

Title of report: Review of the Statement of Community Involvement (SCI)

Meeting: Council

Meeting date: Friday 28 January 2022

Report by: Cabinet member finance, corporate services and planning;

Classification

Open

Decision type

Budget and Policy Framework

Wards affected

(All Wards);

Purpose

To approve the adoption of the Herefordshire Council's revised statement of community involvement.

Recommendation(s)

That:

- (a) the revised Herefordshire Council Statement of Community Involvement (at appendix 1), be approved.**

Alternative options

- 1 Preparation and adoption of the statement of community involvement (SCI) is a statutory requirement. The continued use of the existing statement of community involvement is an alternative option. However, this is not recommended as it does not give due consideration to times of restricted Government guidelines or changes to

internal departmental guidance and updated information about council departments supporting groups of identity.

Key considerations

- 2 It is a requirement of the Planning and Compulsory Purchase Act 2004 that as part of the local development framework a statement of community involvement is prepared which sets out the council's policy in respect of consultation on planning matters. The revised statement of community involvement would replace the current document adopted in January 2017. Extensive review of the planning process leading to the publication of the Localism Act in 2011 and National Planning Policy Framework in 2012, as well as the emerging White Paper for Planning, means there is now far greater emphasis on early engagement with all potentially affected parties.
- 3 The revised statement of community involvement details the various ways in which people are able to be involved in the planning process and the commitment the council has to ensure there is ample opportunity to do so.
- 4 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires that the SCI is reviewed every 5 years. The last SCI was adopted in January 2017; therefore the document is due for review.
- 5 Government guidelines can affect how the council are able to engage, so a flexible approach is necessary as well as ensuring that the document reflects any developments in engagement methods. Among the alterations to the SCI were to update the online methods of engagement to include platforms such as YouTube, Teams, Zoom and Webex.
- 6 Certain departmental guidance within the council has changed since last version was published. Anonymous representations can now be taken into account when it comes to planning applications where there is a sound reason for not divulging the source of the objection. For neighbourhood planning, it is no longer necessary to consult on a settlement boundary, unless it is different to the parish boundary or is part of a joint application.
- 7 A table summarising the changes to the SCI is provided below:

SECTION	DESCRIPTION OF UPDATE
Contents	Updated version is a combination of full and summary version adopted Jan 2017, in order to have one concise SCI document.
3.2	AONB Officers and associated groups included in list.
3.2	Details of new regulations GDPR (2018) included.
5.2	Table for Council departments and organisation, and bodies representing groups of identity updated
6.1	Statement should utilise and implement available data, e.g. where in Herefordshire it was known that there was no broadband coverage.
6.1	Methods of online meetings to be added.

9.1	Added dwellings, agriculture, retail as well as prior notifications (given so many different types now). Also, listed building consent applications.
9.2	All press notices in Hereford Times now, not local ones.
9.2	Boxout wording changed to 'Parish Council'
9.2	Advice was given that there is now an obligation to consider anonymous comments where there is a sound reason for not divulging the source of the objection. (Link provided).
9.2	Added advice about scheme delegation. Committee and public speaking. Being able to watch/listen online.
9.3	Examples of policy documents added.
9.3	Suggested adding social role.
9.4	Addition of reference to the constitution. Also an acknowledgement that the list of material consideration is not exhaustive and is a matter of judgement.
9.4	S106 information be added.
10.5	Only now required to consult at this stage under circumstances in brackets.
Appendices	Added an appendix rather than explanations throughout the doc.
Appendix 1	'Engage' text reworded from original "This means giving people all of the information they need, so they have a chance to have their say."
Appendix 2	Change from planning notices to site notices.

Community impact

- 8 The council's County Plan 2020-2024 includes a commitment to nurture strong communities and a sense of connectivity, and the adoption of a revised SCI supports this commitment.
- 9 Established organisations and council departments representing groups of identity provide a vital communication network. Some organisations and departments listed in the document, have changed, hence the revised SCI replaces those with current information. It is acknowledged that not all communities across the county have the same level of online access; therefore the range of communication tools suggested in the SCI will continue to allow for an adaptive approach where this is the case.

Environmental Impact

- 10 Whilst this is a decision on back office functions and will have minimal environmental impacts, consideration has been made to minimise waste and resource use in line with the Council's Environmental Policy. These will include maximising on the use of online methods of engagement, whilst still having a hybrid on and offline approach in order to reach as broad a demographic as possible.

Equality duty

- 11 Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

12 In order to ensure that due regard for equality and diversity is met, the following measures will be taken:

- The document is available in alternative formats.
- In reviewing the document, care has been taken to avoid the use of acronyms and to ensure the use of plain English.
- Methods of public engagement used will continue to be diverse, in order to provide the opportunity for the views of as broad a demographic as possible.

Resource implications

13 There are no financial implications arising directly as a result of this decision.

14 Emphasis on utilising online communication as much as possible means potential cost efficiencies. The projects and plans which utilise the SCI have an agreed budget with an element identified for consultation.

Legal implications

15 Section 18 of the Planning & Compulsory Purchase Act 2004 (as amended) to produce and adopt a SCI and the requirement to review the SCI every 5 years is set out in the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017. Any SCI must set out in detail how the council will engage with the public during preparation of planning documents. The revised SCI fulfils these requirements.

Risk management

16 By adopting the revised document, the council will avoid breaching its statutory duty to maintain an up-to-date SCI. Changes in the reviewed SCI does not expose the council to any further risk.

Consultees

- 17 Internal consultation has been undertaken with members of the Development Management and Neighbourhood Development teams, in order to ascertain any changes to their working practices so the SCI could be updated. The document has also been circulated to Cllrs for Political Group comments.

Appendices

Appendix 1) - Statement of Community Involvement revised version

Background papers

None

Report Reviewers Used for appraising this report:

Please note this section must be completed before the report can be published		
Governance	Matt Evans	Date 26/11/2021
Finance	Louise Devlin	Date 25/10/2021
Legal	Alice McAlpine & Anne Gurzon	Date 01/11/2021
Communications	Luenne Featherstone	Date 25/10/2021
Equality Duty	Carol Trachonitis	Date 28/10/2021
Risk	Paul Harris	Date 4/11/201
Approved by	Neil Taylor	Date 30/11/2021

Please include a glossary of terms, abbreviations and acronyms used in this report.

SCI - Statement of Community Involvement