

**Report to** Sustainable development panel  
23 March 2016  
**Report of** Head of planning services  
**Subject** Statement of Community Involvement - proposed revision

**Item**  
**6**

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## **Purpose**

This report is about a proposed revision to the city council's Statement of Community Involvement (SCI). The SCI is the council's formal code of practice which describes how people can expect to be involved in the planning process, setting out the standards that will be used to consult people and organisations about planning applications and plan-making. Preparing a Statement of Community Involvement is a statutory requirement under the 2004 Planning and Compulsory Purchase Act.

## **Recommendation**

That members comment on the draft Statement of Community Involvement and recommend that cabinet approves the document for public consultation during June.

## **Corporate and service priorities**

The report helps to meet the corporate priority for a prosperous and vibrant city and a fair city. Although no longer specifically identified as a planning service priority, the preparation of the SCI is a statutory requirement and a specific work priority within the planning policy team plan for 2016-17.

## **Financial implications**

There are no direct financial implications of this report.

**Ward/s:** All wards

**Cabinet member:** Councillor Bremner – Environment and sustainable development

## **Contact officers**

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## **Background documents**

None.

# Report

## Introduction

1. The *Statement of Community Involvement* (SCI) is the city council's code of practice on how people can expect to be involved in the planning process. It sets out how the council will involve the public in plan-making at different stages and for different types of planning document. It also sets the standards that the council's planning service will use when the public are consulted on planning applications for new development. Preparing an SCI is a statutory requirement for local planning authorities under section 18 of the Planning and Compulsory Purchase Act 2004.
2. The draft revised SCI is attached at Appendix 1.

## Why a review is necessary

3. Norwich's current Statement of Community Involvement was adopted in July 2013 and can be found at the following link:

[https://www.norwich.gov.uk/info/20225/planning\\_policies\\_supporting\\_documents/1506/statement\\_of\\_community\\_involvement](https://www.norwich.gov.uk/info/20225/planning_policies_supporting_documents/1506/statement_of_community_involvement)

The 2012-13 review of the SCI was fairly extensive, seeking to respond to a number of major changes in national planning policy, legislation and regulation which streamlined and simplified many aspects of planning and plan-making. The 2013 SCI also took account of improved procedures within the council's own development management service for consulting the public on planning applications and involving people more effectively in decisions about development proposals.

4. The revisions to the SCI document now proposed are generally minor. The current adopted SCI is up to date and in most respects remains fit for purpose to inform the council's procedures for public consultation and engagement for planning. The bulk of the SCI would therefore remain unchanged from the 2013 version. The principal changes result from work being carried out by the city council on the emerging statutory Greater Norwich Local Plan (GNLP) in partnership with Broadland and South Norfolk district councils and Norfolk County Council, as well as ongoing work with other planning authorities in Norfolk on developing the non-statutory Norfolk Strategic Framework (NSF).
5. As part of this process (and to meet the Duty to Cooperate), Norwich and its partner councils preparing the Greater Norwich Local Plan have agreed to:
  - (a) Update their respective Local Development Schemes (LDSs) to incorporate the jointly agreed timetable for preparing the Greater Norwich Local Plan and NSF. Sustainable development panel agreed Norwich's revised Local Development Scheme at its meeting on 24 February 2016, recommending approval by Cabinet. Cabinet approved the revised LDS at its meeting on 9 March in accordance with the panel's recommendation and it came into effect on 10 March 2016. Corresponding LDSs for Broadland and South Norfolk are also now in place
  - (b) Update and align their respective Statements of Community Involvement (SCIs) to ensure a consistent, focused approach to consultation and public engagement on the emerging GNLP and associated documents. South Norfolk and Broadland are

in the process of agreeing their draft revised SCIs for consultation in April, although Norwich's SCI is not proposed to be consulted on until after the May local elections to accord with the requirements of "purdah". The new SCIs for Broadland and South Norfolk have been prepared in close cooperation with Norwich; closely following the format of Norwich's SCI with local variations to allow for plan documents specific to those areas and (for example) to take account of the wider role of parish councils in suburban and rural areas.

6. At a national level, there are also a number of ongoing and anticipated changes to the planning system which may reduce the extent to which the council can involve people in plan making and in decisions on planning proposals. The need for a more focused and streamlined approach to plan-making and for timely and up to date local plans has been signalled repeatedly by government, as part of a drive to speed up development and remove barriers to economic and business growth perceived to be imposed by so-called "red tape" in planning and other regulatory regimes.
7. There is a strong likelihood that financial penalties and other sanctions could be imposed on councils which either do not have local plans in place, fail to bring forward plans quickly enough or fail to review existing plans to keep them up to date. Sanctions are also possible for those councils with a track record of refusing planning permission for new housing developments which are then allowed on appeal. All this means that the city council must strike a careful balance between meeting government expectations for speedy plan-making and decision taking and giving people a meaningful opportunity to comment on and influence emerging plans and proposals.
8. Therefore, in order to meet government directives and ensure that new planning documents for Norwich will be prepared to the timescales set out in the LDS, some of the consultation arrangements for plan-making in the 2013 SCI must be reviewed, particularly to streamline certain procedures and (where this is unavoidably necessary) to shorten the length of time the council consults on key documents including those being prepared for the Greater Norwich Local Plan.
9. Norwich City Council is a signatory of "The Compact", which is a national agreement between the government and community sectors aiming to improve the way that voluntary and community sectors and local councils work together. The Compact can be viewed here:

