

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT, CULTURE AND SPORT

TO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE		
DATE:	18 MARCH 2019		
TITLE:	CONSULTATION ON STATEMENT OF COMMUNITY INVOLVEMENT		
LEAD COUNCILLOR:	COUNCILLOR PAGE	PORTFOLIO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT
SERVICE:	PLANNING	WARDS:	ALL
LEAD OFFICER:	MARK WORRINGHAM	TEL:	0118 9373337
JOB TITLE:	PLANNING POLICY TEAM LEADER	E-MAIL:	mark.worringham@reading.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 The Statement of Community Involvement (SCI) is a planning document that details how consultation and community involvement on plans and applications will be carried out. It is a statutory requirement to have an SCI in place, and one of the considerations for examination of any future development plans will be whether it has complied with the SCI.
- 1.2 The Council's most recent SCI was adopted in March 2014. There is now an opportunity to consider whether there is a need to revise the SCI, to ask the community whether this represents the best way of consulting, learn from experience, and take account of any legislative changes. Rather than producing a full draft at this stage, it is proposed to consult on this in the form of a discussion paper.

2. RECOMMENDED ACTION

- 2.1 That the Consultation Paper on the Statement of Community Involvement (Appendix 2) be approved for community involvement.

3. POLICY CONTEXT

- 3.1 The Statement of Community Involvement is a document which is part of a local authority's set of planning policy documents, and its purpose is to set out how the local planning authority will involve the community in producing planning documents, as well as on planning applications and

pre-application enquiries. It discusses which groups will be consulted, when, how and for how long. It is a statutory requirement that a local planning authority should have a Statement of Community Involvement.

4. THE PROPOSAL

(a) Current Position

4.1 The Council adopted its current Statement of Community Involvement at this Committee on 19th March 2014 (Minute 33 refers), after going through consultation on a draft version between November 2013 and January 2014. Its role was to provide the basis for undertaking consultation and community involvement in producing the Local Plan.

4.2 The SCI therefore was used in designing and carrying out the three community involvement stages of the Local Plan, with Issues and Options for the Local Plan subject to consultation between January and March 2016, consultation on a Draft Local Plan during May and June 2017, and finally consultation on a Pre-Submission Draft Local Plan and Proposals Map between November 2017 and January 2018. In addition, the SCI has informed community involvement on a number of Supplementary Planning Documents providing more detail on topics or sites.

4.3 At this stage, with the examination hearings for the Local Plan having taken place and an Inspector's report expected shortly, there are no new development plans proposed to be produced in the near future. However, it offers an opportunity to consider the success of the consultations that have taken place on the Local Plan. An updated SCI would also continue to be of use for production of supplementary planning documents, as well as for expectations in terms of developers consulting on pre-application enquiries.

4.4 Finally, there is now a statutory requirement in place that SCIs set out how local planning authorities intend to support neighbourhood planning in their areas. Neighbourhood plans form part of the development plan, but are produced by neighbourhoods with support from the local authority, using streamlined procedures, and are approved by local referendum. The Neighbourhood Planning Act 2017 states that an SCI must contain the policies for providing assistance for neighbourhoods with neighbourhood development orders and neighbourhood plans. This was brought into force on 31st July 2018. There are no neighbourhood plans or development orders in Reading, nor are there currently any properly constituted neighbourhood forums capable of instigating such measures, but it is possible that this could change, and in any case the Act states that this requirement applies whether or not such bodies exist. The SCI therefore requires update to take this into account.

(b) Option Proposed

4.5 It is proposed that the best approach would be a discussion paper asking how the community wishes to be consulted in the future. Other than the

neighbourhood planning requirements outlined in paragraph 4.4, the Council does not yet have any fully formed view on the need for changes to the SCI. A full draft SCI at this stage is not therefore considered the correct approach, and it would also potentially give the impression that the decision on the SCI contents had already been made. For that reason, a discussion paper centred on a small number of targeted questions is proposed.

4.6 Committee is therefore recommended to approve the Consultation Paper on the Statement of Community Involvement (Appendix 2) for consultation.

4.7 Once consultation is complete, the Council will need to prepare a revised draft SCI. Unless the significant changes would be limited to those already suggested in this consultation, a full draft would then need to be subject to a further period of consultation, and is therefore expected to be brought back to a future meeting of this committee. Depending on whether significant changes are necessary to the draft, the SCI could then be adopted.

