documents are required to be made available under regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (“the 2012 Regulations”). They temporarily remove the requirement on a local planning authority to make documents available for public inspection at the authority’s principal office and at such other places as the authority considers appropriate. They also make temporary changes to regulation 36 of the 2012 Regulations to remove the requirement on a local planning authority to provide hard copies of documents made available under regulation 35. Documents are still required to be made available on the local planning authority’s website. This modification will initially apply until 31 December 2020.

- 1.7 The SCI therefore needs to be revised to respond to the Covid-19 restrictions so that plan making can continue during the emergency and to ensure that effective community involvement takes place during this time. However, it is anticipated that the consultation arrangements set out in the revised SCI to reflect Covid-19 restrictions will be temporary and that the document will be further revised to remove these once restrictions are lifted. The proposed Covid-19-related changes are highlighted in red text in the revised SCI.
- 1.8 In preparing the revised SCI, changes have also been made in order to improve the structure of the document and to add greater clarity where necessary.

Other alternative options considered

- 1.9 The Council must produce a Statement of Community Involvement as required by the Planning and Compulsory Purchase Act (2004). Local Planning Authorities are required to carry out a review of their Statements of Community Involvement every 5 years from the adoption date. It has now been 5 years since the last revision of the SCI in October 2015 and there have been a number of changes to planning legislation, policy and guidance that need to be reflected in the SCI.
- 1.10 In addition, local planning authorities are required to make a number of temporary changes to their SCIs so that plan-making can continue during the Covid-19 pandemic to ensure that effective community involvement can continue to take place during this time by means which are reasonably practicable.
- 1.11 Taking the above into account it is considered that there is no other option other than to update and adopt the revised SCI. This will ensure that the SCI is up to date and provides the necessary advice on how consultation and community involvement in plan-making and planning applications will take place.

Equality Impact and considerations:

- 24. *Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:*

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*

- (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
Potential risk to the public and council staff in holding public consultation events and/or face to face meetings during the Covid-19 pandemic.	Temporarily cease forms of engagement that involve public gatherings and/or face-to-face contact whilst social distancing measures are in place. In the interim period utilise alternative methods of engagement for example holding virtual exhibitions, digital consultations, video conferencing and utilising social media platforms.

Consultation:

The Cabinet Member for Finance and Growth approved the draft version of the revised SCI for a 4-week public consultation under delegated powers on 27th July 2020. The consultation draft of the SCI was made available for comment on the Council's website from 3rd to 31st August 2020. An email/letter notifying all consultees on the Council's consultation database was sent out to approximately 950 contacts. The consultation was also advertised via the Council's social media channels.

A total of ten formal representations were made during the consultation from a range of respondents including statutory bodies such as Historic England and Natural England to local groups such as Hollins Village Community Association. Comments made on the SCI were fairly general in nature and ranged from requests for clarification on how the Council will provide more in-depth engagement with local communities to individual requests to be included on the Council's consultation database. All comments received have been taken into account and a summary of the Council's response is included within the SCI responses report (Appendix 2). It should be noted that none of the responses received have resulted in a proposed change to the document.

Legal Implications:

Section 18 of the Planning and Compulsory Purchase Act 2004, as amended provides that the Council must prepare a Statement of Community Involvement, which is a statement of the authority's policy as to the involvement in the exercise of its planning functions. It is important that the document is kept up to date to ensure effective community involvement at all stages of the planning process and it is particularly important the document is updated where necessary as a result of Covid-19 restrictions so that the planning service can continue to operate. JW

Financial Implications:

There are no financial implications arising from this report. LK

Report Author and Contact Details:

Paul Lakin: Director of Economic Regeneration & Capital Growth

Tel: 0161 253 6771 | Email: p.lakin@bury.gov.uk

Background papers:

- Appendix 1 - Revised Statement of Community Involvement (October 2020)
- Appendix 2 – Revised Statement of Community Involvement Summary of Consultation Responses (October 2020)
- Equality Analysis Form

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
Statement of Community Involvement (SCI)	This sets out the standards to be achieved by the local authority in involving local communities in preparing and reviewing plans, and in the development management process.
Greater Manchester Spatial Framework (GMSF)	The GMSF is a Joint Development Plan Document which is being prepared collaboratively by the Mayor of Greater Manchester and the ten Greater Manchester Authorities. The GMSF will set the overall spatial strategy for Greater Manchester and will cover strategic policies including those identifying the appropriate scale and distribution of housing and employment development.