

REPORT TITLE: STATEMENT OF COMMUNITY INVOLVEMENT

24 JANUARY 2024

REPORT OF CABINET MEMBER: Councillor Jackie Porter, Cabinet Member for Place and Local Plan

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WARD(S): ALL (OUTSIDE SOUTH DOWNS NATIONAL PARK)

PURPOSE

The Statement of Community Involvement (SCI) describes how the public, businesses and interest groups can get involved in the creation of local planning policy, neighbourhood planning and the planning application decision making process. This is essential to help improve understanding and openness of the planning process. It also identifies how people and groups can engage with the planning system in the best way.

The SCI complements the Council's broader commitment contained within the Council Plan with regards to promoting positive community engagement with local communities, businesses, and interest groups. In our public consultations, we are always striving for innovation to ensure we get as many responses as possible. The Strategic Planning team won two RTPI awards for their consultation methods on the Local Plan for going above and beyond to ensure that everyone could have their say.

The preparation of a SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 (as amended). Once adopted, the Council is legally obliged to comply with its SCI. The Council has to update the SCI every 5 years. The current SCI was adopted in 2018, and therefore in need of updating in order to ensure that it reflects the latest the government's latest planning policy guidance and legislation including the revised National Planning Policy Framework (NPPF, 2023).

Whilst there is no legal requirement to consult, consultation on the draft SCI took place for a period of 6 weeks between 10th October 2023 and 21st November 2023. The responses to the SCI consultation are attached at Appendix 3 to this document which includes responses to the comments.

This Cabinet paper seeks authorisation to adopt the Statement of Community Involvement (2024) set out at Appendix 1.

RECOMMENDATIONS that Cabinet:

1. Accept the recommended changes to the Statement of Community Involvement 2024 as set out in Appendix 1 (arising from the public consultation); and
2. Adopt the Statement of Community Involvement (dated January 2024) attached at Appendix 1 to this report.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

- 1.1 The primary purpose of the Statement of Community Involvement (SCI) is to set out how the Council will engage with people on the Local Plan and associated documents. The SCI also sets out how the Council expects developers and applicants to engage in effective consultation and engagement as well as identifying how the City Council will engage and ask for comments on planning applications as part the development management process. Revising the current SCI ensures that it is up to date with Council's procedures as well as showing the Council's commitment in reviewing its consultation practices and ensuring that legal consultation requirements are being followed.
- 1.2 Tackling the Climate Emergency and Creating a Greener District
- 1.3 The Statement of Community Involvement (SCI) describes how the public, businesses and interest groups can get involved in the creation of local planning policy, neighbourhood planning and the planning application decision making process aimed at shaping where we live, work and enjoy the natural and built environment. This is essential to help improve understanding and openness of the planning process. It also identifies how people and groups can engage with the planning system in the best way.
- 1.4 The SCI does not include policies on tackling the climate emergency and creating a greener district as this is the role of the Local Plan but the SCI has been prepared similarly through the climate emergency lens. The changes to the SCI were prepared to help contribute towards helping to cut the district's carbon footprint and assist the Council to become carbon neutral by 2024 and achieve the same position for the district by 2030.
- 1.5 Homes for all
- 1.6 It is the role of the Local Plan rather than the SCI to determine where and how much residential development should be located in the district outside the South Downs National Park. The number of new homes that we need to plan for is set by the government by its standard method (currently 692 dwellings per year). The government requires all authorities in the country to have a five-year rolling supply of housing land.
- 1.7 Vibrant Local Economy
- 1.8 Whilst this is not a matter for the SCI, creating a vibrant economy is a really important matter in our district. The SCI identifies how we will enable Winchester residents, businesses and interested parties to have their say and get involved within the planning system to help to continue to have a vibrant economy by providing opportunities for new purpose-built employment space, the sustainable consolidation and expansion of existing businesses, and preservation of current employment floor space whilst seeking to protect and

enhance our town and other centres which provide a range of facilities and services.

1.9 Living Well

1.10 The SCI complements the Council's broader commitment contained within the Council Plan with regards to promoting positive community engagement with local communities, businesses, and interest groups. In our public consultations, we are always striving for innovation to ensure we get as many responses as possible. The Strategic Planning team won two RTPI awards for their consultation methods on the Local Plan for going above and beyond to ensure that everyone could have their say.

