

WAVERLEY BOROUGH COUNCIL

COUNCIL

22 OCTOBER 2019

Title:

**STATEMENT OF COMMUNITY INVOLVEMENT – CONSIDERATION OF
AMENDMENTS TABLED AT COUNCIL 16 JULY 2019**

**[Portfolio Holder: Cllr MacLeod]
[Wards Affected: All]**

Summary and purpose:

The Statement of Community Involvement (SCI) was adopted at Council on 16 July 2019. During the debate, some amendments to the document were tabled. It was agreed that officers would consider if the proposed amendments should be made to the newly adopted SCI. This report assesses the proposed amendments and makes recommendations as to whether the adopted SCI should be changed.

The Executive recommends to Council that no further changes are required to the Statement of Community Involvement for the reasons set out in this report.

How this report relates to the Council's Corporate Strategy:

The Statement of Community Involvement accords with the new Corporate Strategy.

Equality and Diversity Implications:

There are no implications with regard to this report.

Financial Implications:

There are no implications with regard to this report.

Legal Implications:

There are no implications with regard to this report.

Climate Change Implications:

There are no implications with regard to this report.

1.0 Background

1.1 The SCI sets out the Council's approach to community engagement on both planning policy matters and for development management applications. The latest SCI was formally adopted by the Council on 16 July 2019. During the debate at the Council meeting, an amendment was tabled, which contained several suggested

changes to the SCI. Officers have assessed the proposed changes and have made recommendations as detailed below.

2.0 Consideration of the tabled amendments

2.1 The proposed amendments to the SCI tabled at the Council meeting are set out in bold followed by the Officers' comments on the proposal and recommendation.

2.2 1) That the Revised Statement of Community Involvement 2019 to be adopted as an extension to the 2014 document, subject to

(a) The insertion of "9.16 The Tests of Soundness are:", prior to the relevant text box, and the changing the reference in paragraph 9.21 from "9.15" to "9.16", as appropriate,

2.3 Officers' comments: These were alterations that would improve the look of the document and were an incorrect reference.

2.4 Officers' recommendations: These amendments have already been incorporated into the adopted 2019 SCI which is now published on the website. Therefore no further change to the SCI is required.

2.5 (b) (i) the correction of para 5.2:

2.6 Officers' comments: Paragraph 5.2 of the recently adopted SCI on the website says:

The Local Plan is central to delivering Waverley's vision for the future. It sets out how the Borough will grow over the next 15 to 20 years. It includes planning policies for how much housing we need to provide as well as broad policies for land uses such as employment, town centres and transport. Details of Waverley's new Local Plan documents are set out in our Local Development Scheme on the website.

2.7 Paragraph 22 of the National Planning Policy Framework (NPPF) states that "*Strategic policies should look ahead over a minimum 15 year period (officer emphasis) from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure*".

2.8 The SCI is not part of the Development Plan (Planning Act 2008 180 (4) (b)) and is a document which is reviewed on a maximum five year cycle which does not necessarily coincide with the timetable of the Local Plan. The statement in the SCI relating to the timescales of a local plan indicate the approximate time limits from the adoption of any plan, not necessarily the plan adopted in February 2018.

2.9 Officers' recommendation: No amendment to the adopted SCI 2019 is required as the time frame of the SCI is explicit that it is not the same as the Local Plan.

2.10 b) (ii) The reinstatement of consultation upon changes to the SCI in para 8.4:

2.11 Officers' comments: Paragraph 8.4 of the previous SCI adopted in 2014 stated:
In addition to Local Plans and Supplementary Planning Documents, you can also comment on:

- *The Statement of Community Involvement*

- *Conservation Area appraisals*

These documents are explained in greater detail at section 9.

- 2.12 Paragraph 8.4 of the recently adopted SCI July 2019 now says:

In addition to Local Plans and Supplementary Planning Documents, you can also comment on Conservation Area appraisals.

These documents are explained in greater detail at section 10.

The progress and success of these documents is monitored annually through the Authority's Monitoring Report.

- 2.13 Para 8.4 of the newly adopted SCI 2019, does not require comment via consultation for the adoption of the SCI. The National Planning Policy Guidance on Plan-making states:

"There is no requirement for local planning authorities to consult when reviewing and updating their Statement of Community Involvement." (Paragraph: 035 Ref: 61-035-20190723)

- 2.14 This was also a light touch review of the existing SCI with very few changes, just those reflecting changes in legislation. There appears to be no significant gain from consulting on documents that set the methods of consultation.

- 2.15 Officers' recommendation: That no changes are required to paragraph 8.4 of the adopted SCI 2019.

- 2.16 **b) (iii) the insertion of a paragraph clearly explaining the Council's Policy regarding the provision of advice and assistance in making and modifying Neighbourhood development Plans, if necessary to ensure compliance with s18 subsection 2 of the Planning & Compulsory Purchase Act 2004,**

- 2.17 Officers' comments: Paragraph 2.5 of the SCI adopted in 2019 states:
The approach taken to engaging and involving local residents, business and other stakeholders is a matter for the Parish or Town Council. As local communities are responsible for the development of these plans, it is up to them to decide how they involve people and undertake any consultation. However, the Council does have some statutory functions regarding the development of Neighbourhood Plans, which are set out in the Neighbourhood Planning (General) Regulations 2012.5 These include publicising the intention to produce a Neighbourhood Plan on its website, undertaking consultations when the NP is submitted, facilitating the examination and publishing the examiner's report.

- 2.18 The Council does not have a specific policy as such to deal with neighbourhood planning. However, we undertake assistance and help as detailed by legislation.

- 2.19 The legislation quoted above relates to modifications of neighbourhood plans. This was outlined in the Neighbourhood Planning Act 2017 which included a new Schedule A2 to The Planning and Compulsory Purchase Act 2004. This schedule details the process of modifications, outlining the scope of the process.

2.20 Although the SCI does not contain a direct reference to modification of neighbourhood plans it is explicit that this is the case. As members are aware assistance would and is provided, as exemplified by the recent Farnham Neighbourhood Plan Review.

2.21 Officers' recommendation: No change to the adopted SCI 2019 is required as it is covered within the current wording.

2.22 2) That Members instruct Officers to prepare an assessment of the effectiveness of the SCI as a priority, to inform a public consultation upon the appropriate revision and adoption of an improved SCI as soon as is reasonably possible.

2.23 Officers' comments: The SCI sets out how the Council will engage with the community on planning matters. Its effectiveness will be gauged by how the public engages with us and gives feedback on policy issues such as the preparation of the local plan and the determination of planning applications. Therefore, there is no need to consult on the SCI to assess its effectiveness at this stage.

2.24 Officers' recommendation: That no further change is required to the adopted SCI.

3.0 Conclusion

3.1 That the proposed amendments to the SCI that were tabled at the Council meeting when it was adopted on 16 July 2019 are not required.

Recommendation

The Executive recommends to Council that no further changes are required to the Statement of Community Involvement for the reasons set out in this report.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

CONTACT OFFICER:

**Name: Graham Parrott
Planning Policy Manager**

**Telephone: 01483 523472
Email: graham.parrott@waverley.gov.uk**