

CUMBRIA COUNTY COUNCIL

**STATEMENT OF COMMUNITY
INVOLVEMENT**

**Addendum Report
August 2016**



The Planning and Compulsory Purchase Act 2004 placed a requirement upon all local planning authorities to prepare a Statement of Community Involvement (SCI), which set out how the authority would engage people in the preparation of development plans and in the consideration of planning applications. Cumbria County Council subsequently prepared and adopted its SCI in 2006.

The system of Local Development Frameworks introduced by the 2004 Act has since been superseded; however, it remains a statutory requirement for Local Planning Authorities to prepare an SCI.

In the years since the original SCI was adopted, a number of key pieces of primary legislation have been introduced. Most notably, these include the Development Management Procedure Order (2010) and the Localism Act (2011), which subsequently led to the publication of the current extant Local Planning Regulations (2012) and Neighbourhood Planning Regulations (2012). The regional tier of planning has been abolished. Many local and national level policy documents have also been superseded.

In addition to these legislative and policy changes, the composition of the community, business and environmental groups in the county, and nationally, has changed over the past decade, as has the way the County Council engages with these sectors.

These changes necessitate a review of the adopted SCI. The Council commenced the initial stages of review in 2014; however, this work was temporarily suspended, pending the outcome of the review of the Council's Constitution – which has direct implications for the SCI.

Given available resources, work on preparing the revised Local Plan has subsequently taken priority for Council officers. However, it is recognised that there remains a need to review the SCI, to ensure it remains fit for purpose.

It is the Council's intention to consult on a revised SCI following the adoption of the new Local Plan. In the interim period, a desktop review of the SCI has been undertaken, in order to identify where changes to legislation and policy, local and national consultee groups, and the way in which the Council currently consults, differ from the adopted SCI. This assessment is included in the appendix to this Addendum Report. The Council's Area Managers – who lead on community engagement for the authority – have been consulted on this review, and have submitted comments.

The findings of this work illustrate that whilst the 2006 SCI is in need of review, its general approach remains consistent with current guidance. Key points to note are as follows:

- The procedures and consultee groups listed in the SCI have now been superseded; however, it is key to note that where legislative changes have superseded the SCI, these have been reflected in the way in which the Council has consulted on planning matters.
- The 2012 Local Planning Regulations require certain parties to be consulted on development plan matters. The Council has developed a bespoke consultation database for the Local Plan, which identifies relevant parties in accordance with these Regulations; but also goes further than the minimum statutory requirements, by identifying a wide range of relevant local contacts. The database is regularly updated, in consultation with the Council's Area Managers. It is the primary resource for the identification of these parties, rather than the list included in the SCI. A separate database, with a similar remit, is maintained for planning application consultations. This also supersedes the SCI list.
- Relevant current policy - as opposed to the superseded/obsolete documents listed in the SCI - has been referred to in the preparation of the Local Plan.

The Council have prepared a specific Statement of Consultation in respect of the Local Plan review, and have demonstrated compliance with the Duty to Co-operate.

In light of these points, it is considered that the consultation on the draft Local Plan has been undertaken to a standard over and beyond that required by Government.

Identification of, and comment on, areas where the adopted SCI is superseded

Section 1: Introduction

Superseded Areas

- Local Development Framework process now superseded by Local Plans. No requirement for SCI to go through the formal LDF pre-production, production, examination and formal adoption stages outlined in 1.11 of the 2006 SCI.

Comment

This section was included in order to provide context. It reiterates national guidance, which has now been superseded. The Council undertakes consultation and prepares Development Plans in accordance with the current extant Local Planning Regulations (2012).

Section 2: What Do We Need to Know?

