

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY COMMITTEE ON 25 JANUARY 2022

REPORT

SUBJECT: Statement of Community Involvement Update

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DATE: December 2021
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AREA: Planning

EXECUTIVE SUMMARY:

Following 6 October 2021 decision of Planning Policy Committee on the approach to plan making - this report seeks agreement on the process for ensuring the Council's Statement of Community Involvement (SCI) is up to date. The SCI was last updated via publication of the 'Immediate Review Document' in June 2020. The SCI needs to be kept up to date and forms evidence on legal compliance for plan making which is tested at Local Plan examination.

RECOMMENDATIONS:

That Planning Policy Committee: -

1. Notes that the use of the 'Interim Review Document' will have ceased on 31 December 2021 and unless the legislation is amended to allow for an extension of the temporary consultation measures, the SCI reverts to the SCI 2018 - 2021 published in November 2018 for plan making and Development Management purposes;
2. Agrees that the SCI is currently up to date and only requires that minor typographical and clarification amendments be made and that such minor amendments can be made through officer delegated arrangements in future.

1. BACKGROUND:

- 1.1 All Local Planning Authorities are legally required to prepare and publish a Statement of Community Involvement (SCI) and ensure it is kept up to date. The SCI sets out the processes and methods of consultation and community engagement that the authority will undertake during the development of all planning policy documents as well as the process of determining planning applications. The document builds upon the minimum requirements set out in Planning Regulations.

1.2 Compliance with the SCI is considered alongside legal compliance when a development plan is submitted for examination.

'Immediate Review Document'

- 1.3 The nature of the Covid-19 pandemic, along with the continuous national lockdown restrictions and the need to adhere to social distancing measures has had profound implications upon the ability of the LPA to carry out public consultation. Therefore, it was appropriate to issue an addendum to the current SCI (identified as an 'Immediate Review Document') in June 2020. This document set out temporary changes regarding the Council's approach to consultation and engagement particularly, regarding plan-making as well as other planning policy documents in a Covid-safe way. It was prepared following the relevant legislation¹ and PPG guidance.
- 1.4 The key area where temporary suspensions apply concern making hard copy of planning documents available for public inspection at Council offices, and other deposit points. In addition, commitment to face to face meetings, exhibitions and workshops which cannot now take place, and have been temporarily suspended.
- 1.5 Whilst the document was only intended to be used for a specific period of time, the aforementioned legislation was amended to extend the temporary measures to 31 December 2021. If the legislation is not altered again, the temporary measures will revert back to the original version of the SCI on the 1st January 2022.
- 1.6 Due to current uncertainties and the on-going pandemic, this may result in the Interim Review Document 'shelf life' potentially becoming extend. A verbal update will be given at the meeting on any changes published in the interim.

Process for ensuring the Council's Statement of Community Involvement (SCI) is up to date

- 1.7 A review of the current SCI 2018 - 2021 (November 2018) has identified that it is up to date (except for a limited number of minor clarifications to the DM section) and therefore, no need for significant changes to it (including when the Immediate Review Document ceases to be relevant). Nevertheless, the SCI will be reviewed on a regular basis in order to ensure that it complies with the relevant legislation and guidance, as well as Arun District Council processes. The most significant changes may arise through the signalled future Planning reforms which may amend the plan making consultation stages and potentially, development management consultation. The SCI will be brought back to Committee and consulted on when this happens.
- 1.8 Whilst there is no legal requirement to consult on an amended SCI, it is considered good practice to do so. However, if there are only minor changes (e.g. text clarifications and typographical) that are required to be made to the SCI, it is proposed that they would not need to be reported to the Planning Policy Committee (following a period of consultation), as this would not be a prudent use of limited resources. Any

¹ The Town and Country Planning (Local Planning, Development Management Procedure, Listed Buildings etc.) (England) (Coronavirus) (Amendment) Regulations 2020

minor revision of the SCI (as proposed in this instance) is therefore, proposed be delegated to officers and placed directly on the Council's website.

PROPOSAL(S):

That the Immediate Review document is removed from the Council's website after the 31 December, or later if advised by Government. Following on from this, the Council revert to using the current SCI (2018 - 2021).

3. OPTIONS:

The range of options available are to agree the report recommendations; or not to agree the recommendations – the latter would risk legal compliance for plan making and DM decisions should the SCI be out of date.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify)		X

5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	X	
Legal	X	
Human Rights/Equality Impact Assessment		X
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability		X
Asset Management/Property/Land		X
Technology		X
Other (please explain)		X

6. IMPLICATIONS:

Financial: there is a cost implication when undertaking a period of consultation, the methods proposed may have an implication for the planning budget (e.g., additional publicity) although this has been budgeted for. The SCI needs to be up to date to demonstrate legal compliance for plan making.

Legal: the SCI should be prepared taking in to account the relevant legislation including: The Town and Country Planning (Development Management Procedure) Order 2015 which establishes requirements for consultation on planning applications, and the Town and Country Planning (Local Planning) (England) Regulations 2012 which set out minimum standards for community engagement in the development of planning policy. In addition, the Localism Act 2011 introduced a legal duty on local planning authorities to engage

constructively, and on an ongoing basis on strategic cross District/Borough issues, and to support neighbourhood forums wishing to take forward neighbourhood plans.

7. REASON FOR THE DECISION:

The SCI needs to be up to date to demonstrate legal compliance for plan making and development management decisions relating to development within the District.

8. BACKGROUND PAPERS:

The 'SCI Immediate Review' document and SCI 2018 are available on the Council's web site:- [Statement of Community Involvement \(SCI\) and engagement | Arun District Council](#)

