

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 06 March 2017

Portfolio:	Planning and Development
Subject:	Statement of Community Involvement
Report of:	Director of Planning and Regulation
Strategy/Policy:	Local Plan
Corporate Objective:	Protecting and Enhancing our Environment Strong and Inclusive Communities

Purpose:

To consider and adopt the new Statement of Community Involvement (*as set out in Appendix A*).

Executive summary:

This Report briefly outlines the role and content of the Council's new Statement of Community Involvement (SCI) 2017. The SCI outlines the consultation and engagement methods that the Council will use on Local Plan preparation and when dealing with planning applications. A SCI is effectively a statutory requirement. It plays a number of roles, for example, it will form one of the key tests of soundness at the Local Plan examination, where the Inspector will consider whether the Local Plan has been prepared in accordance with the Council's Adopted SCI.

The new SCI reflects changes in legislation since the existing SCI (2011) was adopted. It also reflects a customer focused ('Vanguard') approach endorsed by the Council which is evident for example in how the Development Management Service is operating (i.e. determining customers' planning applications). The Vanguard approach is also reflected in this document through its customer friendly presentation and language.

A draft version of the SCI was subject to public consultation at the end of 2016. This draft version of the SCI has been amended following this consultation, and has now been finalised in order to recommend to the Executive for adoption. It is intended that this new SCI will supersede the Council's existing SCI, which was adopted back in 2011.

Recommendation:

That the Executive resolve to adopt the new Statement of Community Involvement (2017) as set out in Appendix A.

Reason:

To ensure the Council has an up-to-date Statement of Community Involvement in place that will be used as part of the 'tests of soundness' on the future examination of the Fareham Local Plan 2036.

Cost of proposals:

The costs involved in producing the Statement of Community Involvement and implementing it have and will be met within existing operational budgets.

Appendices: A: Statement of Community Involvement 2017
B: Statement of Community Involvement: Statement of Consultation

Background papers: None

Reference papers: None

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Executive Briefing Paper

Date:	06 March 2017
Subject:	Statement of Community Involvement 2017
Briefing by:	Director of Planning and Regulation
Portfolio:	Planning and Development

INTRODUCTION

1. This Executive Report outlines the background to the Statement of Community Involvement (SCI), which has been developed in order to replace the existing SCI (2011). This new SCI will ensure the Council has a SCI that is up to date with changes in planning regulations and other changes such as the 'Vanguard' approach to the Development Management Service. The Vanguard approach is also reflected in this new SCI through its customer friendly presentation and language.
2. A SCI is a requirement under the Planning and Compulsory Purchase Act 2004 (subject to further regulatory changes). The SCI sets out how people can be involved in developing local planning policy and in the planning application process. The SCI will support and sit alongside the emerging Fareham Local Plan 2036. One of the key tests of soundness for the emerging Local Plan will be that its formulation complied with the Council's currently adopted SCI.
3. A draft version of the new SCI was subject to a six week period of public consultation from 11 November 2016 until 23 December 2016. Changes have been made to the draft version following this consultation. The changes are relatively minor as no fundamental issues were raised during the consultation period. The final version of the SCI (2017) is provided in Appendix A. Further details about the consultation on the draft document, including the changes made between draft and final version, are provided in Appendix B to this Report.

BRIEF SUMMARY OF THE STRUCTURE AND CONTENT OF THE DOCUMENT

4. The SCI relates to Local Plans and planning applications. The key areas covered by the SCI include:
 - What is a SCI?
 - Principles for consultation
 - What we consult on and when

- Who we will consult with
- How will we engage and consult?
- Staying up to date
- How decisions are made
- What happens with comments on the emerging Local Plan?
- The duty to cooperate
- Neighbourhood Planning
- Planning Applications and Appeals
- Planning Performance Agreements
- Who can you turn to for more support?

WHAT IS A SCI AND THE PRINCIPLES FOR CONSULTATION

5. The first section of the new SCI explains the purpose of the document. The second section explains the Council's principles for consultation. This includes five 'guiding principles' that will apply to the Council's engagement and consultation on planning matters. Engagement and consultation will:
 - (a) have a purpose;
 - (b) be informative and clear;
 - (c) be promoted and targeted;
 - (d) use a variety of methods; and
 - (e) be open and transparent.
6. This section also explains how the Council has implemented the customer focused ('Vanguard') approach to the Planning Service. The most notable is how planning applications are dealt with, including the upfront work the Development Management Service now undertakes to understand the needs of the applicant, which has improved the customer experience and sped up the time it takes to determine an application.