Superseded Areas

- Reference to LDF process/procedure superseded.
- No longer a statutory requirement to publish notice of consultation in local newspapers.
- Local strategies referenced now superseded/no longer relevant (Corporate Strategy; Waste Management Strategy).
- Local groups referenced no longer exist/have been superseded by new groups (Cumbria Strategic Partnership; Community Voice/Citizens Panel; Neighbourhood Forums).
- Now significantly more use of electronic media as primary method of communication - all consultation documents and the whole evidence base are now available on the Council's website. Only the main consultation documents are now made available to view in hard copy format at the six main libraries, plus the County Council and District Council main offices (although all documents are available on request in a variety of formats). Leaflets no longer produced, as in-house print section no longer exists.
- Consultation bodies defined by legislation now include 'Duty to Co-operate', 'Specific Consultation', 'General Consultation' and 'Residents or Other Persons Carrying on Business in the Local Planning Authority's

Area'. Planning Policy Statement 12 (PPS12) Local Development Frameworks superseded.

- Email is now the generally accepted primary method of submitting representations. All email representations are acknowledged. Hard copy representations only receive a response where there are issues of clarification. An Outcomes Report, which is published on the Council's website, is now the preferred method of feedback to respondents, as opposed to individual letters.
- Supplementary Planning Documents are no longer prepared.
- The Local Plan is reported to Cabinet/Full Council at pre-submission and adoption stages. Formal member steering groups have been replaced with regular liaison with the Cabinet Member for the Environment.

Comment

The Council undertakes consultation and prepares Development Plans in accordance with current legislation. Reference is made in the preparation of planning policy to relevant extant local and national guidance. The Local Plan consultee database is used to identify current contacts, and dialogue is undertaken with the Council's Area Managers, in order to ensure effective communication at a local level. Electronic communication has superseded hard copy as the primary approach to consultation/feedback. Significantly more information is now available on the Council's website.

Section 3: Planning Applications

Superseded Areas:

- Town and Country Planning (General Development Procedure) Order 1995 (as amended) now superseded by Town and Country Planning (Development Management Procedure) Order 2010.
- Conservation Area consent regime no longer exists.
- All County Council planning applications are now available to view on the Council's website.
- English Nature, English Heritage, First Secretary of State, Sport England, British Waterways and Countryside Agency no longer exist; their functions have been replaced by other bodies/individuals.
- Delegated authority for determining non-controversial planning applications now lies with Corporate Director; Heads of Service no longer exist.

Comment:

The Council undertakes consultation in accordance with current legislation. A bespoke planning applications database is used to identify current contacts and

relevant statutory bodies. The Council's Constitution has been amended to refer to the Corporate Director rather than Heads of Service.

Section 4: Equality Impact Assessment

Superseded Areas:

- An Equality Impact Assessment (EqIA) has been undertaken for the Local Plan, which updates the assessment referred to in the SCI.

Comment

The findings of the recent EqIA have been taken into account in the development of the Local Plan, and will be used to inform the revised SCI.

Supporting Documents

Superseded Areas:

- Local Development Scheme (LDS) superseded.
- List of documents that comprise the Development Plan needs to be updated.
- Required list of consultees superseded by legislation, and by format of local/national groups and organisations.
- Neighbourhood Forums now only exist on an ad-hoc basis.
- 'Proposed Consultation Methods' refers to groups and organisations that no longer exist and/or have been replaced with others, and focuses on hard copy consultation material.
- 'Other Plans' listed in regard to linkage to MWDF superseded.
- Equality Impact Assessment superseded.

Comment

A revised LDS has been prepared and is available to download on the Council's website. Reference is made in the preparation of planning policy to relevant extant local and national guidance. The Local Plan consultee database is used to identify current contacts, and dialogue is undertaken with the Council's Area Managers, in order to ensure effective communication at a local level. A revised list of consultees, prepared in accordance with the 2012 Local Planning Regulations, will draw on this information, and will be included in the revised SCI. Electronic communication has superseded hard copy as the primary approach to consultation/feedback. Significantly more information is now available on the Council's website. The findings of the recent EqIA have been taken into account in the development of the Local Plan, and will be used to inform the revised SCI.