

REPORT FOR DECISION

Agenda Item	
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DECISION OF:	CABINET
DATE:	28TH AUGUST 2013
SUBJECT:	ADOPTION OF STATEMENT OF COMMUNITY INVOLVEMENT
REPORT FROM:	CLLR T ISHERWOOD, CABINET MEMBER FOR ENVIRONMENT
CONTACT OFFICER:	PAUL ALLEN – HEAD OF PLANNING POLICY AND PROJECTS
TYPE OF DECISION:	EXECUTIVE (KEY DECISION)
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>The Statement of Community Involvement (SCI) sets out how the Council intends to involve the community in the preparation, alteration or revision of the various components of the Bury Local Plan, and in the decision-making process for planning applications. The Council’s current SCI was adopted in December 2009. Following recent changes to Government guidance and Regulations, it is considered necessary to undertake a review of the SCI to ensure it contains the most up-to-date information. The document has also been simplified and produced in a more user-friendly format as a 10-page leaflet.</p> <p>A decision was made under delegated powers by Cabinet Member for Environment on 18 June 2013 to approve a consultation draft of this document for a 4-week period from Monday 24 June until Monday 22 July 2013. 11 representations have been received and minor changes have been made to the document where appropriate.</p>
OPTIONS & RECOMMENDED OPTION	<p>Recommended Option - Option 1</p> <p>That Members note the consultation comments received as a result of public consultation on the Statement of Community Involvement and the minor changes made in response to those comments, and adopt the document as council policy.</p> <p>Option 2</p> <p>That Members seek further revisions to the Statement of Community Involvement before it is adopted. Members to specify the nature of any revisions to be sought.</p>

	<p>Reasons</p> <p>The Government has made a number of reforms to the planning system under the Localism Act 2011 and associated Town and Country Planning (Local Development) (England) Regulations in 2012.</p> <p>The SCI must remain an effective tool for residents and developers and be up-to-date and, therefore, it is considered necessary for the Council to amend the current adopted SCI to make sure it is in line with new government guidance and regulations. Once adopted, the provisions of the SCI will be followed for all future consultation processes for Local Plan documents and planning applications, and will contribute to the soundness of Local Plan documents by ensuring that consistent and correct procedures have been followed.</p>	
IMPLICATIONS:		
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes	
Statement by the S151 Officer: Financial Implications and Risk Considerations:	The costs associated with the consultation and decision-making processes in the SCI are met from existing budgets. The impact on risk is outlined in para 2.2	
Statement by Executive Director of Resources:	The proposed changes and the adoption of the SCI following the latest consultation are not expected to result in additional calls on resources. The use of the website and social media as well as more traditional written correspondence will help to widen the accessibility of the service, ensure that consultation processes are more effective and contribute to the Council's vision for the use of IT in service delivery.	SK MO
Equality/Diversity implications:	No (see paragraph below)	
Considered by Monitoring Officer:	Yes The proposals set out in this report are consistent with the statutory requirements placed on the Council as Local Planning Authority, within the Council's Policy Framework and within the legal powers of the Council. It is important that the Statement of Community Involvement is up to date and in line with current legislation.	SD
Wards Affected:	All wards	
Scrutiny Interest:	Overview and Scrutiny	

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
	29 July 2013		
Scrutiny Committee	Cabinet/Committee	Council	
	28 th August 2013		

1.0 BACKGROUND

- 1.1 The Council already has an SCI which was adopted by the Council’s Executive on 2 December 2009. Since the document was adopted, the Government has introduced a number of changes to planning legislation and associated revised Regulations which now means the adopted SCI is out-of-date. The Consultation Draft document therefore represented a review of the current adopted SCI, carried out not only to ensure the information is in line with new Government guidance and regulations, but also to ensure it is up-to-date and remains a useful and effective tool for residents and developers. One such change to the Regulations is the removal of the mandatory duty for the Council to carry out public consultation on the SCI. However, the Council nonetheless considered it necessary to seek comments as part of the 4-week public consultation in June/July 2013.

- 1.2 The aforementioned reforms have necessitated a review of the SCI, as many of the measures put in place in the previously adopted document relating to the preparation process for Local Plan documents are now obsolete. The Council also wished to take the opportunity to shorten and simplify the document which is now in a more user-friendly format of a 10-page leaflet. Since November 2011, the Council have carried out additional methods of publicising consultation on the Core Strategy using promotional material such as posters, adverts and displays, production of an e-newsletter and the launch of social media accounts on Facebook and Twitter to help further notify people of the document’s content and how they can make comments. This SCI review therefore also provided an opportunity to update the ways in which the department carries out its consultation methods.

- 1.3 The revised SCI has been prepared to reflect the changes to the preparation of Local Plan documents (Development Plan Documents, Supplementary Planning Documents and the SCI) required by the Regulations. The document has been substantially shortened and has been presented and written in a more accessible format with an emphasis on removing unnecessary detail and keeping the process as simple as possible. The leaflet is structured in 3 parts dealing with our general approach, Local Plans and Development Management.

2.0 ISSUES

2.1 Issues raised by the document

- 2.1.1 This report brings forward for consideration a revised SCI to be adopted following public consultation. Officers have considered the representations

received during the consultation phase and have made a small number of minor revisions to take the comments into account. These post-consultation changes are highlighted in red in the document for the benefit of Members. These primarily concern:

- § Removal of reference to notifying stakeholders based on their interest in a document;
- § Add reference to the Community Right to Bid, as introduced under the Localism Act 2011;
- § Clarify the status of the arrows in the Local Plan Documents diagram;
- § Add reference to equality groups as part of the bodies which we will consult with;
- § Correct the number of weeks for how often Township Forums meet;
- § Update the consultee list to make reference to the new Police and Crime Commissioners who have replaced the Police Authorities;
- § Add reference to faith groups as opposed to religious groups.

2.1.2 Following the consideration of the consultation comments and subsequent changes made, it is recommended that Members adopt the SCI as council policy.

2.2 Risk Management

2.2.1 The SCI formalises the consultation processes that the Council is required to follow for developing Local Plan documents and for commenting on planning applications. In terms of the preparation of DPDs, the risk of not following the stipulations of the SCI would be that those DPDs could be found unsound by the Planning Inspectorate.

2.2.2 Failure to follow Council procedures and the SCI could result in significant consequences in terms of planning applications and may require matters to be reconsidered or decisions found to be unsound. In addition, this could give rise to serious complaints from users of the service and may involve the Local Government Ombudsman and the Council being required to make redress to those adversely affected.

2.3 Equality and Diversity

2.3.1 Having undertaken the equality analysis, there are considered to be no positive or negative effects on equality. All groups are able to engage in the planning process as a result of the provisions of the SCI, although it is considered that any impacts will not be differential.

2.4 Consultations

2.4.1 The Council carried out a 4-week public consultation exercise on a draft version of the SCI for a 4-week period from Monday 24 June until Monday 22 July 2013. Letters were sent out to consultees on the Council's Local Plan consultation database as considered appropriate, a notice was placed in local newspapers and the document was published on the Council website and put on deposit at the Planning department offices and selected local libraries in the Borough. 11 representations were received and any suggested changes have been made where appropriate. A Responses Report is included with this report showing a summary of the comments received and officer responses to them.

3.0 CONCLUSION

Members are asked to consider the Statement of Community Involvement and approve the document for adoption.

List of Background Papers:-

- Adopted Statement of Community Involvement (December 2009)
- Equality and Cohesion Impact Assessment (ECIA) Initial Screening Form

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