

Meeting date: 22 January 2020
Report to: Cabinet Member for Climate Change,
Planning and Housing



Subject/report title: Statement of Community Involvement

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Public/private report: Choose an item.

Exempt by virtue of paragraph:

1. Purpose of Report

- 1.1 To report back following the Cabinet member for Climate Change, Planning and Housing's approval to consult on the draft updated Statement of Community Involvement (SCI) on 18 July 2019.
- 1.2 To report the responses and comments received during the consultation on the draft updated Statement of Community Involvement and associated Fair Treatment Assessment (FTA), to report the Council's recommended response to those comments and to seek approval to the amended and final Statement of Community Involvement.

2. Decision(s) recommended

- 2.1 To approve the Council's response to comments received during the consultation on the draft Statement of Community Involvement and associated Fair Treatment Assessment (FTA).
- 2.2 To approve the final Statement of Community Involvement.

3. What is the issue?

- 3.1 Planning affects everyone in Solihull. Housing, open spaces, leisure facilities and

employment are all a result of planning policies and decisions. It is therefore important that all sections of the community have opportunity to provide their views and participate in it.

- 3.2 The Council has a strong record in encouraging public participation in planning. In addition to the normal statutory requirements for individual planning applications, there has been consultation on a new Local Plan in 2016-17 and 2019. The Council has also worked to support the development of neighbourhood plans at Hampton-in-Arden; Knowle, Dorridge and Bentley Heath; Berkswell; and Balsall.
- 3.3 Solihull's current Statement of Community Involvement (SCI) was adopted in 2007. The main purpose of the SCI is to set out how the Council will involve local communities, businesses and other stakeholders in the preparation and review of planning policy and the consideration of planning applications.
- 3.4 Since the current SCI was adopted in 2007, national legislation has been amended and requires that the SCI is updated. Legislation also requires that the SCI includes specific reference to how the Council will provide advice and assistance to those undertaking neighbourhood planning. The Community Infrastructure Levy (CIL) has also been introduced and the SCI is therefore required to set out the Council's policy with regard to community involvement in the preparation of the CIL Charging Schedule.
- 3.5 The Council must comply with the SCI in the preparation of any planning policy documents and when determining planning applications.
- 3.6 The amended SCI is divided into five chapters. The first chapter is an introduction which sets out the purpose, aims and context of the SCI and links with other council and community involvement initiatives. Chapter 2 explains how the Council will involve local communities and stakeholders in the preparation and review of planning policy. Chapter 3 sets out how the Council will provide assistance and advice to those involved in neighbourhood planning. Chapter 4 set outs the Council's policy with regard to community engagement in the preparation of the Community Infrastructure (CIL) Charging Schedule and Chapter 5 to the consideration of planning applications.
- 3.7 Links to relevant websites and further information/ advice are given throughout the document and in the appendices.
- 3.8 The opportunity has been taken to update the SCI to reflect the additional communication channels now available that were not in widespread use in 2007. This reflects the practice put in place for the Local Plan Review (and commended by the ED&MG Scrutiny Board) which used the Council's email alert service (Stay Connected) and social media.
- 3.9 Before a revised SCI can be adopted, it can be published for consultation with the local community and other stakeholders. Public consultation on a draft revised SCI was undertaken for an eight week period between 02 August 2019 and 27 September 2019.
- 3.10 The consultation was run alongside that being undertaken in relation to the Local Validation Criteria which appears elsewhere on this agenda. As both relate to process

related matters (rather than policy) it was appropriate that they were consulted on together.

3.11 The draft SCI was consulted on in the following ways:

- Emails/letters were sent to specific, general and all other relevant consultees and stakeholders on the local plan consultation database;
- The draft SCI was available to view on the Council's website, at Council (Connect) offices and all libraries within the Borough;
- Stakeholders were given the option of responding to the consultation through an online consultation response portal, electronically by email or by post;
- The SCI and the consultation was promoted through Solihull 'Stay Connected' and the Council's Twitter and Facebook accounts.

3.12 Appendix A of this report sets out the representations that were received during the consultation on the Draft SCI. In Table 1, a summary of the comments is given, followed by the Council's recommended response to these comments and then any proposed changes to SCI are set out in the final column. Table 2 in Appendix A sets out the responses that were received through the Smart Survey that was carried out during the consultation and the Council's response and any proposed changes to the SCI or FTA.

3.13 The SCI has been amended in line with the proposed changes and the final SCI for which we are seeking approval is attached at Appendix B.

