

<b>Report to:</b>	<b>Leader of the Council</b>
<b>Date:</b>	<b>2 April 2020</b>
<b>Title:</b>	<b>Adoption of the Revised Statement of Community Involvement</b>
<b>Report of:</b>	<b>Ian Fitzpatrick, Deputy Chief Executive and Director of Regeneration &amp; Planning</b>
<b>Cabinet member:</b>	<b>Councillor Emily O'Brien, Cabinet Member for Planning and Infrastructure</b>
<b>Ward(s):</b>	<b>All wards in Lewes District that lie wholly or partially outside of the South Downs National Park</b>
<b>Purpose of report:</b>	<b>To seek endorsement of the Revised Statement of Community Involvement (SCI) for adoption at Full Council on 18 May 2020 for the purposes of planning within that part of Lewes District outside of the South Downs National Park</b>
<b>Decision type:</b>	<b>Budget and policy framework</b>
<b>Officer recommendation(s):</b>	<p><b>(1) To endorse the Revised Statement of Community Involvement as set out in Appendix 1, and recommend its adoption by Full Council as the Revised Statement Of Community Involvement for that part of Lewes District outside of the South Downs National Park;</b></p> <p><b>(2) To recommend to Full Council that the adopted Revised Statement of Community Involvement, the Adoption Statement and the Statement of Consultation is published by Lewes District Council;</b></p> <p><b>(3) To recommend to Full Council that any minor or technical adjustments found necessary in the Revised Statement of Community Involvement be delegated to the Director of Regeneration and planning in consultation with the Cabinet portfolio holder;</b></p> <p><b>(4) To endorse, and recommend to Full Council, the revocation of the previous Statement of Community Involvement (adopted by Lewes District Council on 20 July 2011) as set out in Appendix 3.</b></p>
<b>Reasons for recommendations:</b>	<b>To ensure that the Council has an up-to-date Statement of Community Involvement in accordance with Regulation 10A of the Town &amp; Country Planning (Local Planning) (England) Regulations 2012 (as amended).</b>

**Contact Officer(s):**      **Name:** Gerda Zijm  
   **Post title:** Planning Policy Officer  
   **E-mail:** gerda.zijm@lewes-eastbourne.gov.uk  
   **Telephone number:** (01273) 085870

---

## **1            Introduction**

- 1.1        Involving communities is an essential element of a responsible, inclusive and democratic planning system. The Council's Statement of Community Involvement (SCI) sets out our approach to involving the local community and stakeholders in planning issues. This includes the handling of major planning applications. It is intended to 'signpost' opportunities for anyone who wishes to make a contribution to planning for the future outside of the South Downs National Park.
- 1.2        Our current SCI was adopted in 2011 and needs to be reviewed and updated in the light of changing legislative requirements. On 28 October 2019, Cabinet therefore considered and approved the publication of a draft Revised SCI for consultation. The consultation period ran for 8 weeks between 11 November 2019 and 5 January 2020. The consultation was publicised on the Council's website and all people and organisations registered on the database were notified by email. 10 responses were received. The main issues raised and consequent changes to the draft Revised SCI are considered below.

## **2            Key issues raised through the consultation**

- 2.1        Respondents were generally satisfied with the information provided in the draft Revised SCI and the proposed approach to involving the community in planning issues. Two respondents considered that the document could be more concise. Concern was also expressed over a perceived lack of information about the timing of neighbourhood plan reviews and how the Council would support them. Highways England highlighted errors in relation to a reference in the document to national legislation and the specific consultation bodies listed in the draft Revised SCI.
- 2.2        A number of responses related to development management matters outside of the scope of the draft Revised SCI. All the comments received to the consultation are set out in Appendix 2 attached to this report.
- 2.3        The errors highlighted by Highways England have been corrected but no other changes are considered necessary in the light of the responses received. Officers acknowledge that the draft Revised SCI is quite lengthy but have tried to reach a balance between the necessary legal terminology and the overall accessibility of the text for the reader. We will aim to further develop our approach towards ensuring that public documents are more readable and seek ways to enhance accessibility by supporting groups and individuals where appropriate.

