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| Report for: | Cabinet |
| Date of meeting: | 30 July 2019 |
| PART: | 1 |
| If Part II, reason: | N/A |

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| Title of report: | Approval for Adoption of revised Statement of Community Involvement (SCI) to guide consultation on planning matters |
| Contact: | <p>Cllr Graham Sutton: Portfolio Holder for Planning & Regeneration</p> <p>Author/Responsible Officers: James Doe: Assistant Director, Planning, Development and Regeneration Andrew Horner: Team Leader, Strategic Planning and Regeneration</p> |
| Purpose of report: | That Cabinet consider and approve the draft revised Statement of Community Involvement ('SCI') and recommend its referral to full Council for approval and adoption |
| Recommendations: | <p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Agrees the draft revised Statement of Community Involvement annexed to this report and delegates authority to the Assistant Director, Planning, Development and Regeneration to make any final minor editorial and typographical revisions to the document including any necessary to reflect the Cabinet's discussions and decision prior to approval by Council 2. Recommends that Council adopts the revised Statement of Community Involvement |
| Corporate objectives: | <p>The Council's Local Plan (of which the SCI forms one of the documents) helps support all 5 corporate objectives:</p> <ul style="list-style-type: none"> • <i>Safe and clean environment:</i> e.g. contains policies relating to the design and layout of new development that promote security and safe access; • <i>Community Capacity:</i> e.g. provide a framework for local communities to prepare area-specific guidance such as |

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| | <p>Neighbourhood Plans, Town / Village Plans etc.;</p> <ul style="list-style-type: none"> • <i>Affordable housing</i>: e.g. sets the Borough's overall housing target and the proportion of new homes that must be affordable; • <i>Dacorum delivers</i>: e.g. provides a clear framework upon which planning decisions can be made; and • <i>Regeneration</i>: e.g. sets the planning framework for key regeneration projects, such as Hemel Hempstead town centre and the Maylands Business Park. |
| Implications: | <p><u>Financial</u> There are no direct financial implications relating to the preparation of the draft revised SCI. However, there are implications for the consultation arrangements set out within it: and the need to balance public expectations regarding the types of consultation techniques used against the costs involved.</p> <p><u>Value for money</u> The SCI sets out the range of consultation techniques that will be used within the planning process and the need to ensure that these are fit for purpose and proportionate in terms of the scale and nature of the planning issue(s) involved.</p> <p><u>Legal</u> The production on an SCI is a legal requirement. Compliance with this by having an up-to-date SCI assists the Council in defending objections and appeals against its planning decisions. Conversely, failure to comply with the standards and processes set out within the SCI could result in legal action being taken by aggrieved third parties against the Council.</p> <p><u>Staff</u> No direct implications for staffing. However, all staff and elected Members need to be aware of the content of the SCI and follow processes and procedures within it.</p> <p><u>Land</u> No immediate direct implications, although the planning documents and proposals that will be subject to consultation processes set out in this SCI will have implications for the future use of land.</p> |
| Risk implications: | <p>The Local Development Scheme contains its own detailed risk assessment for plan-making documents.</p> <p>The Council must ensure that the Plan's proposals comply with Government policy, are founded on robust evidence (such as that detailing housing, employment and infrastructure requirements) and follow all statutory requirements regarding public consultation, publication, public examination etc (as set out in the relevant regulations and adopted SCI).</p> |

