

Cabinet		Agenda Item: 5
Meeting Date	7 th March 2018	
Report Title	Statement of Community Involvement - Results of Consultation and route to adoption	
Cabinet Member	Cllr Gerry Lewin, Cabinet Member for Planning	
SMT Lead	Emma Wiggins	
Head of Service	James Freeman	
Lead Officer	Gill Harris	
Key Decision	No	
Classification	Open	
Forward Plan	Reference number: 7	
Recommendations	<ol style="list-style-type: none"> 1. Members endorse the Council's draft responses to the consultation in Appendix I; and 2. Members endorse the SCI for adoption, noting that the Local Authorities (Functions and Responsibilities) Statutory Regulations require a Full Council resolution to adopt the SCI. 	

1 Purpose of Report and Executive Summary

- 1.1 This report outlines the consultation representations received on the Statement of Community Involvement (SCI) and the draft responses and proposed changes arising. Cabinet are recommended to endorse the Council's draft responses to the consultation in Appendix I and endorse the SCI for adoption. A report was taken to LDF Panel on 8th February 2018 for noting.

2 Background

- 2.1 As you may recall from the LDF Panel report from June 2017 an SCI sets out how, when and where the Council will consult with local and statutory stakeholders both during the production of development plan documents and within the development management process. The Council is required to produce an SCI and, once adopted, the provisions which relate to plan-making become binding. The Council's current SCI was adopted in 2008. The Council have checked with DCLG about future proposed regulations on SCI's and specifically asked if there will be further regulations in early 2018 about engagement and consultation at the evidence gathering stage of plan making. We have received a response and are confident that the SCI as drafted covers everything necessary but suggested to LDF Panel that a further paragraph be added to Section 5 of the SCI to read:

“5.8 - Engagement will be carried out with all of our stakeholders and the general public prior to any consultation at the issues and options stage of plan making. It will look to gather ideas on the issues, opportunities and challenges facing Swale. The engagement methods used will be chosen from Appendix I.”

- 2.2 This was accepted by the LDF Panel.
- 2.3 The SCI went out for consultation from 20th October 2017 – 4th December 2017 via our consultation portal (Objective), with emails and letters to all statutory and non-statutory consultees, everyone on the consultation database and to all Members.
- 2.4 A total of 77 comments were received from 17 respondents. Appendix I shows all of the representations made, a summary of each representation and SBC’s draft response. An ‘About You’ optional question was included to allow analysis of the profile of respondents. Eleven of the respondents answered these questions with ‘no response’ which might reflect the fact that a lot of the representations were made by individuals on behalf of organisations who couldn’t answer these questions. Of those respondents who did answer they were mostly male, English, aged 45 – 74, with no disability, with English as their main language, and were from either the ME9 or ME10. Appendix II shows the numerical results of the questions asked throughout the document. Mostly respondents either agreed with the question or gave no response.
- 2.5 The comments received fall into four main categories:
 - A number of comments were requests to add more consultees to Tables 1 and 2 and the draft responses have accepted most of the suggested organisations but a few were too specific and they were recommended to sign up to the consultation database so that they would receive emails at the start of every consultation event;
 - Some comments were about the perceived lack of ‘plain English’ within the document and the draft response explains that planning terminology is often technical in nature and not always compatible with ‘plain English.’ However, there is a glossary in chapter 8 to try and help the reader understand the technical terms;
 - A few comments were regarding criticisms of past Swale consultations, both development management and plan making, with respondents saying that their comments weren’t taken into account in the final decision. The draft response explained that in plan making all comments are reported to the LDF Panel with responses from the Council, whilst in development management reports, summaries of the issues raised are included. It has been explained that planning decisions involve weighing up competing information and issues and views and that it is the role of the planning authority to make a balanced decision in line with national and local policy; and

- A few comments were made which did not relate to the SCI but were about general planning issues in Swale such as transport congestion.

2.6 A number of changes are proposed in response to the representations received and these can be seen in Appendix I.

3 Proposals

3.1 The proposal is for Cabinet to endorse the Council's draft responses to the representation made in the consultation in Appendix I and endorse the SCI for adoption. Please note that the Local Authorities (Functions and Responsibilities) Statutory Regulations require a Full Council resolution to adopt the SCI.

4 Alternative Options

4.1 Cabinet could advise Full Council not to adopt the SCI or indicate that other changes could be made to it. However, new regulations come into force on 6th April 2018 which requires that Local Plans and SCIs are updated every five years so the review of the Local Plan could not progress without an update SCI.

4.2 The Council is required by Statutory Regulation to produce an SCI upon which local development documents should be prepared and planning applications must be considered based on representations received in accordance with it. As such, it is essential to adopt one.

5 Consultation Undertaken or Proposed

5.1 The draft SCI was consulted on for 6 weeks. The representations made, a summary of each representation and SBC's draft response can be seen in Appendix I.

6 Implications

Issue	Implications
Corporate Plan	Supports the Council's corporate priorities for a Borough and a community to be proud of.
Financial, Resource and Property	This will be undertaken within the Planning Policy teams existing workload and budget.
Legal and	Section 18 of the Planning and Compulsory Purchase Act 2004

Statutory	requires local planning authorities to produce a Statement of Community Involvement, which should explain how they will engage local communities and other interested parties in producing their Development Plan and determining planning applications. The Statement of Community Involvement should be published on the local planning authority's website.
Crime and Disorder	None identified at this stage.
Sustainability	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	The SCI itself ensures that all members of the community will be able to participate, if desired, in Swale's planning processes.

7 Appendices

Appendix I: Table showing the representations made, a summary of each representation and SBC's draft response.

Appendix II: Statistical results of the questions asked throughout the document.

Appendix III: Draft Statement of Community Involvement.

8 Background Papers

None