

# Statement of Community Involvement

Report by Councillor John Jowers, Cabinet Member for Communities & Planning

---

Enquiries to Vee Green, Service Development Officer, Minerals and Waste Planning,  
01245 437201

## **Purpose of report**

Cabinet will be considering this matter on Friday, 7 December when it has before it a recommendation to approve the Statement of Community Involvement for adoption by Council.

The outcome of Cabinet's consideration of this matter will be reported in the Report of Cabinet Issues on 7 December 2012 (to follow).

## **Background**

The Statement of Community Involvement (SCI) is a statutory document setting out the standards by which the County will produce planning policy documents (the Replacement Minerals & Waste Local Plans) and through which the people and businesses of Essex can contribute to these plans, and to the consideration and determination of planning applications for minerals, waste and the County Council's own developments.

The SCI was adopted by Full Council in October 2009 after extensive public consultation and submission to the Secretary of State for approval. It has been reviewed on a yearly basis since then via the Annual Monitoring Report on the Minerals & Waste Development Framework (MWDF).

Since the adoption of the SCI, a number of changes have made it appropriate to review and update the document before further consultation takes place on the Replacement Minerals & Waste Local Plans. Conformity with the SCI is one of the Tests of Soundness for the Local Plans at the Examination in Public, and it is essential that the SCI is kept up-to-date. These changes include changes in legislation, changes in Corporate Policy and general and cultural progression. Any changes proposed have been subjected to Equality Impact Assessment.

Approval to carry out the First Review of the SCI and subsequent approval of the draft document for public consultation was authorised by Cabinet Member Action in June and August 2012. The document was published for public consultation between 30 August and 25 October 2012.

## Conclusions and next steps after consideration of the responses to the Consultation

Main change proposed in SCI FR	Action proposed as a result of consultation
<p><u>Proposal 1:</u> That electronic communication should become the preferred method for how we engage and involve everyone in consultation on documents in the Minerals &amp; Waste Development Framework, including the Replacement Minerals &amp; Waste Local Plans, in line with ECC's Corporate Communications Strategy</p>	<ul style="list-style-type: none"> <li>a) That electronic communication should become the preferred method of engagement for Minerals &amp; Waste Planning consultations, but with hard copies of main documents for inspection at specified locations only;</li> <li>b) That the equalities issues identified in the EqIA regarding those potentially disadvantaged by the implementation of the corporate print policy should be considered by the Corporate Communications Team in relation to the targeted evidence provided by the service area;</li> <li>c) Alternatively, that hard copy main documents whose production costs are less than £10 should be available on demand, free of charge;</li> <li>d) where production costs (including printing, postage and packing) are £10 or more, hard copy main documents would only be Available upon prior receipt of payment of those production costs above £10.</li> </ul>
<p><u>Proposal 2:</u> That the consultation period for policy documents should reduce from 8 weeks to the statutory 6 weeks, thereby bringing the Council in line with neighbouring authorities</p>	<ul style="list-style-type: none"> <li>a) That the consultation period for policy documents should be reduced from 8 weeks to the statutory 6 weeks;</li> <li>b) That the wording of paragraph 4.16 (and anywhere it recurs in the document) be amended to state that the consultation period will be reduced to the statutory 6 weeks, but with some flexibility over holiday periods and for multiple consultations.</li> </ul>
<p><u>Proposal 3:</u> That developers now be required to carry out pre-application public consultation for major developments under the terms of Chapter 4 of the Localism Act 2011</p>	<ul style="list-style-type: none"> <li>a) That officers vigorously encourage developers to carry out pre-application public consultation for major developments;</li> <li>b) That Bullet 3 of the Summary, p4 (and further references throughout the document, be amended to reflect the fact that the full legislation is not yet in force;</li> <li>c) That the 250m radius for DNN continues to</li> </ul>

	be used for reasons of conformity with the national norm and cost-effectiveness.
<u>Proposal 4</u> : That hard copies of planning applications should no longer be available once the Council's new Advanced Planning Application System (APAS) became fully operational	<p>a) That entirely electronic viewing of planning applications should be introduced once APAS is fully operational;</p> <p>b) That the equalities issues identified in the EqIA regarding those potentially disadvantaged by this should be considered by the Corporate Communications Team in relation to the targeted evidence provided by the service area.</p>
<u>Other</u> : Consultees suggested alternative / additional wording which might be included in the SCI, eg reference to the Duty to Co-operate and to a more detailed description of the pre-application process for planning applications.	<p>c) That those changes be included in the Adopted SCI First Review;</p> <p>d) That the Duty to Co-operate and Pre-application guidance be produced as separate documents with a link from the SCI First Review.</p>

