

Planning and Transportation Policy Working Group	
Meeting Date	17 th September 2024
Report Title	Statement of Community Involvement – Update for Emerging Local Plan
EMT Lead	Emma Wiggins, Director of Regeneration & Neighbourhoods
Head of Service	Joanne Johnson, Head of Place
Lead Officer	Rachel Scott, Principal Policy Consultant
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. That members discuss and note the Statement of Community Involvement report. 2. That members recommend to Policy and Resources Committee that the Statement of Community Involvement is published for public consultation.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to present the draft Statement of Community Involvement (SCI) update for public consultation to members. The current SCI from 2018, together with the 2021 update are quite dated now, and so an update has been produced which members are being asked to approve for public consultation.
- 1.2 An SCI sets out how consultation will be carried out on all planning matters, including: planning applications, planning policy documents, and enforcement.

2 Background

- 2.1 The Council’s current SCI, having been published in 2018, is in need of a refresh. Local Planning Authorities are required to review SCIs every 5 years from adoption. Whilst an update was published in 2021, this was a minimal update, mostly to do with changes to consultation approaches during Covid, and the update is also now 3 years old. A link to the 2018 SCI and 2021 update is provided in this report at section 8.1.
- 2.2 The draft SCI update reflects the more modern approach to writing such documents, reflecting the latest guidance and legislation, and using up-to-date terminology and current names for organisations.
- 2.3 The draft SCI update follows the relevant legislation, the Town and Country Planning (Local Planning) (England) Regulations 2012, and the national planning practice guidance. The document specifies what consultation the Council must do to meet the requirements of the legislation by listing what the Council “will” do, but then indicates what it “may” do if it was to go further than required.
- 2.4 A lot of what goes in an SCI is to do with meeting mandatory requirements on consultation, but it also sets out ways the Council can encourage participation in

consultations on planning matters, including 'hard to reach' groups. The document can be used to help explain to people how they can get involved with the different types of planning issues the Council deals with. For example, the SCI explains what the different types of policy documents are which shape a Local Plan, and explains the engagement process for each different type of document. It does the same for planning applications, and enforcement.

- 2.5 The SCI does *not* cover operational matters on planning issues, and does not commit to things like a specific timeframe to publish consultation responses on planning applications once received. If the SCI is made too specific and stringent, then it would open the Council up to judicial review if what is promised in the SCI is not then delivered. Operational matters can be discussed with the relevant head of service, and Councillor aspirations to go beyond statutory requirements can be covered outside of the SCI.

3 Proposals

- 3.1 The proposal is to publish the new updated SCI document for consultation before the end of the calendar year. As proposed in an earlier paper, it is recommended that the Local Development Scheme is amended to show a delay to the Local Plan Regulation 18 consultation. This means that consultation on the SCI can now be undertaken in advance of the Regulation 18 Local Plan consultation, which allows officers to run a consultation under the upgraded 'Objective' software. The software has been upgraded since the last Local Plan consultation which alters how responses will be processed internally, it does not change how the public will interact with the software, it is an internal change only. Having had a consultation running before the Regulation 18 consultation, it will hopefully help the Regulation 18 consultation run more smoothly, as officers will be able to pick up any 'teething problems'.

4 Alternative Options Considered and Rejected

- 4.1 The option of not updating the SCI was considered and rejected. It is a requirement to update SCIs every five years, and it is beneficial to have an up-to-date SCI published in advance of the Local Plan being consulted on. The Local Plan can then be consulted on in line with the new document.

5 Consultation Undertaken or Proposed

- 5.1 Once approval has been obtained from all necessary parts of the Council, the document will be published for consultation, which will be before the end of the calendar year.
- 5.2 The document has already been consulted on internally with the relevant teams, notably with the Planning Applications and Planning Investigations teams.

6 Implications

Issue	Implications
Corporate Plan	<p>The proposals in the report align with the following Corporate Plan action:</p> <ul style="list-style-type: none"> <li data-bbox="537 422 1357 455">• A Local Plan with local needs and capacity at its heart.
Financial, Resource and Property	No implications identified at this stage.
Legal, Statutory and Procurement	Updating the SCI every five years is a requirement, therefore publishing an update SCI will help meet the Council's statutory requirements.
Crime and Disorder	No implications identified at this stage.
Environment and Climate/Ecological Emergency	No implications identified at this stage.
Health and Wellbeing	No implications identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	No implications identified at this stage.
Risk Management and Health and Safety	No implications identified at this stage.
Equality and Diversity	The aim of the SCI is to improve the quality of consultation on planning matters, in particular in terms of equality and diversity.
Privacy and Data Protection	No implications identified at this stage.

7 Appendices

7.1 Appendix I: Statement of Community Involvement update draft for consultation.

8 Background Documents

8.1 The current version of the SCI and the February 2021 update can be found at: [Local Plans - Statement of Community Involvement \(swale.gov.uk\)](https://www.swale.gov.uk/local-plans-statement-of-community-involvement).