

To: City Executive Board

Date: 9 July 2015

Report of: Head of Service

Title of Report: Adoption of the Statement of Community Involvement in Planning (2015)

Summary and Recommendations

Purpose of report: To ask members to formally adopt a revised and improved version of the Statement of Community Involvement in Planning following public consultation.

Key decision Yes– affects all wards

Executive lead member: Councillor Alex Hollingsworth, Executive Board Member for Planning, Transport and Regulatory Services

Policy Framework: Statements of Community Involvement are part of the legislative framework within which local plan documents are prepared. In addition, the aims and commitments in the Statement of Community Involvement in Planning are consistent with the Council's recently-updated Public Engagement Policy Statement.

Recommendation(s):

It is recommended that the CEB:

- agree to adopt the Statement of Community Involvement in Planning as the Council's formal statement about how it will engage and involve people in planning decisions; and
- Authorise the Head of Planning and Regulatory, in consultation with the Executive Lead Member, to make any necessarily editorial corrections to the Statement of Community Involvement in Planning prior to final publication.

Appendices to report

Appendix A Statement of Community Involvement in Planning

Appendix B Risk Register

Appendix C Public Participation Statement

Appendix D Action plan for Community Involvement in Planning

Appendix E Examples of supplementary guidance or help sheets

Appendix F Example of procedural guidance about where we will put site notices

Summary

1. The Statement of Community Involvement in Planning (SCIP) details how we will engage local people and organisations in the planning process in Oxford, both in planning policy and development management. A statement of community involvement was first adopted by the Council in 2006 and this version replaces that document, to encourage greater and earlier public engagement, and to bring it up to date with current consultation methods and regulations.

What is the Statement of Community Involvement in Planning

2. As a Local Planning Authority, it is a statutory requirement to have an adopted Statement of Community Involvement covering planning processes. The City Council has additionally published a more general 'Public Engagement Policy Statement' (formerly the 'Consultation Strategy') which covers all Council functions, hence for clarity the document related to planning processes will be referred to as the Statement of Community Involvement in Planning (SCIP). The aims and commitments in the SCIP are consistent with the Council's recently-updated Public Engagement Policy Statement but add extra detail specific to planning processes.
3. The SCIP must comply with Government policy and legislation about statutory requirements for consultation in planning. In recent years these have been subject to a number of revisions, so the SCIP seeks to avoid re-stating elements of national policy or legislation that will date the document in forthcoming years. It focuses on the Oxford context and where we are exceeding the minimum requirements in favour of best practice (Appendix G sets out comparison of selected authorities' requirements of developers). Similarly the SCIP also steers away from rigidly prescribing consultation techniques, in favour of establishing broad consultation principles that will continue to apply even if there are shifts in the regulatory framework or operational procedures. This also allows for flexibility to tailor consultations to make them appropriate and useful in different circumstances. In these ways, it is intended that the SCIP be adaptable enough to accommodate whatever local plan or development management changes occur in coming years. Additional detail about consultation will be provided through supporting guidance and help sheets.
4. The SCIP sets out not only what the Council is committed to in terms of engaging and involving people in planning decisions; it also establishes how we expect applicants to carry out engagement related to planning applications, particularly 'major' applications. In both respects, the SCIP sets out a clear process for all parties, in terms of how local communities can be involved in planning decisions for applications and for policy formulation for Oxford.
5. In terms of City Council commitments, the SCIP promotes engagement earlier in the process, particularly in preparing planning policies. It recognises that there is not a single solution for all situations, so rather than rigidly prescribing processes for all policy documents, it introduces a new commitment of producing and publishing (via the City Executive Board) a tailored consultation programme for each local plan document, to reflect the different topics and geographical areas that policy documents can cover. Each programme will be framed by the

principles in the SCIP and will draw upon the different methodologies in the Appendices of the SCIP, as well as best practice. The City Council is also keen to have more of an on-going dialogue with communities, rather than just at specific “consultation” points. The SCIP also highlights the importance of how the City Council communicates the outcomes of consultation on policies and applications.

6. In terms of requirements upon developers, under current legislation the Council cannot *require* applicants or developers to undertake consultation. However the SCIP sets out clearly that the City Council strongly encourages it for major applications. It is the intention that, over time, comprehensive and meaningful engagement in planning decisions will become the norm expected from those seeking to deliver major schemes in the City. Officers will also continue to monitor emerging best practice from other planning authorities (as summarised in Appendix G), including how some of the emerging proposals stand up if tested at appeals or in legal cases because whilst some authorities may appear to have stronger requirements upon applicants, such a position is not necessarily enforceable under current legislation and regulations regarding pre-application consultation.
7. The SCIP introduces a range of measures to this effect:
 - It encourages and reinforces a two-stage pre-application approach, so that developers engage with the community at the outset, make appropriate amendments to the proposal, and then go back to the community to explain how their comments and concerns have been taken into account. This is all prior to an application being submitted to the Council, whilst it is still being formulated, and ideally whilst there is more scope for meaningful engagement with the community rather than just asking views about final options. The City Council will encourage developers to submit their engagement strategy as part of any Planning Performance Agreement, so that the methods can be agreed with the City Council;
 - New help sheets have been prepared alongside the SCIP to provide supplementary guidance about the standards of engagement that we expect and want to see. There is also guidance to encourage and facilitate the community who wish to engage in planning decisions. The help sheets are ‘living’ documents, available on the City Council website, which can be updated easily to keep up to date with emerging best practice in the field. Examples of the help sheets include: guidance about best practice visualisation tools; guidance about how to comment on applications and what is a material consideration; and guidance about the neighbourhood planning process. These will be kept under review, and new topics can be added as required.
 - Whilst the SCIP sets out the principles, it is also important to be clear and transparent about how the City Council is actually going to implement the SCIP in practice. Therefore we have also published operational guidance covering processes such as how and where site notices will be put up.
8. The SCIP also addresses consultation within neighbourhood planning processes. Whilst the preparation of neighbourhood planning documents is led by the relevant neighbourhood forum, the City Council does have a role at certain stages. We have also produced guidance to support the neighbourhood planning groups in achieving meaningful engagement, and to guide local residents about how and when they might look to be involved in the formulation of the plan.