1.11 The SCI promotes the Council's commitment in engaging with local communities as well as facilitating innovative opportunities to encourage participation in Council services. It is the role of the of the Local Plan rather than SCI to identify how developers need to achieve high quality, well-designed places which are all a critical part of place making and an integral component of climate change and the City Council's journey to net-zero and health and wellbeing agendas. The SCI does encourage all residents, businesses and interested parties of all age ranges, genders and ability to have their say on planning policy matters and development management planning applications.

1.12 Your Services, Your Voice

1.13 The SCI is a very important document in that it enables people to have their say on planning related matters such as progress with the Local Plan and Planning Applications. Whilst there is no legal requirement to consult on the Statement of Community Involvement, a 6 week consultation was undertaken on the proposed changes to the 2018 document. This was on the grounds that a key priority of the Council is to ensure that as many people as possible are able to comment on documents regarding the Local Plan and development management planning applications. A key part of the SCI is ensuring it is updated every 5 years so that residents and interested parties know how they can get involved and have their say. All of the comments on the SCI consultation have been analysed and responded to which ensures that feedback is taken on board.

2 FINANCIAL IMPLICATIONS

2.1 None direct in terms of preparation and publication of the SCI. The different types and scope of community involvement discussed within the SCI will have various financial implications, particularly in relation to consultation on the Local Plan. These would be financed from the Local Plan budget. There is also a financial implication in terms of how the City Council consults and engages with people on development management planning applications. This will be met from existing development management general budget.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), local planning authorities must review Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. In addition, the revised SCI has been produced in accordance with the statutory requirements of the Planning and Compulsory Purchase Act 2004 (as amended), The Localism Act 2011, The Neighbourhood Planning (General) Regulations 2012, The Community Infrastructure Levy Regulations 2010 and Town and Country Planning (Development Management Procedure) (England) Order 2015.

4 WORKFORCE IMPLICATIONS

- 4.1 The various types and scope of community involvement discussed within the SCI will require resources to be implemented, which will include staff resources. Delivery of planning engagement is generally undertaken from within the existing workforce.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 None

6 CONSULTATION AND COMMUNICATION

- 6.1 The public engagement on the Strategic Issues and Priorities document was recognised by the Royal Town Planning Institute (RTPI) as 'going above and beyond what was expected' and received two RTPI awards including overall South East England award. The SCI needs to be updated to recognise all of the positive ways that the Council is engaging with local residents, communities, organisations and hard to reach groups. The SCI is also being updated to achieve the widest possible engagement on the Local Plan process and will be used during the Regulation 19 consultation. To help ensure that the Local Plan is found to be sound on examination we need to ensure the public and interested people comment on the updated SCI and have an opportunity to feedback on how the Council wishes to engage on the Local Plan and development management planning applications.
- 6.2 The Council must legally comply with its own statutory SCI which the Council previously adopted in December 2018. The world that we live in terms of how we engage with people following COVID has changed in terms of placing a greater emphasis on electronic forms of communication. It is essential that the SCI is updated to reflect these changes.
- 6.3 Consultation on the draft SCI was agreed by the Cabinet Member for Place and Local Plan and lasted for a period of 6 weeks between 10th October 2023 and 21st November 2023. The responses to the SCI consultation are attached at Appendix 3 to this document which includes responses to the comments. A summary of the feedback we received can be found at paragraph 11.8.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 The subject matters of the SCI (planning policies and planning applications) are vital considerations in the delivery of sustainable development. The proposed minor changes to the SCI includes electronic engagement which does support the Council's climate emergency.

8 PUBLIC SECTOR EQUALITY DUTY

- 8.1 The revised SCI does not introduce new policy but instead updates the existing SCI by way of the minor amendments outlined below. The SCI sets out generally how we will consult widely on planning issues and engage with hard to reach groups. Development Plan Documents (such as the Local Plan) will be subject to equality impact assessments to ensure that the policies and proposals are consistent with the Council's Equality Policy.
- 8.2 The EQIA for this SCI can be found in Appendix 2. It highlights that we need to:
1. Make sure that non-digital versions of planning consultations can be made available. This is achieved through providing paper documents which can be viewed in the Council offices. The Local Plan Regulation 18 consultation was also placed as a paper document in local Libraries.
 2. Ensure all of our Committees and locations for consultation when in person, are chosen to be accessible to all.

