

19 March 2018

Report of	Assistant Director: Corporate and Policy	Author	Sean Tofts
Title	Consultation Draft Statement of Community Involvement		
Wards affected	All		

1. Executive Summary

- 1.1 This report seeks Committee approval to consult with the public on the revised Statement of Community Involvement (SCI). New arrangements for the production of Statements of Community Involvement, which set out policies for involving communities and other interested parties in the preliminary stages of plan-making, will come into force on 31 July 2018. Changes are therefore necessary to this part of the Councils SCI and the opportunity exists to review the existing document as a whole to ensure it remains fit for purpose.

2. Recommended Decision

- 2.1 That the Local Plan Committee agrees the Draft Statement of Community Involvement and authorises formal public consultation for a six week period commencing in March 2018; and,
- 2.2 That the results of that consultation be reported to a future meeting of the Local Plan Committee along with any proposed amendments to the content where appropriate with a view to the document being formally adopted.

3. Reason for Recommended Decision

- 3.1 The Local Plan Committee is asked to agree consultation on the Draft SCI to ensure that the document is revised to comply with recently updated national guidance.

4. Alternative Options

- 4.1 The Council could decide not to update the Statement of Community Involvement but this would conflict with national regulations and may undermine plan making in the borough.
- 4.2 The Council could introduce additional or different changes to those proposed within the Draft SCI.

5. Background Information

- 5.1 Regulations under the Neighbourhood Planning Act 2017 were laid before Parliament on 13 December 2017, and, subject to parliamentary procedures will be brought into force in 2018.
- 5.2 These regulations will require all authorities to have up to date plans (and Statements of Community Involvement) and commence the statutory duty for authorities to identify their strategic priorities and the policies to address them. Additional powers are also provided for the Secretary of State to intervene in plan-making where authorities are not planning effectively for the needs of communities.

- 5.3 The regulations introduce a requirement to review Local Plans and Statements of Community Involvement at least every 5 years from adoption. To comply with this, authorities must, every five years from the adoption of the plan/SCI, carry out an assessment of whether it remains relevant and effectively addresses the needs of the local community, or whether it needs updating.
- 5.4 On 21st of December 2017 Steve Quartermain, Chief Planner at the now Ministry of Housing, Communities and Local Government (MHCLG) set out forthcoming changes to regulations in relation to SCIs. The emerging regulations have received royal assent and will require local authorities to set out within the SCI policies for giving advice or assistance to neighbourhood planning groups and their policies involving communities and other interested parties in the preliminary stages of plan-making: specifically in the exercise of their functions under sections 13 (survey) and 15 (Local Development Scheme) of the Planning and Compulsory Purchase Act 2004. The Quartermain letter is attached to this report as appendix 1.
- 5.5 Currently section 13 (Survey) of the Planning and Compulsory Purchase Act 2004 (as amended) requires Councils to keep under review the matters which may be expected to affect the development of their area or the planning of its development. The amendments to this Section include the requirement for Councils to set out how they will aid Neighbourhood Plan Groups in this process. This has been reflected within the proposed consultation version of the SCI.
- 5.6 Section 15 (Local Development Scheme) of the Planning and Compulsory Purchase Act 2004 (as amended) currently requires Councils to hold and maintain a Local Development Scheme. The amendments to the Section will require the SCI to reflect how the Council will assist Neighbourhood Plan Groups in relation to their plan preparation, timing and process. The appropriate changes are proposed within the consultation draft SCI.
- 5.7 Changes to the Colchester SCI as a result of the fore coming requirements include the following:
- A new chapter with specific regard to Neighbourhood Planning;
 - An concise explanation of Neighbourhood Planning;
 - An explanation of the consultation process in relation to Neighbourhood Plans (including table of time frames);
 - Support and guidance that will be provided by the Council.
- 5.8 The section sets out that the Council will provide support by undertaking the following:
- Explaining the different stages involved with a Neighbourhood Plan.
 - Directing the relevant body towards information relevant to the Neighbourhood Plan.
 - Highlighting potential issues around compliance with the Local Plan and national policy.
 - Providing feedback in the form of comments on draft Neighbourhood Plans.
 - When a Plan is submitted assessing the documents compliance with statutory requirements.
 - Consulting for a minimum of 6 weeks on the submitted neighbourhood plan.
 - Arranging the appointment of the Neighbourhood Plan Examiner.
 - Making arrangements for the referendum and (if approved) for making (adopting) the plan.

- 5.9 To complement this work the Council is currently undertaking preliminary work on producing a comprehensive Neighbourhood Planning Guide for the District. The guidance would include detailed information on the Neighbourhood Planning process and draw on other exemplary guides that have been produced elsewhere, while being bespoke and Colchester Borough focused.
- 5.10 The requirement to update the Colchester SCI to comply with the upcoming regulations has also been taken as an opportunity to ensure that the information in relation to community involvement for the development management process is accurate. Minor amendments have been made to text to ensure the document accurately reflects the current procedures.
- 5.11 While incorporating the required changes to the document by including further guidance on neighbourhood planning the opportunity has been taken to restructure the document to make it clear and concise. The document has also been reformatted to reflect the document style of other Local Plan documents.

6. Equality, Diversity and Human Rights implications

- 6.1 An Equality Impact Assessment has been prepared for the Local Plan, and is available to view by clicking on this link:- <http://www.colchester.gov.uk/article/12745/Policy-and-Corporate>

7. Strategic Plan References

- 7.1 The Council's Strategic Plan 2018 – 2021 includes a key priority concerning Responsibility. The Statement of Community Involvement provides an opportunity under this theme for residents to get involved in their communities through the planning process.

8. Consultation

- 8.1 It is intended to undertake a six-week public consultation exercise. The Council's website will carry full details of the Draft Document and responses can be made electronically or in writing. All responses will be reported to a subsequent Local Plan Committee meeting and amendments to document content may be proposed as a result.

9. Publicity Considerations

- 9.1 Publicity may result when the report is published as people express their views on how the Council undertakes consultation in relation to planning matters.

10. Financial implications

- 10.1 There are no financial implications for the Council

11. Community Safety Implications

- 11.1 There are no community safety implications for the Council.

12. Health and Safety Implications

- 12.1 There are no health and safety implications for the Council.

13. Risk Management Implications

13.1 Updating the Statement of Community Involvement will reduce the risk of the Council failing to adhere to the most recent regulations.

Appendices

- Draft Statement of Community Involvement 2018.

Background Papers

- Planning Update Newsletter December 2017
- Chief Planning Officer letter January 2018