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| | <p>The Authority Monitoring Report reviews the risks inherent in preparing and delivering the Local Plan. Monitoring of development is a source of information which, properly used, can assist risk reduction – i.e. it checks whether progress and control of development has been successful and can indicate where change (in policy or process) may be beneficial. Regular monitoring is also able to inform future Local Plan and planning policy document review.</p> |
| Community Impact Assessment: | <p>A full Sustainability Appraisal (SA) must be carried out as part of the Local Plan process. The SA looks at social, environmental and economic impacts in detail and is scrutinised at the Local Plan examination by an independent inspector.</p> <p>The Council has undertaken a Community Impact Assessment to support this revised SCI and associated Cabinet Report.</p> |
| Health and safety implications: | <p>No direct implications as a result of this report. There may be indirect implications relating to different types of consultation techniques and the choice of event venues.</p> |
| Monitoring Officer/ Deputy S.151 Officer comments: | <p>Monitoring Officer</p> <p>The SCI should help to ensure that the views of relevant stakeholders are taken into account in the statutory plan making and planning decision-making process, which improve the quality and consistency of those decisions and reduce legal challenges.</p> <p>Deputy Section 151 Officer</p> <p>There are no direct financial implications.</p> |
| Consultees: | <p>The revised SCI has been discussed internally with the following teams:</p> <ul style="list-style-type: none"> • Communications • Strategic Planning and Regeneration • Development Management • Legal <p>The intention of this report is for Cabinet to approve and recommend to full Council adoption of the SCI.</p> |
| Background papers: | <ul style="list-style-type: none"> • Adopted Local Development Scheme (July 2018) • Adopted Core Strategy (September 2013) • Adopted Site Allocations DPD (July 2017) • Dacorum Borough Local Plan (April 2004) • Authority Monitoring Report 2016/17 • National Planning Policy Framework (NPPF) • Planning and Compulsory Purchase Act 2004. • Planning Act 2008 • Town and Country Planning (Local Planning) (England) Regulations 2012 • Town and Country Planning (Development |

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| | <p>Management Procedure) (England) Order 2015</p> <ul style="list-style-type: none"> • Listed Buildings and Conservation Area Regulations 1990 |
| <p>Glossary of acronyms and any other abbreviations used in this report:</p> | <ul style="list-style-type: none"> • AMR - Authority Monitoring Report • LDS - Local Development Scheme • SCI - Statement of Community Involvement • SPD - Supplementary Planning Document • NPPF - National Planning Policy Framework • PPG - National Planning Practice Guidance • JSP - Joint Strategic Plan (<i>for SW Herts</i>) • SA - Sustainability Appraisal |

Background

1.0 The role of the Statement of Community Involvement ('SCI')

- 1.1 The purpose of the SCI is to outline the Council's standards for community engagement in the planning process and how we will achieve these standards.
- 1.2 It sets out the Council's approach to community engagement in three parts:
- **Part A: Community Involvement in Dacorum's Plan-making and Planning Policy:** the preparation, alteration and continuing review of planning policy documents including the Dacorum Local Plan;
 - **Part B: Community Involvement in the South West Herts Joint Strategic Plan (JSP);** and
 - **Part C: Community Involvement in the Planning Application Process:** involvement in planning applications.
- 1.3 In particular, it explains:
- **When** we will consult the community in relation to planning applications, development plan documents and supplementary planning documents;
 - **What** publicity and consultation we will expect from applicants before they submit a planning application;
 - **How** we will engage with the community on Local Plans or Neighbourhood Plans;
 - **Who** we will involve at what stage of the process.
- 1.4 All local planning authorities are required to produce an SCI. The legal requirements for consultation, community involvement and planning applications are currently set out in the following legislation:
- **Plan-making:** Planning and Compulsory Purchase Act 2004 (as amended); Town and Country Planning (Local Development) England Regulations 2012 (as amended); Neighbourhood Planning (General) Regulations 2012 (as amended) and:
 - **Planning applications:** Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and Listed Buildings and Conservation Area Regulations 1990 (as amended).
- 1.5 Through the principles and approach to engagement set out in the SCI the Council is seeking to:

- Give those who want to, the opportunity to constructively contribute and participate in the local planning process;
- Commence the engagement process early to enable comments to be made in the initial stages before policies are drawn up, i.e. at the issues and options stage;
- Actively encourage participation from any groups who have in the past been under-represented in the local planning process e.g. young people and people from ethnic minority groups;
- Keep organisations and the public informed about the local planning process and provide feedback on how their comments have been considered;
- Raise awareness of the local planning process;
- Ensure corporate participation;
- Learn from the engagement process and how to improve it;
- Draw from the engagement process, views of other Council services and where possible outside organisations; and
- Enable communities to meaningfully participate and comment on planning applications in the Borough.