### Policy context

- Corporate Plan, especially:
  - Giving people a greater say and a greater role in building safer and stronger communities, encouraging residents to get more involved in their communities and helping communities play a greater role in shaping, challenging and developing local services;
  - Securing the highways infrastructure and environment to enable businesses to grow, ensuring planning services are cost-effective, transparent and timely and delivering minerals and waste plans/determining applications in a timely and cost-effective manner whilst always seeking improvements to the service.
- ECC Communications & Marketing Strategy 2012-2017 and accompanying Print Policy.

### Financial Implications

The proposals set out in the SCI First Review will update and improve consultation and engagement techniques in line with new corporate requirements, national policy and changes in custom and practice.

Under Proposal 1, the changes proposed will involve a total saving in costs from £3,995 for the previous Adopted SCI of 2009 to approximately £750 now, through reductions in quantity printed, quality of paper and length of document. It is felt appropriate, in view

of the EqIA carried out, to continue with this very limited production of inspection copies for certain specified locations. If, as identified as an alternative under Proposal 1 above, Cabinet supports the on-demand printing of hard copy main documents either free of charge or upon receipt of production costs above £10 (see Proposal 1), this would involve some additional costs and reduce the savings predicted.

Under Proposal 3, the continuing use of the 250m radius for Direct Neighbour Notification (DNN) for both policy and planning application consultations is recommended. Using the 250m radius, costs for DNN on major policy consultations are estimated to be about £2,500 each time. The relatively modest costs of 250m DNN are outweighed by the benefits in meeting equality and diversity targets.

There are no identified financial implications for Proposal 2, and the total cost savings for Proposal 4 have already been set out in the business case for APAS, estimated at just under £50,000.

### **Legal Implications**

There are two main drivers for the review of the SCI: ensuring that it is accurate and up to date and ensuring that it fully supports the next stage of policy adoption. Whilst some alternatives have been provided for consideration and decision, the recommendations are demonstrably necessary to achieve these aims. Further revisions may be necessary when the development order anticipated by section 122 of the Localism Act 2011 is available.

### **Equality and Diversity implications**

8.1 An updated Equality Impact Assessment (EqIA) Part 1 was carried out on the SCI First Review, and a Part 2 EqIA has been completed based on the feedback from this public consultation. The EqIA Part 1 included an independent review of the document by a project manager from the Council's Transformation Support team.

8.2 The main findings of the EqIA are that the implementation of the corporate Print Policy has the potential to disadvantage certain sectors of the community. Although Minerals & Waste Planning staff are being pro-active in identifying ways forward, care needs to be taken to reduce the impact wherever possible, and to identify ways in which this can be done cross-functionally, recognizing that some solutions are not likely to be immediate.

<b>Abbreviations used throughout the report</b>			
<b>APAS</b>	<b>Advanced Planning Application System</b>	<b>gen</b>	<b>General consultee</b>
<b>CCs</b>	<b>County Councils</b>	<b>MWDF</b>	<b>Minerals &amp; Waste Development Framework</b>

<b>DBCCs</b>	<b>District, Borough &amp; City Councils</b>	<b>PTCs</b>	<b>Parish &amp; Town Councils</b>
<b>DNN</b>	<b>Direct Neighbour Notification</b>	<b>sc</b>	<b>Specific (on policy documents) or statutory (on planning applications) consultee</b>
<b>EqIA</b>	<b>Equality Impact Assessment</b>	<b>SCI (FR)</b>	<b>Statement of Community Involvement (First Review)</b>