- 2.4 It is considered that the role and status of neighbourhood plans is appropriately explained in the text of the document. The timing of a neighbourhood plan review is the responsibility of the respective town or parish council, not the District Council. Nevertheless, the Council will continue to provide advice or assistance to a town or parish council that is either preparing or commencing a review of a neighbourhood plan, so far as is consistent with the availability of resources and our statutory duties.

### **3 Conclusions and next steps**

- 3.1 The draft Revised SCI, incorporating the minor amendments listed above, is attached as Appendix 1 to this report. Adoption will take place immediately upon the resolution of the Full Council. Following adoption, the Revised SCI will be published on the website, together with an Adoption Statement and the Statement of Consultation. It can then be used to provide guidance for the preparation of the Lewes District Local Plan Part 1 Review, which has just commenced, together with other future planning documents. Officers will be looking at more user-friendly ways to present this information on the Council's web site.

### **4 Corporate plan and council policies**

- 4.1 The LDC Corporate Plan firmly supports the importance of community involvement. Working together with other authorities, organisations, local businesses and residents is viewed as a fundamental necessity for achieving the Council's goals. It is a commitment to support communities in maintaining up to date Neighbourhood Plans.

### **5 Financial appraisal**

- 5.1 There are not considered to be any financial implications for the General Fund base budget. Financial resources will be taken into consideration when determining the specific approach to consultation on a planning policy document.

### **6 Legal implications**

- 6.1 Section 18 of the Planning and Compulsory Purchase Act 2004 provides that a Local Planning Authority must prepare a Statement of Community Involvement. The SCI has been prepared in order to comply the Town & Country Planning (Local Planning) (England) Regulations 2012, and with regard to the requirements of the National Planning Policy Framework.
- 6.2 Following adoption, there is a three month period where any person aggrieved by the decision to adopt the SCI may make an application to the High Court for judicial review. Any application for judicial review should be made not later than 3 months after the date of adoption.

- 6.3 In revoking the previous SCI, the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that the Local Planning Authority cease to make any documents relating to the revoked SCI available and take such other steps as it considers necessary to draw the revocation of the documents to the attention of persons living and working in their area. Therefore, and subject to Full Council agreeing the SCI would be removed from the Council's website and a statement made available on the website and in next year's Annual Monitoring Report that the SCI has been revoked.

*Iken 9002-LDC-HM 18.02.2020*

## **7 Risk management implications**

- 7.1 Legislation requires that Local Plans are prepared in conformity with an adopted SCI and an amendment to the Town and Country Planning Regulations in 2017 requires local planning authorities to review their SCI every five years. As the current SCI was adopted in 2011, the Council needs to approve an up-to-date version of the SCI prior to commencing consultation on a review of the Lewes District Local Plan Part 1 (Joint Core Strategy). Without an adopted, up-to-date SCI in place, the preparation of a new Local Plan which meets all the necessary legislative requirements will not be possible.

## **8 Equality analysis**

- 8.1 It is considered that people with protected characteristics will not be disproportionately impacted by the proposed revisions to the SCI. The adaptation of the document was due to new legislation and to explain the planning system more extensively.
- 8.2 The revised SCI aims to advance equality of opportunity by encouraging participation from all communities. The consultation website makes it easier for the public to access information, including the option to review paper documents and request information in alternative formats.

## **9 Environmental sustainability implications**

- 9.1 There are no identified environmental sustainability implications, although strengthening the procedures for community involvement will help to enable thriving communities in accordance with the third pillar of the Council's Sustainability Policy 2018.

## **10 Appendices**

- Appendix 1 – Statement of Community Involvement (adoption version)
- Appendix 2 – Statement of Consultation January 2020
- Appendix 3 – Statement of Community Involvement adopted July 2011

## 11 Background papers

The background papers used in compiling this report were as follows:

- Consultation Draft Revised Statement of Community Involvement  
<http://planningpolicyconsult.lewes-eastbourne.gov.uk/consult.ti/SCILD/consultationHome>