

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	STATEMENT OF COMMUNITY INVOLVEMENT (SCI) UPDATE
<b>DATE OF DECISION:</b>	15 DECEMBER 2020
<b>REPORT OF:</b>	COUNCILLOR LEGGETT CABINET MEMBER FOR GREEN CITY AND PLACE

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<b>STATEMENT OF CONFIDENTIALITY</b>	
NOT APPLICABLE	
<b>BRIEF SUMMARY</b>	
<p>Request to approve recommended amendments to the Council's Statement of Community Involvement (SCI), in-line with guidance issued by government due to the Covid-19 pandemic. The update also includes a minor amendment with regards to publishing responses, made to avoid misinterpretation and ensure consistency with national plan-making requirements. These changes are highlighted in red on pages 3-4, 11 and 13 of the attached document.</p> <p>The purpose of the SCI is to detail how and when the Council will consult for the preparation of Development Plan Documents and for planning applications. It is a statutory document which all local planning authorities are required to produced and keep up to date, under the Planning and Compulsory Purchase Act 2004.</p> <p>The recommended amendments will ensure compliance with the national requirements for the development of planning documents and the processing of planning applications but will also ensure that we are conducting any consultation and engagement activities in a safe manner in light of the current pandemic. In particular, the update will allow us to consider a range of methods for the required public consultation processes of the new Southampton City Vision Local Plan, should we be unable to consult face to face with residents, business or stakeholders. It will also allow for greater flexibility about how planning applications are publicised.</p>	
<b>RECOMMENDATIONS:</b>	
	(i) To approve the suggested amendments to the attached Statement of Community Involvement (amendments marked in red)

	(ii)	To adopt the amended Statement of Community Involvement
<b>REASONS FOR REPORT RECOMMENDATIONS</b>		
1.	To ensure we are compliant with the most up to date government guidance for plan-making.	
2.	To ensure continued flexibility in our approach to planning related consultations, so that they are proportionate, appropriate and safe in a Covid-19 context.	
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>		
1.	Do nothing (i.e. no change to current SCI)  The approaches set out in the current SCI may not give sufficient flexibility to our consultation methods should we have to work within any restrictions enforced as a result of Covid-19. This will either halt our work until restrictions are lifted or, if we continue with consultations in ways contrary to the current SCI, will leave us open to challenge on the ground of non-compliance with a statutory planning document adopted by the Council.	
2.	A temporary 'Covid-19 addendum' to the SCI.  Following this option would result in a need to remove or amend the addendum at a later date should the situation with Covid-19 change. This option has been rejected as the recommended approach is more streamlined and will mean the new document will be fit for purpose for the next five years (i.e. until planning legislation requires us to carry out a review), and is fit for purpose in the context of the frequently changing Covid-19 restrictions.	
<b>DETAIL (Including consultation carried out)</b>		
	<p><b>Introduction</b></p> <ul style="list-style-type: none"> <li>• Southampton City Council is the local planning authority and is therefore responsible for ensuring that planning decisions are made in accordance with government guidance. Part of this guidance requires us to have an up to date Statement of Community Involvement (SCI) and to review this document every five years. This document should set out how the Council will involve people in developing planning documents and determining planning applications through engagement and consultation. SCC adopted a new SCI in July 2019.</li> <li>• In March 2020 the government introduced a range of restrictions on society to help combat the spread of Covid-19. Subsequently, MHCLG published guidance on how to ensure that planning processes were not disrupted and how local authorities should make alternative arrangements to ensure that effective consultation and engagement takes place. This guidance suggests that this could be addressed through the introduction of temporary amendments to its SCI.</li> <li>• Place shaping is a key theme within the Corporate Plan and the new Local Plan is identified as a key delivery mechanism. It is therefore important that we make any necessary amendments to the SCI to ensure that we continue to progress the development of the Local</li> </ul>	

Plan and enable effective consultation and engagement to feed into this process.

