



Haringey Council

Report for:	Cabinet 14 July 2015	Item Number:	
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Title:	Statement of Community Involvement (SCI)
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Report Authorised by:	Lyn Garner, Director Regeneration, Planning and Development
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Ward(s) affected: All	Report for Key Decision
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1 The issue under consideration

- 1.1 This report seeks approval of the draft revised Statement of Community Involvement (SCI) at Appendix A for public consultation.
- 1.2 Section 18 of the Planning and Compulsory Purchase Act (2004) requires local planning authorities to prepare a Statement of Community Involvement (SCI). The SCI must set out how persons, who appear to the authority to have an interest in matters relating to development in the area, will be involved in the authority's plan making and development management functions.
- 1.3 Haringey's SCI was adopted in 2008 following public consultation and an examination in public and was subsequently updated in 2011. It provides a commentary on the (then) new planning system, on the production of the SCI and upon the objectives and principles of community involvement. There are further chapters relating to involvement in the LDF (now the Local Plan) and the Development Management Process, and a detailed account of the consultation techniques to be employed in the preparation of different types of planning documents and for development management.



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- 1.4 The adopted SCI is now four years old. Since its adoption there have been a number of amendments to the 2004 Act and the Regulations governing development planning in England including the enactment of the Localism Act 2011 and the publication of the National Planning Policy Framework. The principal effect of these changes, in relation to SCIs, is that they are no longer subject to examination in public. There have also been changes to planning terminology, comprising the re-introduction of the concept of Local Plans and a move from development 'control' to 'management' in the planning application process. Other important changes brought about by legislative changes include neighbourhood planning and the process of preparing neighbourhood plans, the Duty to Cooperate and the introduction of the Community Infrastructure Levy.
- 1.5 And locally, Haringey's Local Development Scheme is to be amended as a consequence of the preparation of Haringey's proposed new Local Plan, which includes most notably, Area Action Plans for Tottenham and Wood Green which were not envisaged when the SCI was adopted.
- 1.6 For the reasons set out in this paper, it is therefore proposed to consult upon a simpler, streamlined and updated SCI for Haringey.
- 1.7 Further details on the proposed updates are provided below.

2 Recommendation

- 2.1 That Cabinet approves the annexed draft revised Statement of Community Involvement (SCI) for an eight week public consultation from September to October 2015 to ensure that Haringey has an effective, flexible and up-to-date SCI pursuant to section 18 of the Planning and Compulsory Purchase Act 2004 (as amended).

3 Alternative option considered

- 3.1 The Council could choose not to review the SCI. However, the Council is required to adopt an up-to-date SCI, pursuant to section 18 of the Planning and Compulsory Purchase Act 2004 (as amended), taking account of national, regional and local policy changes.
- 3.2 Haringey's draft Local Plan, which was consulted on during the spring 2015, will be assessed by a Planning Inspector at an Examination in Public against the Soundness Test set out in Paragraph 182 of the National Planning Policy Framework. The NPPF states that a local planning authority should submit a plan for examination which it considers is "sound" – namely that it is:



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- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.
- 3.3 A justified Plan means one which is based on a robust and credible evidence base including evidence of participation of the local community and others having a stake in the area. The Haringey SCI provides the framework for assessing that the Local Plan is justified and therefore the Council needs to update its SCI to ensure the relevant practices and procedures for consultation and community participation are followed
- 3.4 A number of changes have been made since the adoption of the previous SCI including the adoption in July 2014 of a revised Planning Protocol to ensure the highest standards of probity in the performance of its planning function, new regulations introduced in the consolidated Development Management Procedure Order 2015 with revised consultation requirements, the Council's Overview and Scrutiny Review of Community Engagement and the Council's need to streamline and become more efficient which has led to a move to self-service and paperless systems.
- 3.5 Not updating the SCI to take account of these local changes means the Development Management service would not be able to make the necessary budget savings associated with reducing the level of neighbour consultation letters and providing a better and more efficient self service

