



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER DECISION – INFRASTRUCTURE AND ENVIRONMENT

TBC

Report of the Executive Director - Place

Planning Services – Statement of Community Involvement 2021

1. Divisions Affected

1.1 County-wide.

2. Key Decision

2.1 This is not a Key Decision.

3. Purpose

3.1 To provide feedback on the recent consultation exercise undertaken on the review of the current, adopted Statement of Community.

3.2 Also, to outline proposed amendments to the Statement of Community Involvement as set out in Appendix 3 of this report and seek approval for subsequent publication of this document as the Statement of Community Involvement with effect from 1 December 2021.

4. Information and Analysis

4.1 Section 18 of the Planning and Compulsory Purchase Act, 2004 introduced a requirement for all local planning authorities (LPAs) to prepare a Statement of Community Involvement (SCI). A SCI sets out the LPA's policy on the involvement of interested parties in the exercise

of its functions relating to spatial development and town and country planning in its area.

- 4.2 For Derbyshire County Council, these matters are: the production of Minerals and Waste Local Plans and any associated supplementary planning documents (SPD); the determination of applications for minerals and waste development; planning applications relating to schools/libraries/new highway schemes etc, for which the Council is the appropriate determining authority; and, where the Council exercises its statutory function as a strategic consultee in respect of development plans and proposals of neighbouring authorities and neighbourhood forums.
- 4.3 A SCI is particularly useful as a first means for stakeholders and the community to find out when and how they can become effectively involved in all aspects of the planning process. It forms part of a suite of documents which also include local plans and SPDs which are collectively referred to as Local Development Documents. More meaningful community involvement is a key tenet of both the Planning and Compulsory Purchase Act, 2004 and the Localism Act, 2011. The aim of the approach is to achieve greater consensus in, and understanding of, planning policies and decisions to minimise conflict and resolve issues at an early stage, thereby reducing the need for a lengthy public examination process at a later stage.
- 4.4 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations, 2017 require all SCIs to be reviewed every five years following adoption. The Council's current, adopted SCI has been reviewed and a revised version prepared to take account of changes to legislation and national policy, incorporate more modern consultation methods and expand the scope of the SCI to take account of all the County Council's current planning responsibilities. The draft, revised SCI, entitled "Planning Services – Statement of Community Involvement 2021", is provided at Appendix 3.
- 4.5 The amendments and revisions primarily take account of new legislative requirements, introduced since 2006, as well as the Council's current corporate approach to community engagement. The scope of the document has also been broadened to cover all three areas of the Council's Town and Country Planning functions.
- 4.6 An outline of the proposed revisions, as well as an initial draft revised document, were presented to the Cabinet Member - Highways, Transport and Infrastructure on 30 July 2020 (Minute No.42/20 refers).

- 4.7 Following approval, an extensive consultation exercise has been undertaken with the public (via the 'Have Your Say' section of the Council's website), statutory consultees, district, borough, parish and town councils within/bordering the administrative area of Derbyshire, including the Peak District National Park and Derby City Council.
- 4.8 The response rate to the consultation exercise was low but observations were received from four parish/town councils, two district/borough councils, five statutory consultees and one elected member. The responses received are summarised at Appendix 2. No further amendments to the SCI are proposed as a result of the consultation exercise.
- 4.9 The review and recommended revisions to the Planning Service's SCI, 2021 will ensure that the County Council is compliant with the requirements of the Planning and Compulsory Purchase Act, 2004 and The Town and Country Planning (Local Planning) (England) (Amendment) Regulations, 2017.
- 4.10 Where, on occasion, points of information appearing in the SCI (e.g. particulars of relevant organisations, or the list of statutory consultees) become outdated, it will be necessary to mark-up the SCI so that the information is not misleading. To allow this to happen quickly, it will be necessary to put in place appropriate levels of officer delegation to ensure the document can be updated as necessary following its official publication.

5. Consultation

- 5.1 An extensive consultation exercise was carried out with the public and other interested parties. Paragraph 4.7 above summarises the outputs of the consultation exercise and these are detailed further in Appendix 2. All comments have been considered and included as revisions to the draft document, as appropriate.

6. Alternative Options Considered

- 6.1 Two alternative options have been considered. These are the 'do nothing' option and retaining the format of the adopted SCI.
- 6.2 The 'do nothing' option was dismissed immediately as it would leave the Council in a position where it would not be legally compliant with The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 which require a SCI to be reviewed every five years following adoption.

- 6.3 The second alternative option considered was the continuation of the existing SCI content without revision. As set out in the revised and updated SCI, since the adoption of the first SCI in 2006, the Council now has responsibilities as a statutory consultee in terms of strategic planning matters. This option was dismissed because, whilst there is no legal requirement to do so, it would not have set out the Council's full range of responsibilities in respect of planning. In seeking to set out how and when the Council's Planning Service would involve local communities, the approach to revise and update the SCI was considered to represent the most transparent.

7. Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

- 8.1 Report to the Meeting of Cabinet Member – Highways, Transport and Infrastructure 30 July 2020 Planning Services – Statement of Community Involvement (Minute No.42/20 refers)
<https://democracy.derbyshire.gov.uk/documents/s3683/Planning%20Services%20Statement%20of%20Community%20Involvement.pdf>

9. Appendices

- 9.1 Appendix 1 - Implications.
- 9.2 Appendix 2 – Summary of consultation responses and actions taken.
- 9.3 Appendix 3 – The draft Planning Services: Statement of Community Involvement, 2021.

10. Recommendations

That the Cabinet Member:

- a. Approves revisions to the adopted Planning Services: Statement of Community Involvement, 2021 that is set out in Appendix 3 to this report, and its subsequent publication with effect from 1 December 2021.
- b. Agrees that the Executive Director – Place, in liaison with the Cabinet Member for Infrastructure and Environment, be delegated to update points of information appearing in the Statement of Community

Involvement, 2021 as may be necessary from time to time following its official publication.

11. Reasons for Recommendations

- 11.1 To enable the Council to meet the requirements of the Planning and Compulsory Purchase Act, 2004 and The Town and Country Planning (Local Planning) (England) (Amendment) Regulations, 2017.
- 11.2 To enable the Council to update the Statement of Community Involvement in a timely fashion.

12. Is it necessary to waive the call in period?

- 12.1 No.

Report Author: Joanna Jackson, Vicky Webb

**Contact details: Joanna.Jackson@derbyshire.gov.uk,
Vicky.Webb@derbyshire.gov.uk,**

Implications

Financial

1.1 None.

Legal

2.1 The Council is required by the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2017 (as amended) to review its Statement of Community Involvement every five years following the date of its adoption.

Human Resources

3.1 None.

Information Technology

4.1 None.

Equalities Impact

5.1 The draft SCI in Appendix 3 has been produced in an accessible format that would meet the requirements of the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018. The SCI proposes a range of community involvement methods to ensure that community engagement on the Council's planning responsibilities can be accessed by as many people as possible, including those with long term illness, impairment or disability.

Corporate objectives and priorities for change

6.1 None.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None.