

**Report of:** Joint Policy Unit Manager

**To:** Joint Committee – 27 April 2012

**(Author:** Gary Alexander, Joint Policy Unit Manager)

**Subject:** Draft Statement of Community Involvement for South East Lincolnshire

**Purpose:** To seek approval of a Statement of Community Involvement for South East Lincolnshire

**Recommendations:**

**It is recommended that:**

- a) **Members consider the contents of this report and the attached Draft Statement of Community Involvement ; and**
- b) **agree to adopt the Draft Statement of Community Involvement, with or without revisions.**

## **1.0 INTRODUCTION**

- 1.1 Members will be aware that on 5th July 2011 the South East Lincolnshire Joint Strategic Planning Committee Order 2011 came into force (2011 No.1455). This Order establishes a Joint Strategic Planning Committee (Joint Committee) for the areas of the districts of Boston and South Holland (known collectively as South East Lincolnshire). The constituent authorities are Lincolnshire County Council, Boston Borough Council and South Holland District Council (the partner local planning authorities).
- 1.2 Section 18 of the Planning and Compulsory Purchase Act 2004, as amended (the Act), requires the Joint Committee to prepare a 'statement of community involvement' (SCI). The SCI is a statement of the Joint Committee's policy on community involvement in the preparation of its Local Plan and, also on how the partner local planning authorities will involve the community in their determination of planning applications.
- 1.3 Officers have prepared a draft SCI, attached as **Appendix A**, for Members' consideration.

## **2.0 THE PREPARATION OF THE SCI**

- 2.1 The Town and Country Planning (Local Development) (England) Regulations 2004, as amended, (the local development regulations) govern the process by which local planning authorities prepare their local plan and associated documents. In accordance with these, officers last year consulted borough/district councils, county councils, parish councils and police authorities that are within or border South East Lincolnshire. Also consulted were relevant voluntary groups, racial, ethnic, religious and disabled-person groups and business bodies.

- 2.2 A questionnaire was sent to 241 organizations to ask for their comments in response to 10 questions. Although the SCI will contain provisions in respect of the development management responsibilities retained by the partner local planning authorities, the questions related only to Local Plan issues. This was because development management consultation procedures are significantly influenced by other regulations and development management colleagues were not looking to make any substantial changes to existing practices.  
**Notwithstanding these comments, the views of development management colleagues have informed the preparation of the draft SCI (which also contains recently-produced draft amendments to Boston Borough Council's procedures).**
- 2.3 The organizations were given three weeks to respond to the consultation exercise and 42 responses were received, a response rate of 17%. The results of this exercise have been taken into account in the preparation of the Draft SCI.
- 2.4 The Government last year consulted (15 July to 7 October 2011) on proposals to update the local development regulations in response to the proposed reforms in the Localism Bill, and to take the opportunity to consolidate the amendments made since 2004 into a single document, while revising the remaining regulations in order to ensure that they are as effective and as simple as possible. The draft new 'Local planning regulations' include the removal of detailed prescription for public participation in the preparation of the SCI.
- 2.5 It is expected that the new regulations will come into force very soon but in the meantime the Government, on 27 March 2012, released a document titled 'Local planning regulations: Consultation - Summary of responses' in which it states, in respect of the content/preparation of SCIs, that: 'it is for local councils to decide how best to set out this information, without further prescription in regulations'.

### **3.0 CONSIDERATION OF THE DRAFT SCI**

- 3.1 Members are asked to pay particular attention to the sections in Chapter 2, titled 'Community Involvement in the Local Plan process'.

### **4.0 VIEWS OF THE HEAD OF PLANNING AND STRATEGY, BOSTON BOROUGH COUNCIL AND THE PLANNING MANAGER, BRECKLAND COUNCIL AND SOUTH HOLLAND DISTRICT COUNCIL**

- 4.1 The Planning Manager, Breckland and South Holland District Councils has been consulted and has stated that 'the proposed Statement of Community Involvement for South East Lincolnshire is a proportionate and accessible document setting, in clear terms, how the Local Planning Authorities will engage with the community, service providers, developers and other stakeholders in the drafting of Local Development Documents and consultation processes on planning applications. The direction from Government on greater flexibility on how Local Planning Authorities consult on Local Plan documents in a way which reflects the characteristics and demographics of the area is welcomed. Early engagement in both the Local Plan and planning application processes should be encouraged and is likely to have tangible benefits in terms of speeding up plan making processes and enhancing the quality and acceptance of development proposals. In terms of independent advice on the

planning process (p22) it should be noted that Planning Aid is currently providing only a very limited service following reductions in Government funding. This section may need to be updated in due course to reflect the reducing service level and eligibility for support. Reference is made to local newsletters and newspapers as a means of encouraging involvement in the Local Plan; this can include the quarterly South Holland Council magazine which is delivered free to every household in the District.'

## **5.0 VIEWS OF OTHER CONSULTEES**

- 5.1 The Monitoring Officer representative for Boston Borough Council and Lincolnshire County Council has indicated that she has no comments to make.
- 5.2 The s151 Officer for Breckland and South Holland District Councils has indicated that he has no comments to make.

## **6.0 OPTIONS**

- 6.1 Members can accept the contents of the Draft SCI or request amendments to it.

## **7.0 REASONS FOR RECOMMENDATIONS**

- 7.1 There is a current statutory requirement for the new Joint Committee to adopt a SCI.

## **8.0 IMPLICATIONS**

- 8.1 **Risk:** Without the guidance on community engagement provided by the SCI, there is a risk that the Secretary of State will find the preparation of Local Plan documents unsound.
- 8.2 **Financial:** There are no direct financial implications arising from the recommendations to this report.
- 8.3 **Legal:** See para 7.1.
- 8.4 **Equality and Diversity:** The SCI will ensure that all Local Plan documents involve widespread consultation and the full participation of residents and businesses within both Boston Borough and South Holland District. The views, needs and aspirations of each district's diverse population will in this manner be reflected in subsequent plans and policies aimed at meeting the various needs of all societal groupings.

## **9.0 WARDS/COMMUNITIES AFFECTED**

- 9.1 The implications of the proposed new Local Plan documents affect all wards/communities.

Background papers - None

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**Appendices attached to this report:**

**Appendix A:** Draft Statement of Community Involvement