9 DATA PROTECTION IMPACT ASSESSMENT

- 9.1 None required. The SCI refers to the need for consultations to comply with data protection legislation in respect of matters such as the use of databases and the retention of information. It also explains the role of anonymity in representations on planning documents and planning applications.

10 RISK MANAGEMENT

Risk	Mitigation	Opportunities
Property No risk identified	N/A	N/A
Community Support Risk of community engagement being considered un-comprehensive or ineffective	Ensure proportionate levels of community engagement. Ensure responses are adequately considered and feedback provided.	SCI provides scope for a variety of approaches to community engagement.

Timescales Engagement needs to be carried out in a timely manner.	Engagement and consultations need to provide clear timelines for responses.	Update the LDS if timescales need to be adjusted for the preparation, consultation and adoption of the Local Plan.
Financial exposure	The SCI has been created in house with resources from within the Built Environment team	N/A
Exposure to challenge	As the Government requires SCIs to be updated every 5 years, going out to a 6 week consultation will help mitigate any risks of potential legal challenge that the SCI has not been appropriately updated at the Local Plan Examination.	N/A
Innovation	In our consultations, we are always striving for innovation to ensure we get as many responses as possible. The Strategic Planning team won two RTPI awards for their consultation methods for going above and beyond to ensure everyone could have their say.	Opportunity to use methods developed and used during the 2020-2021 Covid period to reach a wider demographic and improve access via online events. Improvement of equity of access for those people that do not have access to the internet.
Reputation	The SCI ensures we adopt the approach in our Council plan: your service your voice and the 'listening better approach'. SCI enhances our reputation and directs developers how to engage too.	Opportunity to enhance view that the Council will use all methods to communicate as widely as possible. The Council will use post Covid methods of communication used, whilst continuing to support those who are not able to use the internet.
Achievement of outcome	We are following a project plan which controls the outputs of the Local Plan documents in a way to measure time and budget targets.	N/A
Project capacity	Completed in house with officers from the Strategic Planning Policy team	N/A
Other	N/A	N/A

11 SUPPORTING INFORMATION:

11.1 Background

11.2 The planning system is often described as being complex and hard to understand by the general public. A key issue is how local communities, individuals and local groups can be encouraged to participate in the planning process. The SCI seeks to address this by describing how the public, businesses and interest groups can become involved in the creation of local planning policy and the planning application decision-making process. Ensuring that the planning system is easily understood and is open for everyone, is a key corporate priority for the City Council and is essential to help improve understanding and openness of the planning process.

11.3 The Council is required to have a Statement of Community Involvement (SCI) that sets out how it will proactively engage and consult with the local community on the Local Plan and associated documents. The SCI also sets how the Council expects developers/site promoter to engage on development management planning applications. Having an up-to-date SCI is essential as a Planning Inspector at either the Local Plan Examination or a planning appeal, will consider whether the authority or a developer/site promoter have followed the principles that have been set out in the SCI.

11.4 The last SCI was updated in 2018. Changes to legislation in early 2018 now require that the SCI be reviewed at least every 5 years. This also enables it to be updated to include references to Neighbourhood Plans and the Community Infrastructure Levy. It also reflects changes in the capabilities and use of electronic communications which have affected the way the Council now operates in policy and development management.

11.5 The proposed changes to the SCI provides guidance for the preparation of the revised Local Plan and other local development documents that are intended to be prepared in the next few years

11.6 Content of the SCI

11.7 The SCI contains the following sections:

- **Introduction.** Explains the legislative background to the SCI. Summarises the process of preparing the new SCI, including the consultation.
- **Council Planning Engagement.** Sets out general principles for engagement. Outlines the differences between planning policy engagement and involvement in development management. Describes the roles of officers, councillors, parish councils and local MPs. Sets out how the council will communicate with the community, including commitment to equalities and suitable data protection requirements.

