

North Yorkshire Council

Executive

20 February 2024

Adoption of the Statement of Community Involvement Report of the Corporate Director of Community Development.

1.0 PURPOSE OF REPORT

- 1.1 To adopt the Statement of Community Involvement as the basis for consultation and community engagement in the preparation of the North Yorkshire Local Plan, other relevant planning policy documents and the consideration of planning applications.

2.0 BACKGROUND

- 2.1 The SCI (Statement of Community Involvement) is a statutory document that must be prepared by local planning authorities. Legislation requires that this document must set out the authority's policies to facilitate the involvement of those persons and organisations who have an interest in the preparation of a local plan (and other planning policy documents), neighbourhood plans and the consideration of planning applications.
- 2.2 The SCI and the Local Development Scheme (the timetable for producing the local plan) are the first stages when starting on the road to preparing and adopting a local plan for North Yorkshire. The SCI sets out when and how the community, organisations and other interested parties can have their say on the direction of planning in the authority – both in terms of the policies to determine future planning applications and where development should take place including where housing and industry will be allocated for the next 15-20 years. The SCI itself should be kept up to date and should be reviewed at least every 5 years. Noting the requirement to review the SCI periodically it is proposed that any future amendments to the document should be considered and adopted by the Executive Member for Open to Business.
- 2.3 The SCI also sets out community involvement in other policy documents including development plan document and the minerals and waste plan as well as neighbourhood plans, the consideration of planning applications and planning enforcement.
- 2.4 The following report sets out the responses from the consultation on the draft SCI, alterations to the document and will propose its adoption for use in the day-to-day running of the planning service.

3.0 THE STATEMENT OF COMMUNITY INVOLVEMENT

- 3.1 The Statement of Community Involvement is appended to this report (Appendix 1). It should be noted that several web links are to be added to the document prior to formal adoption relating to Neighbourhood Plans. This will be finalised with the web team before the adopted document is published to the website.
- 3.2 The report considered by Executive on 18 July 2023 (link as follows) <https://edemocracy.northyorks.gov.uk/documents/s20812/Report.pdf> set out information in Section 3.0 on how the SCI relates to local plan/planning policy, neighbourhood planning and development management (the determination of planning applications). It is not

proposed to replicate that information here but to concentrate on the feedback from the consultation and what amendments have been made to the SCI as a result. That is covered in the following decision.

4.0 CONSULTATION UNDERTAKEN AND RESPONSES

- 4.1 Consultation was undertaken for a period of six weeks between November and the end of December 2023. Consultation responses were received from circa 90 person/organisations, and these are shown in Appendix 2 along with brief responses from the Planning Service.
- 4.2 It should be noted that several responses were not related to the consultation on the SCI itself but were comments and points on wider planning matters or were relevant to the production of the Local Plan. These comments have been noted and will be revisited at the relevant stages of plan production where consultees will be encouraged to submit further comments.
- 4.3 The comments have resulted in some minor changes to the SCI document, and these have included:
- a. Reference to parish meetings (alongside parish and town councils);
 - b. Amendments to refer to Area Action Plans and Local Development Orders under paragraph 2.2
 - c. Clarification that town or parish councils have a right to speak at committee, subject to registering their interest to do so;
 - d. Links to the make-up of committees and meetings added;
 - e. Wording added to reflect the 'Levelling-Up and Regeneration Act' that was brought into effect in November 2023. This brought in 'Neighbourhood Priorities Statements' and this is now referred to in the SCI;
 - f. Changes to clarify the consultation period on planning applications may be longer than 21 days due to public holidays or other circumstances.
- 4.4 Several respondents queried the use of electronic consultation methods and increased digitisation. They felt that this would disadvantage certain sectors of the community – those who are less tech-minded or those with no access to electronic communications. This is noted. Recent years have seen strides towards increased digitisation – it is a central aim of Government to increase digital access to planning and local plans. However, this should not be at the expense of those sectors that are unable to access data in this manner. Opportunities to receive written notifications of consultation events and the submission of comments by post remain and will not be removed. Other localised methods of engaging with communities such as public exhibitions and drop-in sessions will be considered and utilised where appropriate.
- 4.5 For those who used the online consultation portal a small number of respondents queried why the consultation points were not as numerous in the electronic document as this made finding the comment points more difficult – this is noted and will be addressed in future consultation events with more consultation points added.
- 4.6 Comments were also made about the methods of consultation and the lack of detail when referencing alternative engagement opportunities. It should be noted that the SCI sets out the level of consultation required to meet legislation and other additional opportunities and methods will continue to be utilised, where appropriate – be that with the introduction of more modern methods of social media, consultation software and Geographic Information Systems through to the more traditional depositing of documents at public venues (libraries and council offices), public exhibitions and community meetings.