[http://www.compactvoice.org.uk/sites/default/files/the\\_compact.pdf](http://www.compactvoice.org.uk/sites/default/files/the_compact.pdf)

The proposed revised SCI follows the principles of the Compact (as did the 2013 version) although where shorter timescales for consultation are proposed than the minimum 12 week period specified in the Compact, the reasons for this need to be clearly set out and justified. Paragraphs 43 to 46 of the SCI document set out the revised timescales for plan-making and the reasoning for the revised approach.

10. As previously, the SCI document indicates how it will interpret various parts of the council's Community Engagement Strategy, adopted in 2009, and how it relates to the current Corporate Plan.

## Key changes from the 2013 SCI

### *Plan making*

11. The new SCI document incorporates additional commentary in relation to plan-making, describing the most recent national policy changes and in particular the government's requirements to speed up and streamline the local plan process. It updates the local context for plan-making with reference to the most recently adopted (2014) local plan for Norwich City, the emerging Greater Norwich Local Plan and Norfolk Strategic Framework, the Duty to Cooperate and the new joint planning and governance arrangements under the Greater Norwich Growth Board (GNGB), which have been introduced since the last SCI was adopted.
12. There are a number of changes to the minimum **consultation periods** for key planning documents which are necessary in response to the more rigorous timeframes for plan preparation. These can be summarised as:
  - (a) Ensuring that planning policy documents are consulted on for at least the statutory minimum period in all cases (that is, six weeks for development plan documents and neighbourhood plans; four weeks for supplementary planning documents);
  - (b) No longer requiring an automatic two-week extension of the statutory minimum consultation period whenever a consultation overlaps with holiday periods irrespective of the length of the overlap. Instead, a more flexible and pragmatic approach is proposed, extending consultations by an appropriate number of days dependent on when consultation periods will fall in relation to the holiday.
  - (c) No longer requiring an automatic 12-week consultation period for any document not included in the published Local Development Scheme. The expectation is that Local Development Schemes would be reviewed regularly to ensure that any requirements for new policy documents are captured and publicised well in advance, as well as noting them in published Annual Monitoring Reports.
  - (d) Clarifying the arrangements for consultation on informal policy documents and advice notes and on future reviews of the SCI itself, and making clear that consultations will not normally be undertaken in the run up to local elections ("purdah").
13. The proposed revised consultation periods are set out in the table following paragraph 48 of the SCI document. In relation to statutory planning documents, the same periods will be specified in the corresponding SCI documents being prepared for Broadland and South Norfolk.
14. A new table is added at the end of Section 2 detailing the statutory stages of council publicity for **Neighbourhood Plans** prepared by the community. This is to clarify the statutory process should any neighbourhood plans be taken forward in Norwich in future (there are none currently). The table is consistent with corresponding ones included in the SCIs for Broadland and South Norfolk, both of which have a number of neighbourhood plans already in place.

### *Planning applications*

15. The SCI document, as previously, sets out the standards for consulting on planning applications and specifically the requirement for developers to undertake their own

pre-application consultations on major schemes. The section provides a general overview and is largely unchanged from the 2013 SCI except in relation to matters of detail. The SCI will not contain full details of current planning service standards and pre application advice fees since these may be subject to further amendment over the SCI period. Links are instead provided to the relevant planning service web pages, whose content will be updated as necessary.

16. A review of planning pre-application advice service standards, consultation processes and charging levels has recently been undertaken and a number of changes were agreed by cabinet on 9 March. They will take effect in April.

### **Consulting on the revised document**

17. Subject to agreement by the panel and approval by cabinet, it is proposed to consult on the draft revised SCI for six weeks (consistent with timescales in the Local Development Scheme) commencing in June 2016.

### **Conclusions**

18. The revised Statement of Community Involvement as now proposed would be broadly unchanged from the 2013 version. It provides a clear framework for effective public engagement in the planning process to ensure timely production of the Greater Norwich Local Plan and supporting documents and ensure that well planned, sustainable development can be delivered for the city.
19. The government's continued drive to simplify and streamline the planning system (and the prospect of sanctions for councils perceived to be delaying their local plans or not determining planning applications quickly enough) means that it may not always be possible to involve local people in the planning process to the extent that we would like. This is especially so in the case of the many categories of development that no longer need planning permission at all, or where the statutory requirements for public consultation have been reduced. For that reason, it has been necessary in a small number of cases to propose a reduction in the length of time we consult on key documents compared with the timescales set out in the current SCI.
20. It is clear that a careful balance must be struck between speedy and efficient plan making and decision taking and the need for communities in Norwich to have a meaningful opportunity to comment on and influence development decisions that will affect them. The SCI demonstrates the council's continuing commitment to involve the community to the widest practical extent in local plan production and in the decision making process for planning applications.