



## Policy and Resources Committee

23 October 2018

<b>Title</b>	<b>Barnet's Local Plan – Statement of Community Involvement</b>
<b>Report of</b>	Chairman of the Policy and Resources Committee
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	Yes
<b>Enclosures</b>	Appendix A – Statement of Community Involvement Appendix B – Responses to Representations Report
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<b>Summary</b>	
The Statement of Community Involvement (SCI) sets out how the Council will involve local residents, businesses and community groups in the preparation of planning documents and the consideration of planning applications. The SCI has been updated to reflect further reforms to the planning system including the introduction of Permission in Principle and clarify how the community can get involved. The commitments set out in the SCI will ensure that planning processes in Barnet are fair, transparent and inclusive.	

## Officers Recommendations

**That the P&R Committee:**

- **Considers the consultation response to the draft Statement of Community Involvement (SCI) and agrees the changes to the SCI outlined in the Responses to Representations Report at Appendix B.**

- **Agrees the adoption of the Statement of Community Involvement (Appendix A) and delegates authority to the Deputy Chief Executive to make any necessary changes of a minor nature to the final wording of the SCI in consultation with the Leader before the final version of the SCI is published.**

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 Effective community involvement in decision-making is a vital part of supporting communities to become more active and resilient. It supports local people to shape their area and the services they receive, making sure that services and policies are effective at meeting local need. Community involvement in the planning process means that local people have the opportunity to help shape the places and spaces in the Borough where they live, work and study.
- 1.2 The SCI sets out Barnet's commitments with regards to community involvement in all planning matters. The document provides the processes by which consultation and engagement will be conducted on planning policy documents and planning applications. The SCI details how the council intends to conduct consultation and engagement in order to make the planning process transparent, inclusive and accountable.
- 1.3 The Council's first SCI was adopted in 2007 and substantially revised in 2015. Since then, there have been a number of changes to planning legislation as well as technological advances which have changed the way that public consultation is conducted. This SCI reflects these changes.
- 1.4 The SCI forms part of Barnet's Local Plan and in relation to all planning matters sets out what the Council will consult and engage the community on, when and how it will do it.
- 1.5 Following approval by the Policy and Resources Committee in June 2018 the draft SCI was subject to six weeks of consultation from 18 June to 30 July 2018. The consultation generated 121 responses from 12 stakeholders, including Historic England, Mill Hill Preservation Society, Finchley Society, The Barnet Society and West Finchley Residents' Association as well as local residents. The key messages from the community groups focused on ensuring that the SCI set out clearly how the community are able to be involved in different consultation methods and to ensure the different channels of communication are used to engage everyone on planning matters. Specifically on planning application consultation, comments related to more pro-active engagement by the Council to ensure community involvement and calls for more transparency on how comments are considered. Calls were also made for greater transparency on pre-application discussions. The Council's response on these uses and subsequent revisions to the SCI are set out in Appendix B.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The Government's National Planning Policy Framework (2018) reinforces the importance of community involvement in the planning process. It states in para 16 that plans should:

*"Be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees."*

- 2.2 The SCI is a statutory document required by Section 18 of the Planning and Compulsory Purchase Act 2004 in order that local planning authorities set out how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications.
- 2.3 Barnet's SCI is set out as follows:
- The introduction provides a summary of the SCI and highlights the main legislation regarding consultation and community involvement in planning;
  - section two outlines how community involvement and engagement complies with Barnet's Consultation and Engagement Strategy and the various methods used;
  - sections three to seven set out how we consult and involve the community on matters relating to planning applications. This highlights the introduction of Permission in Principle and the Brownfield Register;
  - section eight relates to how we will involve and engage the community on matters relating to planning policy including the new Local Plan;
  - section nine relates to Neighbourhood Planning and reflects changes arising from the Neighbourhood Planning Act 2017;
  - subsequent sections relate to the Community Infrastructure Levy, Conservation Area Character Appraisals, Article 4(1) Directions as well as applications to carry out works to trees. The final section relates to resource availability for ensuring community involvement.