**Proposal**

- A review of the SCI has taken place and a number of amendments are being proposed.
- Whilst the guidance suggested that temporary amendments could be made to the SCI, we are recommending a permanent amendment. This will mean that it is far less likely to need further subsequent amendments which could cause delay in the plan making process. This approach is also in keeping with the current SCI, which was designed to be non-prescriptive, instead offering a wide range of consultation methods to choose from. Methods used should be assessed depending on the scale and impact of proposals, the number and range of people who are likely to be impacted and the resource available.
- The amendments are focussed on the 'Consultation methods' section of the SCI. Additional methods have been included, which should be given consideration if certain methods of consultation are not possible at the time. The development of the new Local Plan has already been delayed due to the impact of Covid-19 as restrictions came into place in the middle of the first formal consultation. The suggested amendments will help avoid any unnecessary further delay.
- This approach will provide SCC with an SCI which is fit for purpose at least through to the adoption of the new Local Plan, whilst continuing to meet the needs of other planning related consultations, such as those on planning applications.
- Following the Coronavirus Act 2020 the government published a Business and Planning Act. This provided specific changes in relation to planning applications, giving local authorities greater flexibility about how they publicised applications. These came into force on 14 May 2020. The SCI has been updated to include this guidance in relation to planning applications.
- This will ensure that we continue to involve people in planning decisions and shaping the city, a key priority for the Council.
- On reviewing the SCI we have also identified a point which we consider to need minor amendment. More specifically, the point relates to the publishing of responses following consultations for planning making. This process is not required after all stages of consultation therefore we propose the addition of the wording '(where required)' to avoid misinterpretation but still ensure consistency with national plan-making requirements.

**RESOURCE IMPLICATIONS**

**Capital/Revenue**

Resource implications are minimal. The final SCI will simply need a cover adding with the new adoption date and to be uploaded to the relevant pages of the SCC website by our dedicated IT officer for all Local Plan related works.

<b><u>Property/Other</u></b>	
	N/A
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
	As the Local Planning Authority, Southampton City Council has a statutory duty to produce a Statement of Community Involvement, under the Planning and Compulsory Purchase Act 2004, and keep it up to date. The proposed amendment can therefore take place under this legislative power.
<b><u>Other Legal Implications:</u></b>	
	None.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
	<p>If we do not update, and government restrictions continue or come into place in light of Covid-19, future consultations may not be able to comply with the requirements set out in the current SCI. If the Council then decided to undertake any consultation activity for the Southampton City Vision Local Plan, which is not able demonstrate compliance with the principles set out in the SCI (regardless of national Covid-19 restrictions) we could be open to challenge. In terms of the new Southampton City Visions Local Plan, if a challenge is made and upheld, this could result in the plan not being found 'sound' by a Planning Inspector at the examination stage. The proposed amendments therefore provide flexibility on a wide range of consultation methods to avoid this risk.</p> <p>Furthermore, if the SCI is updated as proposed and further restrictions were to come into place which resulted in any of our consultations not being able to comply with both the Covid-19 restrictions and the new SCI then a view may be taken to update the SCI once again. However, the chance of this is very low considering the flexibility the proposed changes add to the consultation and engagement process.</p>
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
	The Statement of Community Involvement is a statutory document that Southampton City Council are required to produce and keep up to date, in accordance with the Planning and Compulsory Purchase Act 2004.

<b>KEY DECISION?</b>	<b>Yes</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	All
<b><u>SUPPORTING DOCUMENTATION</u></b>	
<b>Appendices</b>	
1.	Involving You In Planning, our Statement of Community Involvement, proposed update December 2020.

**Documents In Members' Rooms**

1.	N/A	
<b>Equality Impact Assessment</b>		
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.		<b>No</b>
<b>Data Protection Impact Assessment</b>		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		<b>No</b>
<b>Other Background Documents</b>		
Other Background documents available for inspection at: N/A		
<b>Title of Background Paper(s)</b>		<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1.	N/A	