

Southend-on-Sea Borough Council
Report of Corporate Director for Place
to
Cabinet
on
18th June 2013

Report prepared by:
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Planning Policy

Southend-on-Sea Statement of Community Involvement (SCI) 2013
Place Scrutiny Committee - Executive Councillor: Councillor J Garston

A Part 1 Public Agenda Item

1. Purpose of Report

- 1.1 To review and agree, the Southend-on-Sea Statement of Community Involvement 2013 (**Appendix 1**).

2. Recommendations

- 2.1 That the Council adopt the Southend-on-Sea Statement of Community Involvement as set out in Appendix 1 to this Report.**

- 2.2 That Members note the consultation responses to the Southend-on-Sea Statement of Community Involvement as set out in Appendix 2 to this Report.**

- 2.2 That any further amendments to the Southend-on-Sea Statement of Community Involvement be approved by the Corporate Director of Place, in consultation with the Executive Councillor for Planning.**

3. Background

- 3.1 The Southend-on-Sea Statement of Community Involvement (SCI) 2013 sets out how the community and other stakeholders will be consulted on Development Plan Documents, Supplementary Planning Documents and planning applications. The SCI seeks to ensure that there is active, meaningful and continued involvement of local communities and stakeholders throughout the planning process. Southend Borough Council first adopted a SCI in November 2007 and this document represents the second update that has been undertaken to reflect new planning legislation.

- 3.2 The Council must produce a Statement of Community Involvement. Since the adoption of the Southend-on-Sea SCI in 2007, and its subsequent review and

adoption in 2009, a number of key legislative changes have made it necessary and appropriate to produce a revised version of the document. New legislation includes:

- the Town and Country Planning (Local Planning) (England) Regulations 2012;
- the National Planning Policy Framework 2012;
- the Localism Act 2011; and
- the Neighbourhood Planning Regulations 2012.

3.3 The revised SCI (**Appendix 1**) reflects these changes and ensures that the Council's approach to consulting the public and other stakeholders on planning matters remains up-to-date.

3.4 The SCI has been kept deliberately concise to ensure that it is accessible to as many people as possible as well as being clear and understandable. It provides a flexible approach that enables consultations to be tailored to suit the scope of particular documents and planning applications, whilst ensuring the Council meets the appropriate legal requirements for consultation set out in the relevant Planning Regulations and Acts. The SCI has also had regard to the Council's corporate engagement strategy.

3.5 The revised SCI sets out how the Council will consult the community and other stakeholders on Development Plan Documents and Supplementary Planning Documents. In particular:

- When appropriate and helpful we may publish a brief consultation statement outlining our intentions before we commence consultation.
- We will contact appropriate organisations and individuals directly by post or electronic means.
- We will include with this initial notification either an internet link to the consultation documents on the Council's website or a CD containing relevant material.
- We will leave consultation documents on display at locations open to the public such as council offices and libraries.
- We may publicise consultations by methods such as leaflets, newsletters, press release, public notice, social media, existing forums, community events, public exhibitions, workshops and joining with other consultations where feasible and appropriate.
- All consultation documents will be published on our website, and this will include all supporting documents.
- We will provide a hard copy of a document as soon as reasonably practicable after it has been requested. Documents will be sold at a price reflecting publication costs.
- Consultees are encouraged to respond to all consultations online via our consultation portal (www.southend.gov.uk/ldfconsultation) as this is the quickest and most effective method of responding.
- Response forms will be available electronically. Responses made via letter, email and petition not using this format are also accepted. However,

at Proposed Submission stage where comments must relate to legality and the soundness of the plan we will expect all responses to be duly made using our proposed submission template.

- We will make available the comments received or a summary as soon as it is feasible after the close of the consultation. We will explain how consultation comments have been taken into account when decisions are taken. This is not necessarily required for the Proposed Submission Publication stage of DPDs as representations made at this stage will be considered during examination.
- Arrangements will be made, on request to make all documents available in alternative formats, including Braille, should this be required. All documents will be made available in other languages on request.

3.6 Neighbourhood Plans and Neighbourhood Development Orders are taken forward by qualifying bodies and communities themselves. They are not prepared by the Council; therefore, the SCI does not prescribe what methods of community engagement they must follow. It will be for the qualifying bodies and communities to decide an appropriate level of community engagement in relation to the size and complexity of the Plan. Nevertheless the Council will expect this to meet the requirements set out in appropriate legislation and to follow wherever possible the general principles and techniques set out in the SCI.

3.7 In May this year the Government introduced changes to permitted development with an associated prior notification process. These are prescribed by secondary legislation and any notification will be carried out in accordance with that legislation and is not covered by the SCI.

4 Other Options

4.1 Option 1: No update of the SCI

This is not seen as a credible or reasonable option as Development Plan Document preparation must be consistent with national legislation and be in compliance with the SCI. The revised SCI (**Appendix 1**) ensures that the Council's approach to consulting the public and other stakeholders on planning matters reflects national policy and remains up-to-date.