Background information

The SCI review



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- 3.6 The first SCI document was adopted by Haringey in 2008. Various changes in legislation have occurred since then. In 2008, the requirement to include the SCI in the Local Development Scheme (LDS) and for it to be submitted to the Secretary of State for examination were removed. Furthermore, the Localism Act introduced in 2011 has resulted in a streamlining of plan preparation as well as a number of other relevant changes.
- 3.7 In recognition of these reforms, the Government published revised Local Planning Regulations in 2012. These introduced further changes justifying this update of the SCI document. In particular, this relates to a simplified plan preparation process with fewer formal stages and faster working methods with regard to consultation and engagement requirements and the increases use and availability of electronic communications such as email and the web.
- 3.8 Other recent statutory changes include the following:
- The Localism Act (2011) which places a ‘duty to co-operate’ on all local authorities and a number of other public bodies. It requires on-going, constructive and effective engagement on matters of strategic cross-boundary significance in plan making.
 - Neighbourhood Planning (General) Regulations 2012, which provide the opportunity for community groups (as designated neighbourhood forums) to prepare their own neighbourhood plans;
 - Community Infrastructure Levy Regulations (CIL), April 2010 (and subsequent amendments), which set out the provisions for CIL, the procedures and the bodies to be consulted during the preparation of a CIL;
 - The Town and Country Planning (Development Management Procedure) (England) Order 2015, which consolidates the amendments made by the Town and Country Planning (Development Management Procedure) (England) Order 2010 and subsequent amending instruments and revokes, in full or in part, a number of other the instruments. This includes setting out the statutory provisions for consultation on planning applications, and specifies the bodies to be consulted, depending on the type of planning application;
 - The Town and Country Planning (General Permitted Development) Order 2015, which sets out the requirements for statutory consultation on adjacent premises regarding prior approvals for householder extensions.
- 3.9 This review of the SCI takes on board these new changes and requirements.



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3.10 At the local policy level the draft SCI reflects the proposed 2015 Local Development Scheme, which is to be amended as a consequence of the preparation of Haringey's new draft Local Plan documents. Most notable is the inclusion of proposed Area Actions Plans for Tottenham and Wood Green, which were not envisaged when the SCI was first adopted.

3.11 The proposed update to the SCI has also provided Haringey with the opportunity to improve its approaches to Development Management in order to reflect 'best practice' and consultation work on planning applications and to take on board the work of the Environment and Housing Scrutiny Panel to assess how planning services involved local residents and engaged local communities during 2013. In July 2014, the Council adopted an internal Planning Protocol following approval at Regulatory Committee, which set arrangements for Development Management and established the Council's move to self-service and paperless systems which was signalled in the previous SCI. These, along with the results of the recent statutory changes and a commitment to effective engagement including the use of new media/technology where appropriate, have resulted in the following key updates for Development Management:

- Using the existing Development Management Forum to consider some major planning applications, at the pre-application stage (rather than during the application process) and introduction of pre-application briefings for the planning sub-committee;
- Review of the charged pre application service including the introduction of a charged householder pre-application service and early construction advice together with a discounted service for small businesses;
- A new Quality Review Panel to replace the Design Review Panel;
- A move towards using new media (when the technology becomes fully developed) to help reduce and eventually remove the need for posted neighbour notification letters using site notices instead for all applications and the introduction email/SMS notification of applications in their area.

Proposed Consultation



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3.12 The Council is proposing to consult on the draft SCI for 8 weeks from Cabinet approval. Following the removal in the 2008 Planning Act of the requirement for the SCI to be submitted to the Secretary of State for examination, Haringey's SCI will not be publicly examined. Following the 8 weeks consultation, it is the intention to consider all responses to the SCI, bring a report back to Cabinet to amend the document where appropriate and to formally adopt the SCI. The consultation will be carried out in accordance with the adopted Statement of Community Involvement and the regulations for consulting on such documents.

Prioritisation and Resource Implications

3.13 The preparation of the SCI is a statutory requirement.

3.14 The costs of preparing SCI will be met within existing budget commitments.

4 Next Steps

4.1 Below is a timetable setting out the progress of this document:.

Task	Completion Date
Cabinet approval to consult on the Draft SCI	14 July 2015
Consultation Period	July to September 2015
Adoption	Late 2015/ Early 2016

4.2 The public consultation on the SCI is scheduled to begin in July and will run for an 8 week period to take account of the summer period.

4.3 The consultation will be for eight weeks and will meet all the statutory requirements of the regulations.

5 Comments from Regulatory Committee

5.1 Regulatory Committee resolved to note the draft Statement of Community Involvement on 2nd July. The Committee raised the following points:

- Clarification was sought on the status of the Crouch End Neighbourhood Plan.
- The timescale for review of the planning protocol was queried.
- New approaches to improving engagement with black and ethnic minority communities were questioned.



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- Wording changes were requested to section 4 of the report to more clearly set out the link between the update of the SCI and future consultation on the Local Plan. Under section 6, further expansion was required on the relationship and sensitivities between the Local Plan and neighbourhood development plans, particularly in terms of precedence.
- The Committee requested the production of an executive summary for the public consultation and a flow chart covering the engagement process.
- Concerns were raised that the report did not make reference to how the results of consultations would *conscientiously* be taken into account in line with the four general principles of consultations.
- The importance of establishing a clear definition of 'social media' within the SCI was emphasised.

