



CABINET
Tuesday, 06 April 2021

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| Subject | Adoption of Statement of Community Involvement |
| Report of | Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management |
| Supporting Officer | Ben Wright Planner (Planning Policy and Delivery) Ben.Wright@eastsoffolk.gov.uk 01502 523082 Laura Mundy Principal Planner (Planning Policy and Delivery) Laura.Mundy@eastsoffolk.gov.uk 01394 444556 |

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| Is the report Open or Exempt? | OPEN |
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| Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information. | Not applicable. |
| Wards Affected: | All Wards |

Purpose and high-level overview

Purpose of Report:

The purpose of this report is to adopt a new Statement of Community Involvement which is required by Section 18 of the Planning and Compulsory Purchase Act of 2004, as amended. The Statement of Community Involvement is a document that sets out the measures and actions East Suffolk Council will take to consult and engage with the community during the preparation of planning policy documents and when determining planning applications.

Options:

Adoption of the new Statement of Community Involvement. This will mean the Council will have an up-to-date Statement of Community Involvement that covers the entire East Suffolk area (excluding the Broads Authority area). The other option is to not adopt the new Statement of Community Involvement and continue to use the existing Statements of Community Involvement. These are considered out of date and do not meet some of the requirements that have been introduced in recent regulatory changes.

Recommendation/s:

1. That the Statement of Community Involvement (Appendix A) be adopted.
2. That the Head of Planning and Coastal Management, in consultation with the Cabinet Member with responsibility for Planning and Coastal Management, be authorised to make any presentational or typographical amendments to the Statement of Community Involvement prior to it being published.

Corporate Impact Assessment

Governance:

No Impacts.

ESC policies and strategies that directly apply to the proposal:

The Statement of Community Involvement supports the preparation and revision of planning policy documents, i.e. Local Plans, Neighbourhood Plans and planning guidance, and the determination of planning applications and similar consents.

Environmental:

No Impacts.

Equalities and Diversity:

The Statement of Community Involvement outlines measures and actions that the Council will undertake to ensure that as many people can be involved in the planning process regardless of their characteristics or status. The Statement of Community Involvement has been subject to an Equality Impact Assessment Screening Opinion before going out to public consultation, as is standard practice for all planning policy documents, which concluded no differential negative impacts on those with protected characteristics. The Statement of Community Involvement has also been subject to Equality Impact Analysis (ref: EQIA305993440) which concluded no differential negative impacts on those with protected characteristics.

Financial:

The production and adoption of the Statement of Community Involvement is covered by the existing budget of the Planning Policy and Delivery Team.

Human Resources:

No Impacts.

ICT:

No Impacts.

Legal:

The Statement of Community Involvement is required by Section 18 of the Planning and Compulsory Purchase Act of 2004, as amended. Section 18 states that local planning authorities need to explain how they will engage local communities and other interested parties in the production of planning policy documents and the planning application process. Section 18 (3) of the Act 2004 confirms that the Statement of Community Involvement is a Local Development Document. As such, the adoption of this document fulfils the requirement of Regulation 26 of the Local Government (Boundary Changes) Regulations 2018 that the new council must adopt a Local Development Document to apply to the whole of its area (i.e. the area of the Council's planning responsibilities, given that the Broads Authority is the planning authority for its area and prepares its own planning documents including the Statement of Community Involvement) within five years of the reorganisation date which was 1st April 2019.

Risk:

There are no risks envisaged in relation to the implementation of the recommendations.

External Consultees:

Although not required by legislation, the Statement of Community Involvement was subject to full public consultation. The list of consultees, respondents and their comments can be found in the Consultation Statement which is attached to this report.