3.14 Overall, the document is welcomed and the responses are positive. In total, 21 responses were received. This was a mixture of email responses (10 responses) and responses received via the Survey (11 responses). Of those received by email there are: 3 statutory consultees, 2 writing in a personal capacity, 1 councillor, 2 local interest groups, a Neighbourhood Forum and a Parish Council. All responses to the Survey were from respondents commenting in a personal capacity. 8 of the 11 responses were received via the on-line Smart Survey and 3 were received in written format by post.

3.15 The comments received are helpful in ensuring that the document is user-friendly, correct, and consistent and with the appropriate level of information.

3.16 Some comments referred to the need for definition of terms such as 'community' and 'active engagement' and what could be expected by such terms. Where it is considered useful, definitions (for use within the document) have been set out within the text or added to the glossary at the end of the document. Where terms are not definitive, the text has been amended to be clearer.

3.17 Responses have also raised some areas for improvement in community involvement between the Council and local residents which goes beyond the scope of the SCI. For example, proposed changes to methods for the determination of planning applications and pre-application discussions. However, the focus of the SCI is to set out how the Council will involve local communities, businesses and other stakeholders in the

preparation and review of planning policy and the consideration of planning applications rather than the detail of how applications are determined.

4. What options have been considered and what is the evidence telling us about them?

- 4.1 No alternative options considered. The Council's current SCI was adopted in 2007. Since then, significant changes to the planning system have taken place. The Council's approach and processes in relation to consultation and engagement on planning matters have also evolved over this time. The Council must have an up to date SCI to comply with national legislation and to reflect current best practice.

5. Reasons for recommending preferred option

- 5.1 See 4.1 above

6. Implications and Considerations

- 6.1 Delivery of key themes in the Council Plan:

How will the options/proposals in this report contribute to the delivery of the key themes in the Council Plan?

- Improve Health and Wellbeing -
- Managed Growth – One of the Council's priorities is 'securing inclusive economic growth'. Planning policy that is based on good consultation can help promote this
- Build Stronger Communities – Effective planning engagement and supporting the development neighbourhood plans helps contribute to the 'creating the conditions for communities to thrive' key programme.
- Deliver Value -

- 6.2 Implications for children and young people, vulnerable groups and particular communities:

- 6.2.1 No immediate implications as a result of this report.

- 6.3 Consultation and Scrutiny:

- 6.3.1. The consultation process used is set out in 3.11

- 6.3.2. The ED&MG Scrutiny Board has considered the Council's approach to consultation and engagement in the Local Plan review on a number of occasions.

- 6.3.3. Government regulations identify 'specific consultation bodies' including organisations such as Natural England, Environment Agency and Historic England that the Council is required to consult.

- 6.3.4. In addition, the Council will directly consult with other relevant 'general consultation bodies' and those stakeholders on the local plan consultation database.
- 6.4 Financial implications:
- 6.4.1 No direct implications as a result of this report. The cost of the consultation, and its future requirements will be met from within existing budgets.
- 6.5 Legal implications:
- 6.5.1 The Council is required to prepare and maintain a SCI by the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Planning) (England) Regulations 2012, the Neighbourhood Planning Act 2017 and the National Planning Policy Framework.
- 6.6 Risk implications:
- 6.6.1 No immediate implications as a result of this report. It is essential that the Council meets the legal requirements for a SCI and follows its own procedures in the discharge of its planning responsibilities.
- 6.7 Statutory Equality Duty:
- 6.7.1 Fair Treatment Assessment (FTA):
- 6.7.2 Facilitating equal access to participation in local planning decisions is important. The draft SCI and associated Fair Treatment Assessment (FTA) have been consulted on comprehensively so that all parts of the community have the opportunity to comment on it.
- 6.7.3 The FTA that was carried out on the draft SCI did not identify any specific issues. The introduction of monitoring will ensure the SCI is having positive effect and reflecting the wider perspective of the Equality Act 2010.
- 7. List of appendices referred to**
- 7.1 Appendix A – Solihull Draft Statement of Community Involvement: Summary of Consultation Comments and proposed Changes.
- 7.2 Appendix B – Amended Statement of Community Involvement.
- 8. Background papers used to compile this report**
- 8.1 Draft Statement of Community Involvement – July 2019.
- 8.2 Statement of Community Involvement: Fair Treatment Assessment (FTA) – January 2020.
- 9. List of other relevant documents**
- 9.1 None.