### **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 The alternative option is not to revise and update this statutory document. This may mean that the opportunity to clarify the Council's approach to consultation on all planning related matters is lost.

### **4. POST DECISION IMPLEMENTATION**

- 4.1 The SCI is prepared through powers contained within the Planning and Compulsory Purchase Act 2004 and the associated Town and Country Planning (Local Planning) Regulations 2012. As soon as reasonably practical after adoption, a statement setting out issues raised during public consultation and how these were addressed will be published.
- 4.2 The SCI will be used by Barnet's Development Management and Strategic Planning services as the basis for all planning consultations.

### **5. IMPLICATIONS OF DECISION**

#### **5.1 Corporate Priorities and Performance**

- 5.1.1 The Corporate Plan 2015-2020's vision for more involved and resilient communities is embedded within the SCI. The vision states that greater community participation, engagement and involvement will be an essential part of the change the Council will achieve over the next five years.

- 5.1.2 The council's Consultation and Engagement Strategy sets out what good community engagement requires with objectives for local communities and residents to provide them with opportunities to:
- Gain greater awareness and understanding of what the Council does;
  - To voice their views and know how they can get involved; and
  - To have their views fed into the democratic decision-making process

5.1.3 The approach to consultation and engagement within the SCI is consistent with the Barnet Engagement Model as set out in the Consultation and Engagement Strategy.

## 5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 The cost of producing the SCI is included in the Re contract.
- 5.2.2 Consultation activities in relation to planning policy are funded by the party commissioning the policy work as relevant consultation activity is a requirement for developing new policy.
- 5.2.3 Consultation and engagement activities relating to planning applications are funded by fee income or bespoke arrangement with the developer.

## 5.3 **Social Value**

- 5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits.
- 5.3.2 Social benefits will be secured through the opportunities given to the local community and residents to be involved in all planning matters.

## 5.4 **Legal and Constitutional References**

- 5.4.1 The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 provide guidance on the preparation and adoption of the Local Plan. Upon adoption the SCI becomes a statutory document that forms part of Barnet's Local Plan.
- 5.4.2 Under the Council's Constitution, Document Article 7 (section 7.5 Responsibility for Functions) sets out that the Policy and Resources Committee is responsible for the overall strategic direction of the Council including responsibility for Local Plans.

## 5.5 **Risk Management**

- 5.5.1 Failure to update the SCI could lead to challenges that the Council is not undertaking consultation in accordance with current Planning Regulations and other relevant legislation. This would leave engagement procedures and therefore planning decisions open to challenge because they have not been made in accordance with the statutory SCI
- 5.5.2 This risk has been managed by ensuring that, at the very least, the minimum consultation requirements set out in the Local Plan Regulations and Development Management Procedure Order are adhered to.

## 5.6 **Equalities and Diversity**

5.6.1 The Equalities Act, 2010 outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:-

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act, 2010;
- Advance equality of opportunity between people of different groups; and
- Foster good relations between people from different groups.

Relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

5.6.2 The SCI will help ensure the opportunity is given to all sectors of the community to participate in local planning processes. It sets out how we will involve the rich diversity of local residents, businesses and community groups in the preparation of planning documents and the consideration of planning applications so that all voices are heard, consultations are accessible and inclusive to different groups including hard to hear voices.

## 5.7 **Consultation and Engagement**

- 5.8 The draft SCI was subject to a six week period of public consultation between June and July 2018. The consultation generated 121 responses from 12 individuals and organisations. Appendix B sets out proposed responses to these representations.
- 5.9 Representations received during the consultation were taken into consideration in redrafting the final SCI in Appendix A.
- 5.10 Many of the suggestions for edits were noted and changes to the document made accordingly (as indicated by Appendix B).

## 6. **BACKGROUND PAPERS**

6.1 Barnet's Statement of Community Involvement, July 2015

<https://www.barnet.gov.uk/citizen-home/planning-conservation-and-buildingcontrol/planning-policies-and-further-information/statement-of-communityinvolvement.html>