

Report of: Executive Member of Housing and Development

Executive	Date: 18.5.17	Ward(s): All
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SUBJECT: Adoption of Revised Statement of Community Involvement

1. Synopsis

- 1.1 Each Local Planning Authority is required to produce a Statement of Community Involvement (SCI). The purpose of the SCI is to set out how stakeholders with an interest in development in the borough can be involved in developing planning policies and in planning applications.
- 1.2 The current SCI was adopted in 2006. Since then there have been a number of changes to the planning system, planning legislation and local government finance. The purpose of the Revised SCI is to update the approach to community involvement in planning in the borough as a result of these changes. The Council has commenced its Local Plan review and it is important that the SCI is up-to-date.
- 1.3 The purpose of this report is to outline the content of the revised SCI, summarise the consultation responses and highlight changes to the document to be adopted by the Council's Executive.

2. Recommendations

- 2.1 To note the results of the public consultation on the draft Revised SCI that took place between Friday 30 September and Monday 28 November 2016 (attached at Appendix 2).
- 2.2 To agree to adopt the revised Statement of Community Involvement (attached at Appendix 1).
- 2.3 To note that further updates to the processes of community involvement in planning may be required in future as a result of future additional planning reforms following the Housing and Planning Act (2016) as well as those proposed as part of the Neighbourhood Planning Bill (2017) that is currently going through Parliament.
- 2.4 To agree to delegate authority the Corporate Director of Environment and Regeneration to make further minor changes to the SCI, in consultation with the Executive Member for Housing and Development.

3. Background

- 3.1 The requirement for a Statement of Community Involvement was introduced by the 2004 Planning and Compulsory Purchase Act (Section 18). This defines a Local Planning Authorities' SCI as "*a statement of their policy for involving interested parties in matters relating to development in their area*" applicable to both the preparation of planning policy documents (Supplementary Planning Documents and Development Plan Documents) as well as Development Management functions.
- 3.2 Islington's current SCI was adopted in 2006 at which time it was required to go through Independent Examination by a Planning Inspector. This requirement was removed by the 2008 Planning Act, along with the requirement for the SCI to be specified in the Local Development Scheme (the timetable for the production of planning policy documents). Whilst the requirement for an SCI still exists the process for its adoption is no longer set out in legislation, rather it is at the discretion of the Local Planning Authority.
- 3.3 Since the 2006 SCI was produced there have been a number of changes to the planning system and planning legislation which means it is increasingly out of date. These include:
- The Planning Act (2008) which introduced the Community Infrastructure Levy.
 - The Localism Act (2011) which introduced a number of changes to the process for making planning policies, the Duty-to-Cooperate, Neighbourhood Planning as well as additional requirements for consultation on planning applications.
 - The Local Planning (England) Regulations (2012) which set out in further detail the requirements for consultation on planning policy documents.
 - The Development Management Procedure Order (as amended) which includes changes to consultation on planning applications.
 - Changes to permitted development rights (through the General Permitted Development Order) which have increased the scope for development without the need for planning permission and increased the use of the Prior Approval process.
- 3.4 In addition to changes to planning legislation, there have also been changes to methods of community engagement, in particular the greater use of electronic communications and social media. The revised SCI provides the opportunity to reflect these changes and opportunities they present.
- 3.5 The approach to community involvement in planning also needs to be viewed within the changing context of local government funding. The Council's funding from central government has been halved since 2010. With further funding cuts planned it is important to consider both how community involvement can be effective as well as making the most efficient use of resources.
- 3.6 The Revised SCI (2017) retains key elements of the 2006 original, albeit in an amended form. This includes providing context on Islington's communities and their diversity, setting out general principles for involvement and trying to make this inclusive. However, the sections on how communities can be involved in planning policies and planning applications are subject to greater changes, as outlined below.
- 3.7 For planning policies, Figure Two of the 2006 SCI sets out opportunities for involvement at different stages of the process for creating Supplementary Planning Documents (SPDs) and Development Plan Documents (DPDs). This needed to be updated to reflect the changes to the plan making process and consultation requirements set out in the regulations. The 2006 SCI set out suggested methods for community involvement in plan-making at Figure 3 and Appendix 2. The plan making system has changed from a focus on producing a number of specified separate policy documents (known as the Local Development Framework) to producing a Local Plan which can be several documents or just one.
- 3.8 The Revised SCI (2017) provides an update of suggested involvement methods and the general approach to consultation on plan making to reflect the latest regulations, without being specific to a number of individual documents and allowing for some flexibility in case of future changes in regulations. The Council commenced the review of its local planning policies (known as the Local Plan) in autumn 2016. It is important to have an updated SCI in place which accurately reflects the current plan making process and opportunities for involvement in this.