5.2 Officers advised the Committee as follows:

- Officers advised that the Plan had yet to be submitted.
- Officers advised they hoped to bring a report back to the next Regulatory Committee meeting with proposals.
- Officers advised that the focus of the SCI would primarily be on utilising social media tools to engage with communities including black and ethnic minority groups, such as changing the publishing format of documents to allow the use of translation apps to convert documents into community languages.
- Officers advised that the following paragraph will be added to the SCI to explain the relationship between neighbourhood planning and local plans. A link to the 'Locality' website was also added to the text which provides additional useful resources explaining the relationship between neighbourhood plans and local plans:
 - *6.1.2 A neighbourhood plan should support the strategic dev needs set out in the Local Plan and plan positively to support local development (as outlined in paragraph 16 of the National Planning Policy Framework)*
- Officers advised that the following sentence will be added to paragraph 2.1.5 of the SCI to explain the relationship between the SCI and future consultation on the Local Plan.
 - *Future consultations on Local Plan documents will need to be carried out in accordance with this Statement of Community Involvement.*
- Officers advised that a separate executive summary will be produced for the public consultation and a flow chart covering the engagement process. This summary would also more clearly and accessibly:
 - explain how the results of consultations would conscientiously be taken into account; and
 - establish a clear definition of 'social media'.



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6 Comments of the Chief Finance Officer and financial implication

- 6.1 The cost of preparing this report, the documents it refers to and the consultation recommended can be contained within existing budgets.

7 Comments of the Assistant Director of Corporate Governance and legal implications

- 7.1 The Assistant Director of Corporate Governance has been consulted on the preparation of this report and comments as follows.
- 7.2 Local Planning Authorities are required by virtue of s18 of the Planning and Compulsory Purchase Act 2004 to prepare a Statement of Community Involvement which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications.
- 7.3 There is a process, set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, associated with the preparation of, consultation on and adoption of a Statement of Community Involvement.
- 7.4 It is clear that there have been significant changes in legislation, policy and guidance since the adoption of the last iteration of the Council's Statement of Community Involvement to require and justify the suggested update of and revision thereto.
- 7.5 The revised Statement of Community Involvement should, when adopted, be published on the Council's website

8 Equalities and Community Cohesion Comments



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8.1 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:

- tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- advance equality of opportunity between people who share those protected characteristics and people who do not;
- foster good relations between people who share those characteristics and people who do not.

8.2 The SCI sets out the stages of preparing a Development Plan Document (section 2.2 in the draft). An initial screening for the Equality Impact Assessment should take place at an early stage. Equality considerations should inform both (i) the design/substance of the draft plan and (ii) how the consultation process on the draft is carried out. The assessment should identify any mitigating measures which need to be put in place.

8.3 The draft SCI outlines a good range of measures which aim to increase the inclusivity of Development Plan consultations. Future EqIAs surrounding draft development plans should reference how the list of measures contained in the SCI would be deployed in the specific circumstances to advance equality, tackle discrimination and promote community cohesion.

9 Head of Procurement Comments

9.1 Not applicable.

10 Policy Implication

10.1 Haringey's Corporate Plan sets out the Council's strategic direction from 2015 to 2018. With the vision of 'Building a Stronger Haringey Together', the Corporate Plan guides the work of all Council programmes. The overarching theme is that everyone who lives in Haringey will have the opportunity to lead a successful and fulfilling life.



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- 10.2 The Corporate Plan 2015-18 explains the priorities for the borough, and how the Council will achieve these priorities. The overall approach is to encourage investment in the borough to create more opportunities. The emerging SCI will help achieve all the priorities of the Corporate Plan by ensuring we work with our communities, as a team, with everyone who has an interest in our community to improve our neighbourhoods and increase skills and capacity around local problem solving. The SCI will encourage community participation, signposts local resources and connects skills and willingness with where it can really make a difference.
- 10.3 The SCI is therefore consistent with the existing Corporate Plan and the emerging Corporate Plan.

11 Reasons for decision

- 11.1 Section 18 of the Planning and Compulsory Purchase Act (2004) requires local planning authorities to prepare a Statement of Community Involvement (SCI). The SCI must set out how persons who appear to the authority to have an interest in matters relating to development in the area will be involved in the authority's plan making and development management functions. Haringey's SCI is out of date and therefore needs updating following a statutory consultation period.

12 Use of Appendices

- Appendix 1 – The draft revised Statement of Community Involvement

13 Local Government (Access to Information) Act 1985

- 13.1 The following documents were used in the preparation of this report:

- Haringey SCI 2008 (Updated 2011)
- Planning and Compulsory Purchase Act 2004
- Town and Country Planning (Local Planning) (England) Regulations 2012
- The National Planning Policy Framework 2012
- The Localism Act 2011