- 4.7 Related to this were questions of making downloadable documents available in addition to the online documents on the planning consultation portal. The preference is for consultees to use the consultation portal to both read the documentation and to input their comments directly, however, the provision of these (including PDF documents) will be considered for future consultation events subject to them being fully accessible compliant.
- 4.8 A small number of people felt the document was too technical and difficult to understand. These concerns are noted. The SCI document was kept as simple as possible, however, there is a technical detail to the document which is inevitable. However, going forward with the local plan the aim will be to keep those documents as simple and clear as possible as well as, wherever possible, providing executive summaries to increase understanding.
- 4.9 One comment from a parish council suggested we should meet, face to face, with all town and parish councils. This is unfortunately not practical as there are now over 600 town and parish councils and parish meetings. A recent 'all town/parish council' session was held virtually, and such events are likely to take place in the future. Town and parish councils can also contact the service with queries and wherever possible, officers will be made available to assist – virtually or in-person. The planning service will look for opportunities to link in with the wider localities engagement work that the council is involved in.
- 4.10 Several respondents suggested that planning applications should be dealt with by committee (not officer delegation) when certain matters were raised or when certain bodies (parish councils) objected. These comments are noted, and the scheme of delegation will be kept under review. It was also suggested that the number of objectors who could speak at committee should be increased for larger schemes – again this is noted and will be kept under review.

5.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 5.1 Setting out the methods of engagement and consultation to be deployed across planning services in respect of the preparation of the local plan, other policy documentation and the consideration of planning applications will assist in the Council Plan objective to support local citizens to become more actively involved in their communities.

6.0 ALTERNATIVE OPTIONS CONSIDERED

- 6.1 The preparation and adoption of a Statement of Community Involvement is a legislative requirement as set out in section 18 of the Planning & Compulsory Purchase Act 2004. There are therefore no other alternatives available to meeting this legislative requirement.

7.0 IMPACT ON OTHER SERVICES/ORGANISATIONS

- 7.1 The adoption of the Statement of Community Involvement is the first step for the council in preparing a new local plan. This document is not considered to have a direct impact on other services once adopted.

8.0 FINANCIAL IMPLICATIONS

- 8.1 There are financial implications to engagement with the community and organisations. However, it should be noted that there is a legislative requirement to engage with the community in all aspects of planning.
- 8.2 Systems are already in place to enable much of the requirements set out in the Statement of Community Involvement for the consideration of planning applications and planning

policy documents. The planning policy consultation software, Objective, has now been financed, procured, and installed since the initial report was taken before Executive in 2023. The licences for the use of this software for an initial set period have been budgeted for.

- 8.3 The wider costs of community engagement, a fundamental part of local plan preparation and without which a plan would be found unsound, are part of the overall budget to prepare and adopt a local plan for North Yorkshire.

9.0 LEGAL IMPLICATIONS

- 9.1 The preparation and adoption of a Statement of Community Involvement is a legislative requirement as set out in section 18 of the Planning & Compulsory Purchase Act 2004. The process involved the publication of the draft document for public comment for a period of six weeks followed by its adoption, subject to any modifications as a result of the consultation. Once formally adopted by the Council the Statement of Community Involvement will be a Local Development Document.
- 9.2 To adopt the North Yorkshire Local Plan the Council needs to demonstrate legal compliance. This includes demonstrating that the process of community involvement for the Local Plan is in general accordance with the Local Planning Authority's Statement of Community Involvement. It is therefore necessary to have an up-to-date Statement of Community Involvement in place to guide community involvement throughout the Local Plan production as the production of the North Yorkshire Local Plan commences. Failure to adopt the SCI could mean that the North Yorkshire Local Plan is at risk of not being adopted.