- 3.9 The approach to planning applications in the Revised SCI (2017) is generally consistent with the 2006 SCI. For planning applications, the 2006 SCI set out a general summary of the approach to consultation in Section 3.2, with the approach taken to each type of planning application specified in appendix 5. The Revised SCI (2017) also contains a section on the general approach to planning applications, however additional information has been provided on the approach to pre-application consultation and the expectations of applicants. Further information has also been provided on how to comment on planning applications (detailed in Appendix 3 of the Revised SCI) as well as Prior Approval applications as a result of changes to permitted development rights.
- 3.10 The Revised SCI (2017) no longer sets out a specific approach to multiple types of planning applications; rather it sets out a simplified general approach across all types of applications, mainly differentiating between major and minor applications.
- 3.11 The legislation no longer requires that statutory notices be placed in the local papers at specific formal stages of the plan making process. Therefore the Revised SCI offers greater flexibility about if and when to use local papers to raise awareness of local consultations. The Revised SCI also offers greater flexibility about making paper copies of all documents available for inspection at all local libraries. Past experience over many years shows that this method was not widely utilised, despite significant resource implications. Therefore the Revised SCI (2017) no longer makes commitment to providing paper copies of documents at all libraries.
- 3.12 The Revised SCI (2017) contains new sections on neighbourhood planning as well as involvement in infrastructure delivery through the Community Infrastructure Levy and Planning Obligations. With regard to Neighbourhood Planning, the Revised SCI (2017) provides a summary of the council's general approach to consulting stakeholders at different stages of the neighbourhood planning process. The Revised SCI (2017) also cross refers to separate guidance which sets out the council's role in supporting neighbourhood planning.
- 3.13 The Revised SCI (2017) promotes an inclusive approach to consultation including consultation with equalities target groups. Being inclusive is set out as a key engagement principle in Table 1. Section 4 of the document provides a paragraph and case study about making involvement in the production of planning policies and guidance inclusive. Appendix 1 of the document provides examples of how communication and engagement methods can be targeted to reach different audiences, while Appendix 2 of the document provides some good practice guidance for providing clear and accessible information and making events inclusive and accessible.
- 3.14 Officers consider that the Revised draft strikes an appropriate balance between:
- maintaining a commitment to the key principles of involvement;
 - meeting and, where appropriate, exceeding the minimum regulatory requirements;
 - providing flexibility for changing circumstances; and
 - achieving an appropriate and proportional approach to involvement which takes into account the constraints on resources.
- 3.15 The Revised SCI was consulted on for over eight weeks, from 30 September to 28 November 2016. Eight responses were received from a mixture of community organisations, individuals and statutory consultees. These are summarised below.
- The Better Archway Forum made a number of suggestions including: suggesting other stakeholders that could be mentioned in specific parts of the document; suggesting clarification about how people can get involved in planning at different stages; the importance of pre-application consultation; resident involvement in design review; clarifying when certain communication methods are used; and providing feedback on how planning information is presenting to the public.
 - The Canonbury Society stated their support for the document.
 - A resident suggested a change around the guidance for material planning considerations listed in appendix 3 of the document.
 - The Canal and River Trust suggested a more detailed list of stakeholders for engagement at pre-application stage could be provided.
 - Four organisations (Health and Safety Executive (HSE), Highways England, Historic England, and

Natural England) made no specific comment.

- 3.15 A summary of responses and the Council response to them can be found in the Consultation Statement attached at Appendix 2.
- 3.16 The planning system is currently going through a period of significant change and reform, not least through Housing and Planning Act 2016 and the Neighbourhood Planning Bill (2017) (which is currently going through Parliament) which will introduce fundamental changes to both the plan making and planning application process. The Neighbourhood Planning Bill as currently drafted has specific legislation around SCIs, including how they should set out policies for advice or assistance for Neighbourhood Planning. An early review of the SCI may be required to reflect these changes and their implications for the involvement of stakeholders. There may also be further scope to change existing community involvement practices through the introduction of new technologies which can be considered as part of a future review.

4. Implications

Financial implications:

- 4.1 Some of the changes proposed as a result of the revised SCI (2017) have the potential to make better use of resources and make savings. For example, no longer placing copies of public notices in local newspapers for planning policy documents has the potential to save several thousand pounds per year, depending on the number of consultations. Reducing the availability of documents for inspection at libraries also has the potential to save in print costs. There will also be savings for officer time as a result of greater flexibility.

Legal Implications:

- 4.2 The changes to the SCI meet the minimum legal requirements for the production of planning policy documents and consultation on planning applications as set out in the Town and Country Planning Act (1990) (as amended), the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Development Management Procedure Order (2015). Other legal comments are contained within the body of the report. The SCI has also been prepared in line with statutory requirements.

Environmental Implications

- 4.3 There are not deemed to be any significant environmental implications as a result of the revised SCI, however increased flexibility in the printing of documents for inspection, which can often be substantial in size for policy documents, will help to reduce the amount of paper used and energy costs associated with printing.

Resident Impact Assessment:

- 4.4 The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.

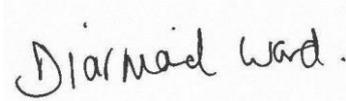
A Resident Impact Assessment (RIA) has been completed and this did not identify any negative equality impacts for any protected characteristic or any human rights or safeguarding risks.

By setting out clearly and transparently how the council will involve the local community in planning in the borough, including general principles for involvement and inclusivity, the SCI will enable residents to engage with and give their views on future planning applications, development proposals and planning policies.

5. Reasons for the recommendations / decision:

- 5.1 The current Statement of Community Involvement (2006) is increasingly out of date as a result of a number of changes to planning legislation. A Revised Statement of Community Involvement (2017) provides an opportunity to make a number of updates in light of the changes to legislation, reflect changes to technology, and provide greater flexibility to help make the most efficient use of resources. Adoption of the revised SCI by the Executive will provide a clear and up-to-date framework for stakeholders who have an interest in planning in the borough to get involved, setting out the Council's expectations from third parties and promoting good practice.

Signed by:



10 May 2017

Executive Member for Housing and Development

Date

Appendices

- Appendix 1: Revised Statement of Community Involvement for Adoption (2017).
- Appendix 2: Consultation Statement

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