WHAT WE CONSULT ON AND WHEN

7. The new SCI explains how Council will only consult on issues that are to be decided and/or where there is a duty/requirement to consult on a specific planning document/s or matter/s:
 - The Local Plan
 - Supplementary Planning Documents (SPDs)
 - Sustainable Appraisal and Strategic Environment Assessment
 - Community Infrastructure Levy
 - Planning Applications and Appeals

WHO WILL WE CONSULT WITH?

8. This SCI (2017) provides an overview of the different people and organisations that the Council need to consult with and also the 'duty to cooperate' requirement.

HOW WILL WE ENGAGE AND CONSULT?

9. The SCI also outlines the range of methods and tools that might be used to engage and consult. This includes online engagement (website, social media and e-panel), face to face engagement (engagement groups, exhibitions, on-street events, use of the Community Action Team meetings, phone surveys), direct mailshots, public notices, etc.
10. The Council's methods, scale and extent of consultation typically relate to the scale and potential impact of the planning application, proposal or Local Plan matter. This is explained through examples within the SCI.

STAYING UP TO DATE

11. The SCI (2017) explains the Council keeps and maintains a database of local people and organisations who are interested in the development of the Local Plan and this is used to inform people of forthcoming consultations on the Local Plan.

HOW DECISIONS ARE MADE

12. The SCI outlines how the evidence base documents will inform the Local Plan and that this evidence base will be made public. This will include responses to formal consultation on the emerging Local Plan, how those comments have been considered and what changes have been made because of them.

WHAT HAPPENS TO THE LOCAL PLAN COMMENTS RECEIVED?

13. All representations received on the Local Plan will be considered alongside the evidence base documents and other considerations. The SCI explains the process in more detail, in particular how the Planning Inspector will be the one to consider the final consultation period responses during the examination of the Local Plan.
14. All representations received throughout the plan making process will be recorded and their receipt acknowledged. They will be made available for others to see, although personal information will be redacted.

DUTY TO COOPERATE

15. The SCI (2017) gives a broad overview of the duty to cooperate and how this is a requirement of the Localism Act 2011 and the National Planning Policy Framework (NPPF). The Partnership for Urban South Hampshire (PUSH) is referred to as part of this.

NEIGHBOURHOOD PLANNING

16. Through the Localism Act (2011), local communities can produce their own Neighbourhood Plans. Local Authorities have a 'duty' to support a community's wish to prepare a Neighbourhood Plan, but Neighbourhood Plans are not Council documents. The SCI (2017) outlines the process for a Neighbourhood Plan in Appendix C to the main document.

PLANNING APPLICATIONS AND APPEALS

17. The SCI explains the role of the Council's Development Management Service which is responsible for determining planning applications in accordance with adopted Local Plan Policies, national planning policy and other material considerations. It also explains how Hampshire County Council deals with applications for highways and schools.
18. For major applications, applicants are expected to consult the local community prior to submitting an application. Suggested methods for this consultation are outlined in Appendix D of the SCI (2017).
19. The SCI (2017) outlines how planning application notifications are normally done (e.g. letters to neighbours, site notices, etc.) and how anyone can support or object to a planning application no matter where they live or how they learned of the proposal. It explains planning matters that can be taken into account and those non-planning matters that cannot influence the planning decision.
20. The SCI (2017) explains how applicants have the right of appeal to the Secretary of State if their application is refused and how the Planning Inspectorate then handles that appeal case. The fact that there is currently no third party right of appeal is referred to in the SCI.

PLANNING PERFORMANCE AGREEMENTS

21. A Planning Performance Agreement is a project management tool where the Council and applicants agree timescales, actions and resources for handling a particular application. It can cover all stages including before and after an application is determined.

WHO CAN YOU TURN TO FOR MORE SUPPORT?

22. The final section of the SCI (2017) provides information (largely designed for the public) as to who they could contact, beyond the Planning Service, should they still want to raise issues. This includes their Local Councillor, the Executive Leader and their MP.

CONCLUSION

23. It is recommended to the Executive that the SCI, as included in Appendix A, be adopted by the Council to supersede the previous 2011 version of the SCI.
24. Once adopted this SCI (2017) will be up-to-date with key changes in legislation and also take into account the 'Vanguard' approach to the Planning Service at Fareham Borough Council. At examination of the Fareham Local Plan 2036 the Plan will be tested to ensure it has been prepared in accordance with the Adopted SCI.

Enquiries:

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