10.0 EQUALITIES IMPLICATIONS

- 10.1 An Equalities Impact Screening assessment has been completed (Appendix 3). This concluded that a full Equalities Impacts Assessment was not required in this instance.
- 10.2 The Statement of Community Involvement is a document that sets out how engagement and consultation will take place on local plan and planning application matters with all communities across North Yorkshire as well as businesses and organisations within and outside of the authority area. The proposals do not set out consultative or engagement measures that would prejudice the ability of certain groups (protected or not) from participating in the planning process.

11.0 CLIMATE CHANGE IMPLICATIONS

- 11.1 Whilst the local plan will consider climate change implications and put forward policies to reduce carbon emissions and mitigate the impacts of climate change, the Statement of Community Involvement is a technical document that solely sets out the process for consultation and engagement.
- 11.2 It is therefore not considered to have any significant climate change implications (see Appendix 4: Climate Change Impact Assessment), though one could propose that by embracing new engagement technologies and holding virtual exhibitions, meetings, and events that this could go a small way to reducing emissions. There is a fine balance to this though as the use of these modern technologies should also not be at the detriment of engaging with protected (or non-protected) groups as per para 10 (Equalities Implications).
- 11.3 Following previous comments from climate change officers at the draft stage of preparation and to seek to mitigate greenhouse gas emissions from in-person public engagement, consideration will be given to the accessibility of locations by public transport, walking and

cycling. This will apply to decisions on where to hold planning meetings, engagement events and Examinations in Public as well as where planning documents will be put on deposit for local inspection. Shared transport options will also be considered for site visits where this is practical.

12.0 PERFORMANCE IMPLICATIONS

12.1 The preparation of the Statement of Community Involvement (SCI), along with the Local Development Scheme (the timetable for the local plan) is the first stage in the council preparing and adopting a new local plan. There is a requirement from Government that local plans should be delivered within a period of 5 years from conception to adoption. The failure to adopt the SCI would impact the preparation timescales for the local plan.

13.0 ICT IMPLICATIONS

13.1 To deliver the local plan and achieve the engagement as set out in the Statement of Community Involvement the planning service required bespoke end-to-end local plan software. This is something that several of the former districts utilised and is referred to under para 8.2. This has now been procured and is externally hosted resulting in minimal implications for ICT.

14.0 CONCLUSIONS

14.1 The adoption of a Statement of Community Involvement is a statutory requirement, and the appended document is the finalised document for adoption. It will be subject to review within at least 5 years and will be the basis for engagement and consultation in all aspects of planning.

14.2 It is considered that there are no substantial implications from adopting the SCI as set out in this report. The major implications in respect of finance and other matters are tied to the preparation of the North Yorkshire Local Plan and other development plan documents not the documents that sets out the engagement policy for the local plan and development management.

15.0 REASONS FOR RECOMMENDATIONS

15.1 The local authority must prepare and adopt a local plan and the first stage in achieving this is setting out a timetable for production and the strategy for engagement. The Statement of Community Involvement is the latter of these requirements.

16.0 RECOMMENDATION(S)

16.1 The Executive are asked to:

- i. Accept the modifications to the consultation draft Statement of Community Involvement document as detailed in paragraph 4.3 of this report;
- ii. Adopt the Statement of Community Involvement as set out at Appendix A to this report for the purposes of engagement on, amongst other matters, the preparation of the North Yorkshire Local Plan, neighbourhood plans and the determination of planning applications;

- iii. Delegate authority to the Executive Member for Open to Business to approve any future amendments to, or replacement of, the Statement of Community Involvement and adopt such amendments to, or replacement of, the Statement of Community Involvement.

Nic Harne
Corporate Director of Community Development
County Hall
Northallerton

Report Author – Steve Wilson (Planning Policy & Conservation Manager [SCA])
Presenter of Report – Steve Wilson (Planning Policy & Conservation Manager [SCA])

APPENDICES:

Appendix A – The Statement of Community Involvement
Appendix B – Comments from the consultation event and officer responses.
Appendix C – The Equality Impact Screening assessment
Appendix D – The Climate Change Screening Assessment

BACKGROUND DOCUMENTS:

The Planning & Compulsory Purchase Act 2004

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.