

	<h2>Policy and Resources Committee</h2> <h3>2 June 2015</h3>
<p style="text-align: right;"><b>Title</b></p>	<h2>Barnet's Local Plan –Statement of Community Involvement</h2>
<p style="text-align: right;"><b>Report of</b></p>	Commissioning Director Growth and Development – Cath Shaw
<p style="text-align: right;"><b>Wards</b></p>	All
<p style="text-align: right;"><b>Date added to Forward Plan</b></p>	May 2014
<p style="text-align: right;"><b>Status</b></p>	Public
<p style="text-align: right;"><b>Enclosures</b></p>	Appendix A: Statement of Community Involvement Appendix B: Responses to Representations
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<h2>Summary</h2>	
<p>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. First adopted in 2007 the SCI has been substantially revised to take into account reforms to the planning system and changes to service delivery in Barnet. The commitments set out in the SCI will ensure that planning processes in Barnet are fair, transparent and inclusive.</p>	

## Recommendations

### That the Committee:

1. **Notes the proposed Responses to Representations in Appendix B and approves the Statement of Community Involvement (SCI) (attached at Appendix A) for recommended adoption by Council on 28 July 2015.**

### 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 we intend to conduct consultation and engagement in order to make the planning process transparent, inclusive and accountable.
- 1.3 The Council's first Statement of Community Involvement (SCI) was adopted in 2007. 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 the Council will consult and engage the community;
  - How the Council will consult and engage the community; and
  - Who within the community the Council will consult and engage with.
- 1.5 The draft SCI was subject to six weeks of consultation from 26 February to 9 April 2015. The consultation generated 65 responses from 11 residents, landowners community groups and national bodies including Finchley Society, Barnet Residents Association, Mill Hill Neighbourhood Forum and Historic England. The main issues raised included :
  - **More involvement and participatory engagement in the planning process**

*The SCI sets out the Council's commitment to engagement on all planning matters. It provides a level of flexibility that allows us to take a proportionate approach to engagement on individual planning consultations. Where there is*

*significant public interest in a particular matter the SCI's flexibility enables us to engage more fully with those who have a shared interest.*

- **Pre-application advice for residents**

*The pre-application scheme does not apply to informal initial discussions in connection with very small business premises, very minor schemes or householder schemes (small extensions/alterations), certificates of lawfulness, enforcement or advice to any local resident affected by a development. Such advice at this time will be provided free of charge.*

- **Length of consultation is too short**

Comments suggested that the period of 21 days for consultation on some planning applications was too short.

*The statutory requirement for consultation o householder, minor planning applications and prior approvals is 21 days. At Barnet we consult on householder and minor applications for 28 days and 23 days for prior approvals. This helps provide a greater window of opportunity for individuals to submit their comments.*

- **An improved email alert facility for planning applications**

Several comments were received seeking an improvement to the current e-mail alert facility.

*The Council are awaiting a software update to resolve an issue with the email alert facility.*

## **2. REASONS FOR RECOMMENDATIONS**

2.1 The Government's National Planning Policy Framework (2012) reinforces the importance of community involvement in the planning process. It states at paragraph 155 :

*"Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made."*

2.2 The SCI is a statutory document and in accordance with Section 18 of the Planning and Compulsory Purchase Act 2004 planning authorities are required to explain 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 in seven sections:

- The introduction provides a summary of the SCI and highlights the main legislation regarding consultation and community involvement in planning;

- the second section outlines how community involvement and engagement complies with Barnet's Consultation and Engagement Strategy and the various methods used;
- sections three to six set out how we consult and involve the community on matters relating to planning applications;
- section eight relates to how we will involve and engage the community on matters relating to planning policy
- subsequent sections relate to Neighbourhood Planning, 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.

2.4 The main changes to the SCI adopted in 2007 include:

- Recent changes in legislation ie the Localism Act 2011;
- Greater emphasis and information about the Barnet website;
- References to Neighbourhood Planning consultation procedures; and
- References to the Community Infrastructure Levy Charging Schedule and related consultation procedures.

### **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. Following adoption of the SCI there will be a three month period during which legal challenges can be made in accordance with Regulation 35.

4.2 The SCI will be used by Development Management and Strategic Planning services as the basis for all planning related consultations.

4.3 Following approval by Council on 28 July 2015 the SCI will set out the Council's commitment to consultations on all planning related matters

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

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

5.2 All four strategic objectives in the Corporate Plan 2015 - 2020 are embedded within the SCI.

Where responsibility is shared fairly:-

- We will ensure that planning processes in Barnet are subject to clear and transparent consultation protocols. That relevant statutory bodies, residents,

local businesses and the local community are involved in all planning related matters.

Where people are helped to help themselves:-

- We will ensure that through provision of a range of communication methods Barnet residents (young and old) have the opportunity to become involved in planning decision making

Where Barnet is a place of opportunity where people can further their quality of life:-

- We will ensure that through clear consultation processes we provide opportunities for residents and businesses to voice their concerns and become involved in shaping the future of the borough.

Where services are delivered efficiently to get value for money for the taxpayer:-

- by adopting a proportionate approach to consultation we will ensure that we achieve the best value for money in engaging the most appropriate audience.

- 5.3 Consultation and engagement is one of the key ways the Council interacts with and involves local communities and residents, providing them with opportunities to:
- gain greater awareness and understanding of what the Council does
  - voice their views and know how they can get involved
  - have their views fed into the democratic decision making process
- 5.4 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.
- 5.5 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**
- 5.6 The cost of finalising the SCI is fully funded by the 2015/16 Re management fee which includes the cost of staff working on strategic planning.
- 5.7 **Legal and Constitutional References**
- 5.8 The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 provide the statutory basis for the preparation and adoption of the Local Plan. Upon adoption the SCI becomes a statutory document that forms part of Barnet's planning policy framework.
- 5.9 Annex A of document 15 (Responsibility for Functions) within the Council's constitution states under function 2 for the Policy and Resources Committee that the Committee is responsible for approving the development of the statutory Local Plan and related documents and Neighbourhood Plans (for adoption by Full Council).
- 5.10 **Risk Management**
- 5.11 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.

5.12 This risk has been managed by ensuring that, at the very least, the minimum consultation requirements set out in the Town and Country Planning (Local Planning) (England) Regulations 2010 and Development Management Procedure Order are adhered to.

**5.13 Equalities and Diversity**

5.14 The SCI will help ensure that opportunity is given to all sectors of the community to participate in local planning processes.

**5.15 Consultation and Engagement**

5.16 The draft SCI was subject to a six week period of public consultation between February and April 2015. The consultation generated 65 responses from 11 individuals and organisations. Appendix B sets out proposed responses to these representations.

5.17 Representations received during the consultation were taken into consideration in finalising the SCI as attached at Appendix A.

**6. BACKGROUND PAPERS**

6.1 Council, 11 September 2012 (Decision item 4.1) approved the Local Plan Core Strategy and Development Management Policies for adoption.

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MIId=6671&Ver=4>

6.2 Council, 8 May 2007 (Decision item 5) approved the Statement of Community Involvement for adoption

<http://barnet.moderngov.co.uk/CeListDocuments.aspx?CommitteId=120&MeetingId=284&DF=08%2f05%2f2007&Ver=2>