Strategic Plan Priorities

| Select the priorities of the Strategic Plan which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i> | | Primary priority | Secondary priorities |
|--|--|-------------------------------------|-------------------------------------|
| T01 | Growing our Economy | | |
| P01 | Build the right environment for East Suffolk | <input type="checkbox"/> | <input type="checkbox"/> |
| P02 | Attract and stimulate inward investment | <input type="checkbox"/> | <input type="checkbox"/> |
| P03 | Maximise and grow the unique selling points of East Suffolk | <input type="checkbox"/> | <input type="checkbox"/> |
| P04 | Business partnerships | <input type="checkbox"/> | <input type="checkbox"/> |
| P05 | Support and deliver infrastructure | <input type="checkbox"/> | <input type="checkbox"/> |
| T02 | Enabling our Communities | | |
| P06 | Community Partnerships | <input type="checkbox"/> | <input type="checkbox"/> |
| P07 | Taking positive action on what matters most | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| P08 | Maximising health, well-being and safety in our District | <input type="checkbox"/> | <input type="checkbox"/> |
| P09 | Community Pride | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| T03 | Maintaining Financial Sustainability | | |
| P10 | Organisational design and streamlining services | <input type="checkbox"/> | <input type="checkbox"/> |
| P11 | Making best use of and investing in our assets | <input type="checkbox"/> | <input type="checkbox"/> |
| P12 | Being commercially astute | <input type="checkbox"/> | <input type="checkbox"/> |
| P13 | Optimising our financial investments and grant opportunities | <input type="checkbox"/> | <input type="checkbox"/> |
| P14 | Review service delivery with partners | <input type="checkbox"/> | <input type="checkbox"/> |
| T04 | Delivering Digital Transformation | | |
| P15 | Digital by default | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| P16 | Lean and efficient streamlined services | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| P17 | Effective use of data | <input type="checkbox"/> | <input type="checkbox"/> |
| P18 | Skills and training | <input type="checkbox"/> | <input type="checkbox"/> |
| P19 | District-wide digital infrastructure | <input type="checkbox"/> | <input type="checkbox"/> |
| T05 | Caring for our Environment | | |
| P20 | Lead by example | <input type="checkbox"/> | <input type="checkbox"/> |
| P21 | Minimise waste, reuse materials, increase recycling | <input type="checkbox"/> | <input type="checkbox"/> |
| P22 | Renewable energy | <input type="checkbox"/> | <input type="checkbox"/> |
| P23 | Protection, education and influence | <input type="checkbox"/> | <input type="checkbox"/> |
| XXX | Governance | | |
| XXX | How ESC governs itself as an authority | <input type="checkbox"/> | <input type="checkbox"/> |
| How does this proposal support the priorities selected? | | | |
| <p>The Statement of Community Involvement sets out the consultation and engagement processes and methods that the Council will follow when preparing planning policy documents and when determining planning applications. The processes and methods have been designed to be accessible to as many members of the community as possible and highlight the importance of digital engagement. The Statement of Community Involvement also sets out how the Council will support the delivery of Neighbourhood Plans and provides information on other bodies who can assist communities with planning issues.</p> | | | |

Background and Justification for Recommendation

| 1 Background facts | |
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| 1.1 | The Statement of Community Involvement sets out how East Suffolk Council will consult and engage with the community during the preparation of Local Plans and other planning policy documents, and in the determination of planning applications and other consents, along with the Council's responsibilities in the determination of planning appeals. The Statement of Community Involvement also outlines how the Council will engage with Neighbourhood Planning groups. |
| 1.2 | The former Suffolk Coastal and Waveney District Councils both had separate, but aligned, Statements of Community Involvement adopted in September 2014. Following the creation of the new East Suffolk Council, and up to date Local Plan coverage for the whole area, it is now the right time to prepare a single new Statement of Community Involvement for East Suffolk (excluding the area covered by the Broads Authority who have their own planning powers). |
| 1.3 | There have also been changes in legislation that need to be reflected in an up-to-date Statement of Community Involvement. The Town and Country Planning (Amendment) Regulations 2017 require the Statement of Community Involvement to be reviewed every five years. The Town and Country Planning (Local Authority Consultations etc.) (England) Order 2018 states that planning application consultations need to be extended by one day for each bank or public holiday which occurs during the consultation period. The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 made changes to how Councils should prepare a Community Infrastructure Levy Charging Schedule, including removing the need for a preliminary draft consultation. The Neighbourhood Planning Act 2017 requires the Statement of Community Involvement to outline policies on the advice and assistance the Council will provide to communities preparing Neighbourhood Plans. |
| 1.4 | The preparation of the Statement of Community Involvement was overseen by the Local Plan Working Group. All the planning service teams collaborated in the preparation of the document. |
| 1.5 | The Statement of Community Involvement has been informed by public consultation. A seven-week public consultation took place between 19 th October and the 7 th December 2020. |
| 1.6 | Comments were invited on the Draft Statement of Community Involvement. This was accompanied by a questionnaire which gave members of the public further opportunity to provide their thoughts and ideas. The Draft Statement of Community Involvement and questionnaire were available to complete online via the Council's website. Paper copies of the questionnaire were also available on request. |
| 1.7 | In total, 97 individuals and organisations responded to the consultation through both the questionnaire and commenting directly on the draft Statement of Community Involvement. In total, 267 comments were received. The main issues raised through the consultation were: <ul style="list-style-type: none"> Overall, it was said that consultations are accessible to most people and the use of the various methods of engagement by the Council is good. |