- **Planning Policy.** Describes the local plan documents that may be produced and how they inter-relate. Details the stages in preparation of a Local Plan, Supplementary Planning Documents and Community Infrastructure Levy. Describes the Neighbourhood Plan process and sets out the council's policy for assisting with preparation of a Neighbourhood Plan.
- **Development Management.** Sets out a general approach to applications and outlines performance standards. Explains the pre-application service. Describes how planning applications are notified, assessed and reported on. Details how to access the Council's planning portal and how to comment on applications, including relevant factors for comment. Describes the planning committee process. Sets out the post-decision and appeals procedure. Provides information on the planning enforcement service.

11.8 Summary of comments received in the SCI consultation

11.9 We received 20 respondents and 42 individual comments on the various sections of the SCI. Overall the feedback was mainly centred around ensuring communication between the Council and those concerned with Planning Applications and how people can have their say on the progress of the Local Plan. The majority of comments were concerned about matters which the SCI has no control over or power to change such as how long members of the public including Parish Councils are allowed to speak at Planning Committee.

11.10 Having reviewed the comments, two changes were made to the SCI:

1. Historic England suggested a minor change that would add clarity to the SCI. The text in paragraph 3.30 could be simplified as follows, also taking into account the environmental objective of the NPPF paragraph 8: "Conservation of the built, ~~and~~ natural **and historic environments**, including impact on the historic environment"; and
2. The order by which 'Town and Parish' Council is used. Instead of 'Town and Parish' Councils, it will be changed to 'Parish and Town' in order to be consistent with the Council's constitution.

Summary of other points raised:

- There was some confusion about the role of the SCI and some responses were more relevant to the Local Plan consultation rather than the SCI;
- There were multiple comments on the removal of contact details of planning officers from the SCI which has been addressed in the responses to the SCI in Appendix 3;
- There were also comments around the time that Parish Councils are given at Planning Committee. However, this is not something that the SCI has control

over. Public Speaking at Planning Committee is agreed within the Council Meeting Procedure Rules where it states: 'Members of the public will each be limited to a maximum of three minutes, subject to a maximum of fifteen minutes per decision being made.' For more information please click on the link here: [Complete constitution version with bookmarks.pdf \(winchester.gov.uk\)](#) (part 3.3, para 1.8)

- Other comments centred how people without internet access are able to be involved in the planning process; and
- Although not raised as part of the consultation on the SCI, there was a Councillor comment raised at the Decision Day meeting regarding the use of 'Town and Parish Councils' and whether it should be 'Parish and Town Councils'. Although both are correct and used in other Council's Statement of Community Involvements, in order to be consistent with the Council's constitution, the SCI has been changed to 'Parish and Town Councils'.

Responses to the comments that were raised during the public consultation on the SCI have been included in Appendix 3.

12 Conclusion and Next Steps

- 12.1 It is a requirement of the planning system that the Council produces a Statement of Community Involvement (SCI) which sets out how it intends to involve the local community in the preparation of planning policy documents and the consideration of planning applications. The Council's current SCI has been revised and brought up to date with the Council's consultation practices and National policy, regulations and/or wider corporate practice or objectives. Amendments have been made following public consultation as in section 10.8. The recommendation is that the SCI 2024 (Appendix 1) be adopted.

13 OTHER OPTIONS CONSIDERED AND REJECTED

13.1 Options Appraisal

- 13.2 Option1 is recommended: adopt a new version of the SCI which has undergone public consultation. It is important that the SCI is kept up-to-date and to ensure that it is less than 5 years old when the Local Plan goes to an independent Examination. This option follows the advice that was given to Officers of the Strategic Planning Team at the Planning Inspectorate Advisory meeting.

- 13.3 Option 2 – retain the existing SCI that was adopted in 2018. This is not considered an appropriate option because it would mean that the Council's SCI would be out-of-date at the time when the Local Plan goes to an

independent Examination. The SCI would also not accord with current arrangements for public consultation and community engagement on planning matters and National policy, regulations and/or wider corporate practice or objectives which was the main reason for undertaking a review of the content of the SCI.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

DD70 Statement of Community Involvement 2023

PHD776 Statement of Community Involvement FINAL 072318

Other Background Documents:

None

APPENDICES:

Appendix 1 Statement of Community Involvement (dated January 2024)

Appendix 2 SCI Equality Impact Assessment

Appendix 3 SCI consultation responses