

EAST HERTS COUNCIL

EXECUTIVE – 8 OCTOBER 2019

REPORT BY LEADER OF THE COUNCIL AND THE EXECUTIVE MEMBER
FOR PLANNING AND GROWTH

STATEMENT OF COMMUNITY INVOLVEMENT (SCI): DOCUMENT FOR
ADOPTION

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To outline the results of the public consultation on the draft revised Statement of Community Involvement (SCI) and seek Members' agreement to adopt a revised document.

<u>RECOMMENDATIONS FOR EXECUTIVE:</u> To recommend to Council that:	
(A)	The responses of the consultation be noted and the officer responses and proposed changes to the draft revised Statement of Community Involvement be supported; and
(B)	The East Herts Statement of Community Involvement 2019, as detailed at Essential Reference Paper 'B' to this report, be approved for adoption.

1.0 Background

1.1 A Statement of Community Involvement (SCI) explains how a local authority intends to involve the community in the preparation, alteration or review of local planning policies or in

determining planning applications. The planning system can be complex and the SCI aims to address uncertainty by setting out how the Council will engage with people at various stages of the planning process.

- 1.2 The preparation of an SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 (section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017. The legislation requires that the SCI is reviewed every five years.
- 1.3 Whilst consultation on an SCI is not mandatory, members will recall that public consultation on a draft SCI for a period of six weeks was agreed at Executive on 4th June 2019. The consultation subsequently took place between 20 June and 5pm on 1 August 2019.

2.0 Report

- 2.1 The SCI has been prepared to ensure that it addresses both the current national legislative position and internal procedural changes to Council operations that may affect how consultations relating to planning matters are undertaken.
- 2.2 Once adopted, the preparation of all planning related documents that the Council produces must comply with the adopted SCI. Failure to comply could mean that an inspector may recommend that a draft document is withdrawn or that the Council would be open to challenge on decisions taken.
- 2.3 A total of 17 responses were received from 10 respondents in relation to the consultation. One of the responses stated that the respondent had no comments on the draft SCI and six expressed support for the document. There were five objections (from one respondent) and 5 comments.
- 2.4 The matters raised in these submissions are included in the consultation statement, which is attached at **Essential**

Reference Paper 'D'. This includes summaries of the main issues raised; the officer response to those issues; and proposed amendments to the SCI, where appropriate.

- 2.5 The comments generally relate to planning application procedure or planning policy consultation processes. A number of the responses make detailed comments about who should be engaged and/or about a particular consultation process. Many of these comments are beyond the scope of the SCI and/ or are too prescriptive.
- 2.6 Whilst the Council is committed to community engagement and will meet the statutory requirements as a minimum, the SCI is not prescriptive. The approach to consultation will vary depending upon local circumstances and the approach to future consultation needs to be flexible. Therefore, although these matters have been included in the schedule of responses they have not resulted in any recommended changes to the document.
- 2.7 However, several representations suggested amendments that would add value to the SCI either in terms of factual content or for clarification of the proposed text. For these cases, proposed amendments to the document have been suggested in the schedule.
- 2.8 It should be noted, there is no longer a requirement for SCIs to be independently examined. Members are therefore invited to agree the officer responses to the issues raised as part of the public consultation; the proposed changes to the draft SCI; and the adoption of the final document. A copy of the final SCI is attached at **Essential Reference Paper 'B'**.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Essential Reference Papers

- A- Corporate Issues and consultation information
- B- Statement of Community Involvement 2019
- C- Equalities Impact Assessment
- D- Consultation Statement

Background Papers

- The Town and Country Planning (Local Planning) (England) Regulations 2012
<http://www.legislation.gov.uk/uksi/2012/767/contents/made>
- The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017
<http://www.legislation.gov.uk/uksi/2017/1244/made>
- Equality Act 2010
<http://www.legislation.gov.uk/ukpga/2010/15/contents>
- Neighbourhood Planning (General) Regulations 2012
<http://www.legislation.gov.uk/uksi/2012/637/contents/made>
- Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017
<http://www.legislation.gov.uk/uksi/2017/1243/made>
- National Planning Policy Framework 2019
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Planning and Compulsory Purchase Act 2004
<http://www.legislation.gov.uk/ukpga/2004/5/contents>
- Neighbourhood Planning Act (2017)
<http://www.legislation.gov.uk/ukpga/2017/20/contents/enacted>
- Town and Country Planning (General Permitted Development) Order 2015
<http://www.legislation.gov.uk/uksi/2015/596/contents/made>
- Town and Country Planning (Development Management Procedure) (England) Order 2015
<http://www.legislation.gov.uk/uksi/2015/595/contents/made>
- The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

<http://www.legislation.gov.uk/ukpga/1990/9/contents>

- National Planning Policy Framework 2019
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- East Herts District Plan 2018
<https://www.eastherts.gov.uk/districtplan>

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