Results of consultation and response to key issues raised

8. The SCIP takes account of comments from the public and other stakeholders about their experiences of engaging with planning processes. Appendix C explains the consultation undertaken, and how the findings have been addressed.
9. In some cases we have made changes to the SCIP in response to comments made, and in other cases there were wider issues that cannot immediately be addressed in the SCIP. Nonetheless where useful points have been made that will help us to improve public engagement in planning decisions, they have been noted and an 'Action Plan' drawn up to set out clearly how we intend to respond to them (Appendix D). For example, the Action Plan for Community Involvement in Planning captures more detailed points about IT system improvements, which cannot be resolved instantly but that we are working through.
10. Where we are *not* proposing to make the changes suggested then we have explained why not, to show that the comments have been fully considered. For example organisations commented that they would like the Oxford Design Review Panel discussion sessions, particularly at pre-application stage, to be made open to the public so that local people can be involved in discussions with the Panel. We explained how the role of the Panel is different, but does not replace, the views of local residents.
11. There is also a number of other changes that either are in the process of being implemented, or will be made, which complement and support the approaches in the SCIP. These include:
 - Setting out 'standard operating procedures' for officers to follow in key tasks, such as how and where to put up site notices for planning applications, to ensure consistency. These are summarised in the process/operation note (Appendix F);
 - Trialling a City Development electronic-newsletter in 2015;
 - Regularly reviewing and improving the layout and usability of the website, to help people find planning documents more easily, including user testing groups with customers;
 - Changes to the public area at St Aldate's Chambers where the public can view planning documents;
 - Reviewing how comments are addressed in planning committee report recommendations from officers; and
 - Increasing the use of social media to provide information about planning matters.
12. Some of the specific changes made to address consultation responses include: changing the name of the document to differentiate it from the broader Council engagement strategy and clarifying the relationship between the documents; providing more context about the different types of communities; making more explicit how we expect the two-stage pre-application process to work; clarifying language to emphasise the role of meaningful engagement to address concerns that people would not really be involved in decisions; and adding section about what happens in between formal consultations on policy documents, and how we will continue to keep people updated.
13. As well as formal consultation comments to inform the SCIP, the Council has also reflected on previous consultation experiences, from the perspective of the customer and of the Council. Recent policy document consultations and major

applications were reviewed, including the lessons identified in the Roger Dudman Way review. The review of issues also included looking at complaints. The SCIP seeks to build on what has been done well, and to continue implementing improvements.

Next steps

14. Following adoption by the CEB, the SCIP will be applied as City Council policy for all planning processes. There is no independent examination for SCI documents. We will also continue to work through the Action Plan to address and improve other processes which will help to support effective and meaningful engagement. The 'living' help sheets will also be kept under regular review and will be updated as appropriate.

Legal Issues

15. The Council has a legal duty to have an adopted statement of community involvement. The Planning and Compulsory Purchase Act 2004 (as amended) requires the City Council to produce an statement of community involvement to set out how the Council intends to achieve community involvement in the preparation of plans and decision making for planning applications.

Financial Issues

16. The package of measures in the revised SCIP aim to put in place changes to service delivery to enable greater resource efficiency, and to deliver greater outcomes and leaner delivery.
17. The cost of implementing the SCIP commitments as proposed can be met within the City Development budget. Any additional consultation approaches over and above those proposed in the SCIP may result in additional financial and resource implications.

Environmental Impact

18. No specific impacts identified

Level of Risk

19. The SCIP does not propose new planning policy or identify new development sites, but considers how best to involve different sectors of the community in plan preparation and in determining planning applications.
20. The update to the SCIP is a key priority for the City Council. Failure to adopt an updated document could present legal risks in the examination of policy documents, and in processing applications. The risk register is attached as Appendix B.

Equalities Impact

21. The SCIP seeks to ensure opportunities for participation in the local planning processes, including fair access for equalities groups. The way that the City Council consults on planning applications and the preparation of local plans could have an impact on equalities groups who may have challenges in accessing information, such as those that do not have English as their first

language or those who are unable to access the internet. City Development will therefore continue its practice of preparing an Equalities Assessment when preparing local plan documents, and ensure that equalities issues are addressed when considering relevant planning applications.

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List of background papers:

None