(c) Other Options Considered

4.7 There is one alternative option, which is not to produce a new version of the SCI and instead continue to rely on the 2014 version.

4.8 This option would not deal with the statutory requirement to set out a policy on neighbourhood planning. Other than that, it would continue to fulfil the statutory minimum requirements. However, it would miss an opportunity to consider again the best ways of using limited resources to get the most out of consultation exercises.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 The Statement of Community Involvement will contribute to the following priorities in the Corporate Plan 2018-21, through ensuring that planning policy takes account of the views of the community and that community involvement makes the best use of resources available:

- Securing the economic success of Reading;
- Improving access to decent housing to meet local needs;
- Keeping Reading's environment clean, green and safe;
- Promoting great education, leisure and cultural opportunities for people in Reading;
- Ensuring our Council is fit for the future.

6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 The Statement of Community Involvement sets out how community involvement on planning matters will be carried out. The Consultation Paper on the Statement of Community Involvement will be subject to a six-week period of consultation. This will be carried out in line with the

existing Statement of Community Involvement (SCI), adopted by Council in March 2014 (Minute 33 refers).

7. EQUALITY ASSESSMENT

- 7.1 The Scoping Assessment, included at Appendix 1 identifies that an Equality Impact Assessment (EqIA) is relevant to the Statement of Community Involvement. The EqIA (also at Appendix 1) identifies that there are positive impacts for all protected characteristics, but particularly on age and racial groups, as defined in the Equality Act, because some of these groups have traditionally been underrepresented in consultation in the past meaning, which the SCI can seek to target. Compliance with the duties under S149 of the Equality Act 2010 can involve treating some persons more favourably than others, but it is not considered that there will be a negative impact on other groups with relevant protected characteristics.

8. LEGAL IMPLICATIONS

- 8.1 A Statement of Community Involvement is a requirement under Section 18 of the Planning and Compulsory Purchase Act 2004. The 2004 Act was amended by section 180 of the Planning Act 2008, which streamlined the process of production, including removing the need for independent examination. An additional amendment to Section 18 was made by Schedule 12 of the Localism Act 2011 to reflect neighbourhood planning.
- 8.2 Under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended 2017), a local planning authority must review a SCI within five years of the date of its adoption. For Reading, this means a review must be undertaken by 25th March 2019.
- 8.2 Section 6 of the Neighbourhood Planning Act 2017 introduced a requirement for SCIs to set out the local planning authority's policies on providing advice and assistance on making neighbourhood development orders and modification of neighbourhood development plans. The Neighbourhood Planning Act 2017 (Commencement No. 3) Regulations 2018 brought this into force from 31st July 2018.

9 FINANCIAL IMPLICATIONS

- 9.1 In terms of the SCI itself, the work undertaken on drafting it and the expenditure on community engagement, has been, and will continue to be, funded from existing budgets.
- 9.2 The contents of the SCI will potentially have financial implications for community involvement on future documents. The cost of consultation can vary widely depending on the means used to communicate and whether there are consultation events.

- 9.3 The SCI is expected to be amended to refer to support for neighbourhood planning. With no current neighbourhood plans in place or proposed, this would have no immediate resource implications. However, this could change if a constituted neighbourhood group wished to proceed with a neighbourhood plan, and this would have significant resource implications. In other authorities where neighbourhood plans are regularly produced, at least one dedicated officer is often required, and there are also substantial costs associated with holding an examination and local referendum. However, the statutory requirement to provide support to neighbourhood groups would exist with or without a reference in the SCI.

Value for Money (VFM)

- 9.4 The SCI will provide value for money in that it specifically considers how resources could be most efficiently used in carrying out community involvement, particularly including through electronic communications. It also considers how to target specific groups and areas to make best use of resources.

Risk Assessment

- 9.5 There are no direct financial risks associated with the report.

BACKGROUND PAPERS

- Planning and Compulsory Purchase Act 2004
- Town and Country Planning (Local Planning) (England) Regulations 2012
- Neighbourhood Planning Act 2017
- National Planning Policy Framework
- Statement of Community Involvement (adopted March 2014)

APPENDIX 1: EQUALITY IMPACT ASSESSMENT

Provide basic details

Name of proposal/activity/policy to be assessed:

Statement of Community Involvement (SCI)

Directorate: DENS - Directorate of Environment and Neighbourhood Services

Service: Planning, Development and Regulatory Services

Name: Mark Worringham

Job Title: Planning Policy Team Leader

Date of assessment: 17/01/19

Scope your proposal

What is the aim of your policy or new service?

