

Committee Name and Date of Committee Meeting

Delegated Officer Decision – 18 September 2024

Report Title

Statement of Community Involvement - Planning

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Andrew Bramidge, Strategic Director of Regeneration and Environment

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

Approval is sought to adopt the revised Statement of Community Involvement.

The requirement to prepare a Statement of Community Involvement is set out in the Planning and Compulsory Purchase Act 2004. The Statement of Community Involvement sets out how the Council involve local communities in Planning for the future of the Borough through the preparation of the Local Plan and other planning policy documents, and the determination of planning applications.

It is a legislative requirement that the Council has a Statement of Community Involvement for planning-related consultations and reviews it every five years. The last revision to the SCI was October 2019.

Recommendations

1. That the current Statement of Community Involvement (2019) is withdrawn.
2. That the revised Statement of Community Involvement (2024) is adopted.

List of Appendices Included

Appendix 1 Statement of Community Involvement (Adoption Version)

Appendix 2 Equality Screening Part A

Appendix 3 Carbon Impact Assessment

Background Papers

Plan-Making Guidance (Para.071)

<https://www.gov.uk/guidance/plan-making>

Cabinet Approval of Statement of Community Involvement (2019)

<https://moderngov.rotherham.gov.uk/mgIssueHistoryHome.aspx?Id=87809>

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Statement of Community Involvement - Planning

1. Background

- 1.1 Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) requires the Council to produce a Statement of Community Involvement (SCI). The SCI sets out how and when stakeholders can influence new planning policy documents covering Rotherham, how information will be communicated and the ways in which individuals and organisations can comment on planning applications. It is critical in encouraging engagement in the planning process with the communities and stakeholders of Rotherham and a range of other statutory consultees.
- 1.2 The Council's current SCI was adopted in October 2019. The Council are currently undertaking a partial Core Strategy Review and as such, it is an appropriate and timely point to review and revise the current SCI and fulfil the duty of reviewing the SCI within the five years required.

2. Key Issues

- 2.1 The existing SCI has been reviewed, updated and a revised SCI prepared. This is attached at Appendix 1.
- 2.2 The SCI sets out who the Council will involve in plan making and planning decisions and how this will be achieved. It provides three clear sections outlining:

Introduction and approach to community engagement – setting out the key principles and making clear the roles of the officers and Councillors.

How people can influence the Local Plan – establishing the documents that form the Local Plan and other related documents that may be produced, setting out who the Council will involve and how. In line with the Councils Customer Access strategy it clarifies that for environmental, efficiency and cost reasons, contact will be via email. The Council will not normally send letters about the Local Plan by post, unless it is a legal requirement.

How people can be involved in planning decisions – setting out the pre application and planning application process, how people can be involved in decisions, and clarifying how decisions are made. It clarifies that in addition to planning applications information being made available online, people may be notified of applications in a number of ways.

- 2.3 The SCI also includes details of the organisations and other bodies that the Council is legally required to consult and involve in the preparation of planning documents, and guidance on what is, and what is not a material consideration when determining planning applications.

3. Options considered and recommended proposal

3.1 Option 1: Adopt the revised SCI

Adopt the SCI incorporating the proposed changes is the recommended option, as it would show a continued engagement between the Council with local communities, stakeholders and other statutory consultees and would result in the adoption of an up to date and fit for purpose document.

3.2 Option 2: Do not adopt the revised SCI

It is a legislative requirement that the Council has a Statement of Community Involvement for planning-related consultations and reviews it every five years. To have an out-of-date SCI would not reflect an appropriate response or to show continued encouraging engagement in the planning process, with communities and stakeholders of Rotherham and a range of other statutory consultees.

3.3 **Option 1** is the recommended option.

4. Consultation on proposal

4.1 Consultation on the Statement is not required. When local planning authorities consult on draft local plans, any statements will form part of the supporting evidence for the plan. The public, stakeholders and interested parties can then comment on the plan and supporting evidence as appropriate.

4.2 The Council's Development Management team has input into the revised SCI and are content with the wording.

5. Timetable and Accountability for Implementing this Decision

5.1 Subject to approval, officers will make the necessary arrangements to withdraw the current SCI and publish the adopted revised Statement at Appendix 1 on the Council's website.

6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)

6.1 The internal consultation was carried out by planning officers and did not incur additional costs. The adopted SCI will be made available on the Council's website, any costs associated with the adoption of this document will also be managed within the Service's existing approved revenue budget.

6.2 There are no direct procurement implications within this report.

7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)

7.1 Under the National Planning Policy Framework (NPPF December 2023), and as the Council are currently not preparing a new Local Plan, strategic policy

making authorities such as local planning authorities like Rotherham Metropolitan Borough Council, is required to adopt an up to date Statements of Community Involvement setting out how the local community and local businesses, public bodies and other interested parties can get involved, under the current plan.

- 7.2 If it was agreed to adopt the revised Statement of Community Involvement, this would fulfil the Councils legal requirement as set out in Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended).

8. Human Resources Advice and Implications

- 8.1 There are no Human Resources implications associated with the adoption of the revised SCI.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no implications for children and young people and vulnerable adults associated with adoption of the revised SCI. The SCI establishes how all of Rotherham's communities can be involved in plan making and decisions on planning applications. This works alongside other Council strategies to deliver local priorities for development and promote effective and worthwhile community involvement.

10. Equalities and Human Rights Advice and Implications

- 10.1 The Equality Impact Assessment is completed as shown in Appendix 2
- 10.2 The SCI establishes how all of Rotherham's communities can be involved in plan making and decisions on planning applications. Whilst the SCI strongly encourages a digital first approach, alternative arrangements to ensure access may be made on a case by case basis.

11. Implications for CO2 Emissions and Climate Change

- 11.1 The Carbon Impact Assessment is completed as shown in Appendix 3. Tracking Reference: CIA 340.
- 11.2 The digital first approach in community engagement activities will help to reduce the need of printing and emissions from travel.

12. Implications for Partners

- 12.1. The implications for partners or other directorates are mainly associated with how stakeholders can engage with the Council in the preparation of planning documents or decision making in relation to planning applications.

13. Risks and Mitigation

- 13.1 It can be difficult to ensure compliance with the Government's desire for extensive community participation whilst also achieving timely processing of

planning applications and quicker Local Plan preparation. The revised SCI resolves this contradiction by setting out an appropriate approach to public consultation on planning documents and planning applications.

- 13.2 The Council has a statutory requirement to prepare a Statement of Community Involvement as set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The National Planning Policy Framework elaborates on the statement in relation to decision making.
- 13.3 When the Local Plan is subject to independent examination, it is subject to a legal “test of soundness”. To pass this test, the Council must demonstrate the Local Plan has been consulted on in accordance with the adopted SCI. It is equally important that consultation on planning applications is carried out in accordance with the SCI so that decisions are not subject to legal challenge.

14. Accountable Officers

Simon Moss, Assistant Director of Regeneration and Environment

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp OBE	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	Click here to enter a date.
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	Click here to enter a date.

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