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STATEMENT OF COMMUNITY INVOLVEMENT UPDATE 2015

Purpose of Report

1. To seek approval for:
 - (i) Consultation to be undertaken on the 'Wiltshire Council Statement of Community Involvement (SCI), Update 2015' for a six week period starting April 2015; and
 - (ii) The SCI to be finalised in the light of the consultation for consideration by Cabinet and subsequently by full Council in July 2015 for adoption.

Relevance to the Council's Business Plan

2. The SCI sets out how the Council will involve local communities and other stakeholders in planning matters, which is consistent with one of the key principles of the Council's Business Plan to work with "*our partners businesses and communities*" in delivering the aims of the Plan.

Background

3. The SCI describes how the Council will involve the community in planning for the future use of land in their area and how planning can achieve local, open, honest decision making in Wiltshire. It explains who Wiltshire Council will consult on planning matters, and how and when the community can become involved in the preparation of planning policy documents and the determination of planning applications. The procedures contained within the adopted SCI should be followed for consultation on all planning policy documents prepared by the Council and all planning applications within Wiltshire.
4. The SCI is a statutory document, which the Council is required to prepare under Section 18 of the Planning and Compulsory Purchase Act 2004 as amended. Wiltshire Council's first SCI was adopted in February 2010. The current SCI can be found on the Council's website at:
<http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/statementofcommunityinvolvement.htm>.
5. A report on monitoring the effectiveness of the SCI is attached at **Appendix 1**. In summary, the report concludes that a full review of the SCI is not necessary at this time because the methods for involving the community are achieving a representative level and have been effective. However, in the light of recent legislative changes and in the interests of clarifying the SCI in certain sections where information has now become out-of-date, it recommends that the SCI be updated. Updating the SCI will ensure that the best use of resources is made during consultation, both in terms of financial and staffing resources in order to ensure efficient and effective plan making; and so that consultation can be meaningful and avoid consultation fatigue, particularly with the local community.

Main Considerations for the Council

6. Since the SCI was first adopted in 2010, the Government has introduced substantial changes to the planning system through the introduction of the National Planning Policy Framework (NPPF) 2012, the Localism Act 2011, the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the launch of the Planning Practice Guidance (PPG) web-based resource in 2014.
7. The Localism Act 2011 brought in a more streamlined approach to plan preparation, and introduced the duty to cooperate with neighbouring local authorities and other identified stakeholders on matters of strategic cross-boundary significance. The Town and Country Planning (Local Planning) (England) Regulations 2012 reflect the reforms in the Localism Act 2011. Of particular relevance to the SCI is a simplified process for plan preparation and the recognition of the increased use of electronic communication as a way of notifying and consulting with communities.
8. The SCI Update takes account of these changes and once adopted will replace the February 2010 version of the SCI. The SCI Update as proposed for consultation is attached at **Appendix 2**.
9. A summary of the amendments that are proposed in order to update the SCI are set out below, together with an overview of the SCI content by the order within which they appear in the document:

Glossary of terms has been updated in response to changes made to the planning system in legislation.

Chapter 1 provides an introduction to the SCI and the planning system, and explains the way in which planning is delivered in Wiltshire through the spatial planning and development management services. Amendments have been made to this chapter so that reference is now made to the recent changes made to the planning system and how the SCI has been updated to take account of these changes.

Chapter 2 contains details of who Wiltshire Council will consult on planning matters. This chapter has been updated so that it: reflects the specific and general consultation bodies referred to in the Town and Country Planning (Local Planning) (England) Regulations 2012; includes reference to the Council's Duty to Cooperate; and updates references to other community groups and partnerships that the Council will work with in facilitating the delivery of other plans, strategies and community ambitions.

Chapter 3 introduces the methods of consultation which Wiltshire Council will use and how these will be resourced. Some minor factual amendments to this chapter have been made.

Chapter 4 explains how and when the community can become involved in the production of planning policy documents in Wiltshire. The changes set out the minimum legal requirements for consultation in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The stages in the preparation of development plan documents have also been updated in accordance with the 2012 Regulations, which no longer require a draft plan to be produced prior to the pre-submission stage; and the community involvement that the Council will undertake at each stage. Similarly, the stages of supplementary planning document production and associated community involvement that will take place have been updated. Minor amendments have also been made to the section on 'other documents' in this chapter. Finally, the section on Sustainability Appraisal in this chapter has been updated to more accurately reflect the 2012 Regulations.