5 Reasons for Recommendation

5.1 The SCI (**Appendix 1**) has been produced to ensure the Council's approach to community involvement within planning reflects revised national legislation. This latest version of the SCI also ensures that the document is up-to-date and remains an effective guide for involving the community with regards to the planning system and its functions.

6 Corporate Implications

6.1 Contribution to Council's Vision & Corporate Priorities

6.1.1 The SCI will contribute to the Council's overall vision of "creating a better Southend" and assist towards enabling well-planned quality housing and

developments that meet the needs of Southend's residents and businesses, particularly in terms of involving communities and stakeholders in decision making.

6.2 Financial Implications

6.2.1 The SCI sets out the methods and process for consulting on Development Plan Documents and Supplementary Planning Documents. There are significant financial implications for the delivery of these documents and consultation is a key element of the costs involved. Historically, these costs were primarily met by the Planning and Housing Delivery Grant; however this grant has been abolished by central government and not replaced. The New Homes Bonus forms part of a formula grant, which does not provide additional money for this purpose. In order to progress agreed planning policy documents Strategic Transport and Planning Policy will, therefore, request the financial resource necessary for each forthcoming financial year from the Head of Finance and Resources, setting out a business case where appropriate.

6.2.2 The revised SCI will enable potential cost savings for consulting on planning policy documents and planning applications by reducing the amount of printing required, whilst meeting and exceeding the legal requirements for consultation as set out by legislation. According to the revised SCI, hard copies of planning policy documents will not be initially distributed at the start of consultations. They will be provided on request and sold at a price reflecting publication costs. The revised SCI will also enable the Council to publicise planning applications via site notices and/ or neighbour notifications.

6.3 Legal Implications

6.3.1. This revised version of the SCI ensures that the Council's approach to community involvement with regards to planning is in accordance with national legislation and is therefore legally compliant.

6.4 People Implications

6.4.1. Staff resources from the Strategic Planning and Transport Group and relevant Business Support Unit as well as officers from other groups, where appropriate, will be required in order to facilitate and implement the relevant community involvement techniques and processes as stated in the revised SCI.

6.5 Property Implications

6.5.1 There are no specific property implications arising from this report.

6.6 Consultation

6.6.1 There is no longer a statutory requirement to consult on a SCI. However, the revised SCI was consulted on by officers (11th March – 12th April 2013) as best practice rather than meeting a statutory requirement. As this revised SCI updates the existing adopted SCI, reflecting new national legislation, the draft SCI was agreed for consultation by the Head of Planning and Transport in consultation with the Portfolio Holder for Planning.

6.6.2 The following consultation techniques were implemented during the SCI 2013 consultation:

- Notification letters and emails, containing a link to the SCI, were disseminated to all organisations, businesses and individuals on the Planning Policy Consultation Database. (A list containing the name of organisation and number of individuals consulted is available on request from the Strategic Transport and Planning Policy team)
- SCI and response form published on the Councils Website (11/03/13)
- SCI and response forms sent to all Southend libraries (08/03/13)
- SCI and response forms delivered to the Customer Contact Centre (11/03/13)

6.6.3 **Appendix 2** outlines the consultation responses made on the draft SCI. A total of six representations were received on the revised SCI from five different organisations during the consultation. Two of these representations were in support of the SCI and four were comments made. No objections were raised.

6.7 Equalities and Diversity Implications

6.7.1 The SCI states, as a general principle, that planning consultations will be open to all regardless of gender, faith, race, disability, sexuality, age and social deprivation.

6.8 Risk Assessment

6.8.1 It is not considered that there are any risks directly associated with the SCI. However, as the Planning and Housing Delivery Grant has been abolished there is no longer a direct funding mechanism from central government specifically related to planning and developing key planning documents. Strategic Transport and Planning Policy will request the financial resource necessary for each forthcoming financial year from the Head of Finance and Resources, setting out a business case where appropriate.

6.9 Value for Money

6.9.1 The SCI sets out an agreed process for consultation on Development Plan Documents and Supplementary Planning Documents in accordance with statutory requirements and is considered to offer value for money and potential cost savings by reducing the amount of printing required for consultations. It would also enable the best use of resources on the basis of the particular circumstances of each case.

6.10 Community Safety Implications

6.10.1 None identified

6.11 Environmental Impact

- 6.11.1 The SCI sets out the process for consultation on planning policy documents. Environmental and sustainability issues will form an integral part of the Development Plan Documents and Supplementary Planning Documents.

7. Background Papers

- 7.1 Town and Country Planning (Local Planning) (England) Regulations 2012.
http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi_20120767_en.pdf
- 7.2 National Planning Policy Framework 2012.
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf
- 7.3 Localism Act 2011.
http://www.legislation.gov.uk/ukpga/2011/20/pdfs/ukpga_20110020_en.pdf
- 7.4 Neighbourhood Planning Regulations 2012.
http://www.legislation.gov.uk/uksi/2012/637/pdfs/uksi_20120637_en.pdf

8. Appendices

- 8.1 Appendix 1: The Southend Statement of Community Involvement (2013)
- 8.2 Appendix 2: Consultation Response to the Southend Statement of Community Involvement (2013)