

COMMITTEE	DATE	CLASSIFICATION	REPORT NO.	AGENDA ITEM
Overview & Scrutiny Cabinet Council	04/12/07 05/12/07 27/02/08	Unrestricted		
REPORT OF: Emma Peters Corporate Director Development & Renewal ORIGINATING OFFICER(S): Andre Pinto Strategic Planner		TITLE: Statement of Community Involvement WARD(S) AFFECTED: All		

1. Summary

- 1.1 The Planning and Compulsory Purchase Act 2004 (the Act) requires every local planning authority to produce a Statement of Community Involvement (SCI) as part of their Local Development Framework (LDF). The purpose of the SCI is to provide guarantees of early and continuous engagement with the local community and other relevant bodies, while setting out clear procedures for consultation on all Local Development Documents that make up the LDF and planning applications.
- 1.2 The SCI sets out the Council's commitment on when residents, businesses and other stakeholders can get involved, how they can get involved, what resources have been allocated to guarantee involvement, how involvement will be effectively managed and how the feedback from consultation and involvement will be taken into consideration.
- 1.3 The SCI was subject to a formal Independent Examination on 10th October 2007. The resultant binding Inspector's report has found the document Sound, subject to minor clarifications (as set out in appendix 2). In accordance with *Planning and Compulsory Purchase Act 2004* the Inspector's Report is final and there is no further scope for changes. Consequently, this report formalises the adoption of the SCI, which will now make up the first part of the Council's LDF.

2. Recommendations

Overview and Scrutiny Committee

Overview and Scrutiny Committee is recommended to:

- 2.1 Note and endorse the Statement of Community Involvement (appendix 1), and recommend Full Council approve the Statement of Community Involvement (appendix 1).

Cabinet

Cabinet is recommended to:

- 2.2 Endorse the Statement of Community Involvement (appendix 1), and recommend Full Council approve the Statement of Community Involvement (appendix 1).

3. Background: The Statement of Community Involvement

- 3.1 The SCI (set out in appendix 1) is the result of two separate consultation periods with the general community, the changes proposed by the Planning Inspector after the Independent Examination and a two year process of engagement with key stakeholders, resident associations and several different departments within Tower Hamlets Council (e.g. Participation and Engagement Team, Equalities & Scrutiny, Children Services).
- 3.2 During the *informal* pre-submission consultation (May – July 2005), the Council received 108 individual representations on the SCI. The main points raised were the drafting of the document, its structure and the over use of technical language. These issues have been addressed by including clearer headings and providing dedicated chapters of the SCI to the different components of the planning system and by limiting the use of technical terms. A glossary of terms has also been included for ease of reference.
- 3.3 During the *formal* pre-submission consultation (September – December 2005), the Council received 252 representation on the SCI. The main issues raised were the need to provide clearer guidance on how and when the Council will review the SCI, how the Council will incorporate the results of consultation and feedback will be provided to the local community. These issues have been addressed by including clear guidance on how the Annual Monitoring Report (the AMR) will monitor the effectiveness of the SCI, and by providing clearer guidance on how the Council will consider, process and provide feedback on comments received on planning documents or applications.

4. Independent Examination, Soundness & Adoption

- 4.1 After submission to the Secretary of State on 9 November 2006, the Council has received 26 representations on the SCI from 5 individuals or groups, which, in accordance with the *Town and Country Planning (Local Development) (England) Regulations 2004* (the regulations), were forwarded to the Planning Inspector for consideration.
- 4.2 On 10th October 2007 a formal Independent Examination was undertaken by the Government's Planning Inspectorate who considered the Soundness of the document in accordance with criteria set out in Planning Policy Statement 12. Two residents requested a public hearing. The purpose of the examination was to assess the soundness of the Submission Version of the SCI and to certify if it has been prepared in accordance with the Regulations.

- 4.3 As a result of the discussion between the Inspector, members of the public and members of the Strategic Planning Team, a number of clarifications were agreed which are set out in appendix 2. On 18th October 2007 the Council received formal notification from the Planning Inspectorate that the SCI was found Sound subject to the agreed clarifications. The Inspectors Report (set out in appendix 3) is binding; therefore the Council can only adopt the SCI subject to making the agreed clarifications.

5. Conclusions

- 5.1 The SCI has been considered sound by the Planning Inspector subject to clarification and should be adopted by the Council.

6. Comments of the Chief Financial Officer

- 6.1 This report outlines the requirement for every local planning authority to produce a Statement of Community Involvement (SCI) as part of the Local Development framework.
- 6.2 The Authority's SCI has recently been deemed to be Sound following an independent examination and will now form the basis of all future consultation in relation to the LDF and development control.
- 6.3 The costs involved in the consultation process, and the production of the Statement of Community Involvement, have been borne by the supplies and services element of the Strategic Planning budget, and supported through Planning Delivery Grant.

7. Concurrent Report of the Assistant Chief Executive (Legal)

- 7.1 The SCI is treated as a Development Plan Document for certain purposes, namely submission, withdrawal and adoption (s 18(4) and (6) of Planning and Compulsory Purchase Act 2004).
- 7.2 The formal process of adoption of a Development Plan Document is responsibility of Full Council in accordance with Local Authorities (Functions and Responsibilities) (Amendment) (No.2) Regulations 2005 and therefore following the Inspector's decision that the SCI is considered sound it should be formally adopted by Full Council.

8. Equal Opportunities Implications

- 8.1 An Equalities Impact Assessment was completed for the Local Development Framework which informed the drafting of the SCI. The Planning Inspector's conclusion was that through the SCI the Council will "make its information accessible to all members of society thus meeting the requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995".

9. Anti-Poverty Implications

- 9.1 Tackling poverty and social exclusion is a key objective of the Local Development Framework.

10. Sustainable Action for a Greener Environment

- 10.1 The SCI will guide consultation on the full range of planning matters including climate change, biodiversity and other sustainable development priorities.

11. Risk Management Implications

- 11.1 It is a legally binding document which sets standards that must be adhered to. The SCI will therefore underpin plan making and development control from now on. The SCI will be subject to ongoing review.

12. APPENDICES

- Appendix 1 Statement of Community Involvement
- Appendix 2 Schedule of Clarifications
- Appendix 3 Inspector's Binding Report

LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED) LIST OF BACKGROUND PAPERS USED IN PREPARATION OF THIS REPORT

Brief description of background paper

Name and telephone number of holder and address where open to inspection

Summary of consultation responses

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