Chapter 5 explains how and when the community can become involved in the determination of planning applications in Wiltshire. Minor amendments have been made to this chapter. The section on planning obligations has been deleted as this does not need to be included in the SCI and will be covered through a new Supplementary Planning Document that the Council is preparing.

Chapter 6 outlines how Wiltshire Council will monitor the success of consultation initiatives. Minor factual updates have been made to this chapter.

Consultation Arrangements

10. It is proposed that consultation on the SCI Update will take place alongside the Regulation 18 consultation that is being undertaken on the Partial Review of the Wiltshire Core Strategy, as set out in the Council's Local Development Scheme. Consultation is proposed to take place for a six week period starting in April 2015 and ending during May 2015 across Wiltshire. In the interests of making best use of resources, both in terms of staff and finances, it is proposed that consultation on the SCI Update takes place at the same time. This approach also has the benefit of reducing consultation fatigue.

Next Steps

11. Following the close of the consultation, the comments received will be considered and the SCI Update finalised in the light of these. The outcome of the consultation and proposed SCI Update will be reported to Cabinet and, subject to approval, recommended to Council for adoption in July.

Safeguarding Considerations

12. There are no direct safeguarding implications arising from this report, which is about undertaking consultation on the way in which the Council undertakes consultation on planning policy documents and planning applications.

Public Health Implications

13. Public health bodies will continue to be consulted on planning matters and there are provisions within the SCI to ensure this happens.

Corporate Procurement Implications

14. There are no direct procurement implications arising from the report.

Environmental and Climate Change Considerations

15. There are no direct implications arising from this report. However, consultation with environmental bodies will continue to take place on planning matters and the references to Sustainability Appraisal have been updated consistent with legislation.

Equalities Impact of the Proposal

16. The SCI seeks to ensure that everyone has the opportunity to be involved in planning matters and the update refers to groups that can be under represented in planning.

Risk Assessment

17. By establishing and implementing a clear and up to date SCI to reflect changes to planning requirements and legislation the risk of successful challenge is reduced.

Financial Implications

18. Updating the SCI will ensure that the Council can undertake consultation on planning matters in the most efficient and effective way, helping ensure that the financial costs of consultation can be minimised. For plan making this means having sufficient flexibility to develop appropriate consultation strategies proportionate to the plan that is being prepared. There are no unfunded costs associated with updating the SCI, as the work will be undertaken by officers already funded by the Economic Development and Planning budget and the consultation undertaken alongside the Partial Review of the Wiltshire Core Strategy.

Legal Implications

19. The Council has a statutory duty to prepare an SCI and is required to demonstrate that it has complied with the provisions of the SCI during the examination of development plan documents. The Government has placed great emphasis on the expediency of plan making, as well as in the determination of planning applications, and the more recent changes to legislation mean that there are less onerous requirements on the Council regarding how they should consult. Updating the SCI will ensure that the Council's consultation processes remain in accordance with legislative requirements.

Options Considered

20. The options considered include a complete review or more limited update of the SCI. Given that the SCI is still generally fit for purpose, only an update of the SCI at this time is necessary in order to ensure that the latest legislative changes are taken into account and outdated terms and references are changed as it is now six years since the SCI was adopted.

Reason for Proposals

21. In the light of recent legislative changes and in the interests of clarifying the SCI in certain sections where information has now become out-of-date the SCI should be updated.
22. Updating the SCI will ensure that the best use of resources is made during consultation, both in terms of financial and staffing resources in order to ensure efficient and effective plan making; and so that consultation can be meaningful and reduce consultation fatigue. Consultation is planned to be undertaken on the SCI Update before it is finalised, for consideration by Cabinet, and subsequently by full Council in July 2015 for adoption.

Proposals

23. That:
 - (i) Consultation be undertaken on the 'Wiltshire Council Statement of Community Involvement (SCI) Update 2015', as set out in **Appendix 2** subject to any necessary minor changes in the interest of clarity and accuracy, for a six week period starting April 2015.
 - (ii) The SCI be finalised in the light of the consultation for consideration by Cabinet and subsequently by full Council in July 2015 for adoption.

The following unpublished documents have been relied on in the preparation of this Report:

None