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| | <ul style="list-style-type: none"> • More references should be made regarding the use of press releases throughout the Statement of Community Involvement. • Members of the public raised that they did not feel they received significant feedback from their comments. • Concerns were raised over the increased use of digital technology for consultation which may not be accessible to the whole community equally. • Equally, some members of the public believed that the Council could go further with its use of digital platforms and social media. • Some confusion over some of the processes that are used by the planning service, such as how it is determined which applications are heard at planning committee. |
| 1.8 | <p>Changes have been made to address many of the comments received, including:</p> <ul style="list-style-type: none"> • More references to the use of press releases throughout the Statement of Community Involvement. • Increased publicity for Consultation Statements, which set down how comments have been considered. • Links to the East Suffolk Constitution have been added to provide details on some of the processes used by the planning service, such as the Referral process for planning applications. • Highlighted the use of both physical and virtual events. |
| 1.9 | <p>Some additional changes were made as the Statement of Community Involvement was being revised which did not directly relate to specific comments made during the consultation. These changes were not considered to be significant and clarified the existing position of the Council. These changes were:</p> <ul style="list-style-type: none"> • Highlighted that we do not just share information during formal consultations but will provide updates on documents and work where this is appropriate. • A statement has been added to outline that we will normally not accept late representations. |
| 1.10 | <p>The final Statement of Community Involvement is appended to this report (Appendix A).</p> |
| 1.11 | <p>Further details of the consultation undertaken are contained in the Consultation Statement which is appended to this report (Appendix B).</p> |

2 Current position

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| 2.1 | <p>East Suffolk Council is currently covered by two Statements of Community Involvement, which cover the former Waveney and Suffolk Coastal Districts. These were both adopted in 2014.</p> |
| 2.2 | <p>The Town and Country Planning (Amendment) Regulations 2017 requires the Statement of Community Involvement to be reviewed every five years. Therefore, the current Statements of Community Involvement are considered out of date.</p> |
| 2.3 | <p>With the creation of East Suffolk Council, it is considered more appropriate to now have a single Statement of Community Involvement.</p> |
| 2.4 | <p>The current Statements of Community Involvement do not meet the requirements of recent changes in the planning legislation. The current Statements of Community Involvement also do not provide the flexibility needed to respond to</p> |

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| | exceptional circumstances, such as the recent national restrictions associated with Covid-19. |
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3 How to address current situation

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| 3.1 | The new Statement of Community Involvement has been prepared to cover the entire East Suffolk area. The new Statement of Community Involvement meets the legislative requirements associated with the production of planning policy documents and the determination of planning applications. The new Statement of Community Involvement includes flexibility to respond to exceptional circumstances (paragraphs 1.9 – 1.14) and therefore the Council would no longer need to suspend the Statement of Community Involvement in these circumstances. |
| 3.2 | To meet the legislation requirements, the new Statement of Community Involvement should be adopted. |

4 Reason/s for recommendation

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| 4.1 | To ensure that the Council has an up-to-date Statement of Community Involvement which reflects the latest legislation and covers the entire East Suffolk Council area over which the Council has planning jurisdiction. |
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Appendices

Appendices:

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| Appendix A | Statement of Community Involvement |
| Appendix B | Statement of Community Involvement – Consultation Statement |
| Appendix C | Equality Impact Assessment Screening Opinion |

Background reference papers:

| Date | Type | Available From |
|----------------|---|---|
| February 2021 | Equality Impact Analysis (EQIA305993440) | Available on Request |
| September 2014 | Waveney District Council Statement of Community Involvement | https://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Statement-of-Community-Involvement/1Statement-of-Community-Involvement-September-2014.pdf |
| September 2014 | Suffolk Coastal District Council Statement of Community Involvement | https://www.eastsuffolk.gov.uk/assets/Planning/Suffolk-Coastal-Local-Plan/SCDC-Statement-of-Community-Involvement.pdf |