

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	30 March 2022
Subject:	Statement of Community Involvement
Report of:	Planning Policy Manager
Corporate Lead:	Head of Development Services
Lead Member:	Lead Member for Built Environment
Number of Appendices:	One

Executive Summary:

The purpose of this report is to recommend that Executive Committee puts forward the revised Statement of Community Involvement (SCI) to Council for adoption. The document sets out how Tewkesbury Borough Council will engage with local communities and stakeholders in the development of planning policy documents and the determination of planning applications within the Borough.

The requirement to prepare an SCI was introduced in the Planning and Compulsory Purchase Act 2004 and there is now a requirement for the document to be reviewed every 5 years and to also set out how the Council will support communities undertaking neighbourhood planning.

The current SCI was adopted in 2013 and its age, combined with the changing nature of consultation and engagement in the planning process, particularly the recent experience of the COVID-19 pandemic and the increasing use of digital and online tools, requires its review. The review process has taken account of the views of Councillors and Parish Councils.

Recommendation:

That Executive Committee RECOMMEND TO COUNCIL that the revised Statement of Community Involvement be adopted.

Reasons for Recommendation:

To adopt the SCI to ensure that the Council has an up to date document in accordance with the requirements of Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended)

Resource Implications:

The majority of processes and procedures set out in the SCI incorporate those already used in the preparation of planning policy documents, development management and the provision of advice for neighbourhood planning. With regard to the development management process, the SCI introduces the use of neighbour notification letters which will require some additional resources to inform and train officers and to make the necessary changes to IT systems.

Neighbour Notification Letters

A £25,000 growth item has already been included within the 2022-23 budget for this which should cover all the costs of delivering this new process.

Digital Engagement

The SCI indicates that the Council will consider how to expand the use of digital engagement tools. Current use of digital and online tools by Planning Services includes: use of the TBC website; social media; emails: use of Zoom/ Teams meetings and the previous use of an online consultation portal eg Objective, for hosting consultations on local plans and other policy documents. Development Management also have the Public Access (IDOX) online portal for managing, viewing and commenting on planning applications. These tools will continue to be used.

Adopting the use of additional digital engagement tools will involve additional costs for the Council, both in terms of the purchase of the relevant software package and the staff resources and training costs required to implement and manage the software.

Any proposals for future expansion of the digital engagement process will be subject to a business case and brought back to committee for approval.

Legal Implications:

Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) requires all local planning authorities to adopt an SCI. This has to take into account the following requirements:

1. (a) Section 6 of the Neighbourhood Planning Act 2017, which states that a “statement of community involvement must set out the local planning authority’s policies for giving advice and assistance” in relation to Neighbourhood Planning. This requirement came into force on 31 July 2018.
2. (b) Regulation 4 of the Town and Country Planning (Local Planning (England) (Amendment) Regulations 2017 came into force on 6th April 2018 and requires a local planning authority to review a SCI “every five years, starting from the date of adoption of the statement of community involvement.”

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) do not require a revised SCI to go through an examination process.

The revised SCI sets out how the Council will meet the statutory requirements for consulting on various types of planning documents and through the development management process.

When adopted, the SCI must be published on the Council’s website.

Risk Management Implications:

It is a legal requirement for the Council to prepare an SCI and to ensure that it is reviewed every five years. The preparation of this new SCI will meet that requirement reducing the risk of legal challenge on planning decisions taken by the Council.

The SCI relates to consultation processes and procedures some of which would require individual risk assessments at the appropriate time, for instance when hiring a venue for a consultation event.

Performance Management Follow-up:

Subject to the adoption of the SCI, its effectiveness will be monitored by the Head of Development Services.

Environmental Implications:

There are no environmental implications of the SCI.

1.0 INTRODUCTION/BACKGROUND

1.1 The Planning and Compulsory Purchase Act 2004 (Section 18) requires local planning authorities to produce a Statement of Community Involvement (SCI) which explains how they will engage communities and other interested parties in producing their Local Plan and determining planning applications. The current SCI was adopted in 2013 and requires updating to ensure that it reflects current planning practice and guidance and provides resilience to enable consultation and engagement to adapt to exceptional and unforeseen circumstances such as (although not exclusively) those highlighted by the current COVID-19 pandemic.

1.2 The planning process has to comply with a variety of legal procedures in terms of public consultation and engagement. The SCI sets out how the Council will address these and how the public can expect to be engaged and kept informed. It also sets out local standards for consultation and engagement. This applies to both Planning Policy, setting out how the process will be undertaken when preparing new or revised policy documents, and to Development Management in relation to the planning applications process. The SCI also sets out how the Council will support communities undertaking neighbourhood planning in terms of the advice and guidance that will be provided throughout the plan preparation process.

1.3 There is no legal requirement to consult on the review of an SCI, however the views of Members and Parish Councils have been sought as part of the preparation of this document. A Member Workshop was held on 9 September 2021 and a 6 week consultation was held with Parish Councils over October and November 2021.

1.4 The main changes in the SCI compared to the 2013 version are summarised below:

1. The inclusion of important 'principles' for community involvement to the SCI.
2. Greater reference to the role and use of digital consultation and engagement.
3. The inclusion of guidance relating to how the SCI procedures would need to change in response to any possible future emergency/ pandemic situations which impact 'business as usual'.
4. Reference to the approach to community involvement for the Joint Core Strategy review, including reference to Tewkesbury Garden Town.
5. The inclusion of the Council's policy for providing support for neighbourhood planning.
6. Updates to Development Management consultation requirements, particularly a move to using neighbour notification letters instead of just site notices.

2.0 NEXT STEPS

2.1 Further to Member approval, the SCI will be put forward to Council for adoption. Once adopted it will be put into practice and placed on the Council's website.

3.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 3.1** Tewkesbury Borough Council Digital Strategy 2019-2022.
Tewkesbury Borough Local Plan to 2011.
Joint Core Strategy.
Emerging Tewkesbury Borough Plan (2011-2031).

4.0 RELEVANT GOVERNMENT POLICIES

- 4.1** National Planning Policy Framework.
National Planning Practice Guidance.

5.0 RESOURCE IMPLICATIONS (Human/Property)

- 5.1** Resource implications on officer time to undertake consultation and engagement on planning matters in accordance with the SCI. As noted above, the majority of processes and procedures set out in the SCI incorporate those already used in the preparation of planning policy documents, development management and the provision of advice for neighbourhood planning. With regard to the development management process, the SCI introduces the use of neighbour notification letters which will require some additional resources to inform and train officers and to make the necessary changes to IT systems.

6.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

- 6.1 Social:** Through the implementation of the SCI, the Council aims to seek consensus and agreement from partners and other local organisations and to reach as broad a range of stakeholders and interested parties as possible, ensuring they are represented in decision making on planning matters.

7.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

- 7.1 Equalities:** Engagement and community involvement are key aspects of the planning process. The revised SCI includes various ways the Council will ensure that there are no barriers to people having a say in the decision making process, with the aim of advancing equality of opportunity for all.

E-Government: the SCI states that the Council will investigate the use of electronic and modern media techniques wherever possible to make consultations easier, quicker and more cost-effective, used alongside traditional methods, including printed media, exhibitions and meetings.

8.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

- 8.1** None.

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Appendices: 1 – Tewkesbury Borough Council Statement of Community Involvement