1.6 The purpose of engaging on planning policy issues and planning applications is to provide opportunities for constructive contributions and involvement. This is intended to enhance the quality of decision-making by the Council, promote shared responsibility (where appropriate); and raise awareness of the issues and understanding of the planning decisions taken.

2.0 The need to update the SCI

2.1 The Council's current SCI was adopted in 2016. When adopted, it made the commitment to review the document every two years. Since 2016, there have been changes in government policies, guidance and data protection, which have implications for the way the Council involves the community in planning matters.

3.0 Key Changes in the Draft Revised SCI

3.1 Much of the text of the previous SCI has been retained, with slight tweaks made to the format, to update and include new coverage and to simplify the text to make it easier to follow (as necessary).

3.2 The introductory sections of the Draft Revised SCI have been revised to set out a number of 'key principles' upon which the Council will approach community engagement on planning issues. Those principles are:

- **Communicate clearly**
- **Early involvement**
- **Recognising the needs of different groups in the community**

- **Providing clear opportunities for involvement**
- **Ease of access to information**
- **Providing feedback and sharing information**

- 3.3 **Within Part A**, ‘Community Involvement in Dacorum’s Plan-making and Planning Policy’, a number of diagrams have been introduced to help illustrate the opportunities for community engagement associated with different types of planning policy documents the Council may prepare. Further detail has also been added to explain community engagement processes associated with neighbourhood planning and the level of support the Council is able to provide to assist with such plans.
- 3.4 **Within Part B**, ‘Community Involvement in the South West Herts Joint Strategic Plan (JSP)’, this is a new section in the SCI which sets out how the South West Herts authorities will jointly engage with the wider communities across the area as it prepares the new South West Herts Joint Strategic Plan (JSP). In broad terms, the principles of engagement on the SW Herts JSP reflect those which will be followed by the Council in preparing Dacorum’s Local Plan.
- 3.5 **Within Part C**, ‘Community Involvement in the Planning Application process’, the text has been expanded to better explain the types of applications with which the Council gets involved, how the Council will notify and consult with local people in respect of those applications and the types of considerations that can or cannot be taken into account when assessing planning applications. New explanation has been added on what to do if a member of the public considers development may have happened or be happening, without permission.

4.0 Consultation on the Draft Revised SCI

- 4.1 Planning regulations set out the requirement to keep the SCI under review. Whilst there is no requirement in the regulations for Councils to undertake extensive consultation on the SCI, due to the SCI containing a set of procedures that will have a direct impact on a range of organisations with an interest in planning matters, it was considered appropriate to undertake focussed consultation before the final revised document is brought into effect.
- 4.2 Cabinet at its meeting on 29 January 2019 resolved to agree to a focussed consultation on the proposed revision of the SCI.
- 4.4 As resolved by Cabinet, a relatively informal consultation was carried out over a six week period ending on 14 April 2019, asking for general feedback on the draft document, rather than requiring this feedback to be submitted on a prescribed form: seeking views on the proposed modifications only. It was not an opportunity for interested parties to raise matters that relate to the unchanged parts of the SCI.

- 4.6 The consultation included the following groups and organisations: **Specific consultation bodies**, as defined in the Localism Act 2011, which includes adjoining local planning authorities, Hertfordshire County Council and other key bodies such as the Environment Agency, Natural England and Heritage England, Town and Parish Councils and Residents Groups and community associations.
- 4.6 The consultation responses received are summarised in Annex A attached to this report. The subsequent revisions to the SCI noted in Annex A have been incorporated into the revised SCI. The amendments are minor in nature and are shown as track changes in the revised SCI. They include:
1. Rationalising the numbering used and minor formatting changes;
 2. Inclusion of the Canal and River Trust as a body to be notified (paragraph 3.16);
 3. Updating reference to Historic England rather than its predecessor bodies (paragraph 3.11);
 4. Amendment to Appendix 1 of Towns and Parishes within Dacorum Borough

5.0 Recommendation

- 5.1 That the draft revised SCI is approved by Cabinet and recommended for adoption at full Council.
- 5.2 That Cabinet delegate authority to the Assistant Director for Planning, Development and Regeneration to make any final minor editorial and typographical revisions to the document including any necessary to reflect the Cabinet's discussions and decision.