To set out how community involvement on planning documents and decisions will be carried out.

Who will benefit from this proposal and how?

The local community and other stakeholders will benefit through being involved in planning documents and decisions at a time and in a way when there is a genuine opportunity to shape the results.

What outcomes will the change achieve and for whom?

The community will have a genuine say in planning documents and decisions. For planning policy documents, specific efforts will be made to reach previously underrepresented groups, e.g. younger people, ethnic minorities and people in certain areas of Reading.

Who are the main stakeholders and what do they want?

Local residents, community and voluntary groups, local businesses, relevant developers and landowners, infrastructure providers, statutory consultees. All stakeholders would like a greater say in the planning process, and in a manner which enables them to have a genuine influence.

Assess whether an EIA is Relevant

How does your proposal relate to eliminating discrimination; promoting equality of opportunity; promoting good community relations?

Do you have evidence or reason to believe that some (racial, disability, gender, sexuality, age and religious belief) groups may be affected differently than others? (Think about your monitoring information, research, national data/reports etc)

Yes No

Is there already public concern about potentially discriminatory practices/impact or could there be? Think about your complaints, consultation, feedback.

Yes No

If the answer is **Yes** to any of the above you need to do an Equality Impact Assessment.

If No you **MUST** complete this statement

An Equality Impact Assessment is not relevant because: N/A

Assess the Impact of the Proposal

Your assessment must include:

- **Consultation**
- **Collection and Assessment of Data**
- **Judgement about whether the impact is negative or positive**

Consultation

Relevant groups/experts	How were/will the views of these groups be obtained	Date when contacted
Local residents, community and voluntary groups, local businesses, relevant developers and landowners, infrastructure providers, statutory consultees	Consultation will involve notifying consultees of the documents, publication on the website, availability in key offices, press releases, social media etc.	March to June 2019

Collect and Assess your Data

Describe how could this proposal impact on Racial groups

In the SCI, ethnic minority groups have been specifically identified as being groups whose involvement should be specifically sought due to their underrepresentation in previous consultations. The new consultation asks how this can be strengthened. Impacts are therefore expected to be positive.

Is there a negative impact? Yes No Not sure

Describe how could this proposal impact on Gender/transgender (cover pregnancy and maternity, marriage)

There are no identified impacts on gender/transgender. Impacts are therefore expected to be positive.

Is there a negative impact? Yes No Not sure

Describe how could this proposal impact on Disability

The existing SCI specifically identifies the need to ensure that consultation methods and materials are accessible to all. Impacts are therefore expected to be positive.

Is there a negative impact? Yes No Not sure

Describe how could this proposal impact on Sexual orientation (cover civil partnership)

There are no identified impacts on sexual orientation.

Is there a negative impact? Yes No Not sure

Describe how could this proposal impact on Age

In the existing SCI, younger people (under 40) have been specifically identified as being groups whose involvement should be specifically sought due to their underrepresentation in previous consultations. The new consultation asks how this can be strengthened.

Impacts are therefore expected to be positive.

Is there a negative impact? Yes No Not sure

Describe how could this proposal impact on Religious belief?

The existing SCI does not specifically identify measures aimed at specific religious groups. However, following the SCI guidelines will make consultations appropriate to the groups that are likely to be affected. Impacts are therefore expected to be positive.

Is there a negative impact? Yes No Not sure

Make a Decision

Tick which applies

1. **No negative impact identified** Go to sign off
2. **Negative impact identified but there is a justifiable reason**

You must give due regard or weight but this does not necessarily mean that the equality duty overrides other clearly conflicting statutory duties that you must comply with.
Reason
3. **Negative impact identified or uncertain**

What action will you take to eliminate or reduce the impact? Set out your actions and timescale?

How will you monitor for adverse impact in the future?

The results of consultation exercises will continue to be analysed to identify whether any particular groups are particularly excluded from the community involvement processes.

Signed (completing officer) Mark Worringham Date: 17th January 2019
Signed (Lead Officer) Mark Worringham Date: 17th January 2019