

Division(s):

CABINET – 18 JUNE 2019

REVIEW OF OXFORDSHIRE STATEMENT OF COMMUNITY INVOLVEMENT

Report by Director for Planning & Place

RECOMMENDATION

1. **The Cabinet is RECOMMENDED to**
 - (a) **approve the draft revised Oxfordshire Statement of Community Involvement at Annex 1, subject to final detailed amendment and editing, as a draft for public consultation;**
 - (b) **authorise the Director for Planning & Place to:**
 - (i) **carry out final detailed amendment and editing of the draft revised Oxfordshire Statement of Community Involvement, in consultation with the Cabinet Member for Environment;**
 - (ii) **publish the draft revised Oxfordshire Statement of Community Involvement for public consultation.**

Executive Summary

2. The County Council is required to prepare, and keep up to date, a Statement of Community Involvement (SCI). The SCI is a statutory planning document that sets out how the Council will involve the community (consultees, stakeholders and other interested parties) in:
 - i. preparing and reviewing the Minerals and Waste Local Plan;
 - ii. making decisions on planning applications.
3. The Council must comply with its SCI in preparing local plan documents. The Council is currently preparing the Minerals and Waste Site Allocations Plan and it is important that an up to date SCI is in place when the plan is submitted for examination. There have been some legislative changes affecting SCIs. The current SCI (2015) should therefore be reviewed before the Minerals and Waste Site Allocations Plan is published and submitted for examination.

Introduction

4. The Statement of Community Involvement (SCI) is a statutory planning document that sets out how Oxfordshire County Council will involve the community (consultees, stakeholders and other interested parties) in:

- i. preparing and reviewing the Minerals and Waste Local Plan;
- ii. making decisions on planning applications for minerals, waste and County Council developments.

The Council must comply with its SCI in preparing local plan documents.

5. The first Oxfordshire Statement of Community Involvement was adopted by the County Council in November 2006. A revised SCI was adopted at the Full Council meeting on 24 March 2015. Since then there have been some changes in legislation that affect SCIs, including a new requirement for them to be reviewed every five years. In view of these changes, a review of the current adopted SCI should be undertaken. This should be done now, so that an up to date SCI can be put in place before the Minerals and Waste Site Allocations Plan is formally published and submitted to the Secretary of State for examination next year.

Review of the Statement of Community Involvement

6. Amendments made in 2017 to the Town and Country Planning (Local Planning) (England) Regulations 2012 require that SCIs now be reviewed every 5 years. This means the current Oxfordshire SCI will need to be reviewed by March 2020. In addition, there have been other recent legislative changes that affect the content of SCIs and mean that revisions should be made to the existing SCI.
7. The Neighbourhood Planning Act 2017 introduced a requirement for local planning authorities to set out their policies for giving advice or assistance to qualifying bodies to facilitate proposals for neighbourhood plans within their SCI. This requirement includes County Councils in respect of minerals and waste planning, even though neighbourhood plans should not include policies or proposals on minerals or waste.
8. The July 2018 changes to the National Planning Policy Framework brought in a requirement for local planning authorities to prepare Statements of Common Ground in relation to the preparation and review of their local plans. Again, this applies equally to County Councils in respect of minerals and waste local plans. Statements of Common Ground should document the cross-boundary matters being addressed in plan making and progress in cooperation between authorities and other bodies on addressing these. They are a way of demonstrating that plans are deliverable; and they also form part of the evidence required to demonstrate compliance with the duty to cooperate. This new requirement should be referred to in the SCI.
9. Changes to consultation arrangements on planning applications, as now specified in Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, include small amendments to the list of consultees required to be consulted on planning applications. These amendments should be reflected in the SCI.

10. To ensure the SCI is up to date, it should also now include the Oxfordshire Vision and Objectives; and it should make reference the Oxfordshire 2050 Plan which is in preparation.
11. In preparing local plans, local planning authorities must comply with their SCI. Although the current SCI is not required to be reviewed until March 2020, the Minerals and Waste Site Allocations Plan is due to be published and submitted for examination early in 2020. In view of this, the review should be carried out now so that a revised SCI can be adopted before the Site Allocations Plan is published and submitted and it can then be shown at the examination of the Plan that it has been prepared in accordance with an up to date SCI. This is in accordance with the programme for review of the SCI set out in the Council's current Minerals and Waste Development Scheme, which was approved by the Cabinet on 22 January 2019.
12. A draft revision of the SCI was considered by the Minerals & Waste Cabinet Advisory Group on 25 April 2019. Subject to minor amendment of paragraph 6.25, to clarify how the Council will make planning applications available to the public, the Cabinet Advisory Group agreed that the draft revised SCI should be considered by the Cabinet, for approval to publish it for public consultation. The draft revised SCI, including the amendment requested by the Cabinet Advisory Group, is attached at Annex 1.
13. The draft revised SCI closely follows the format of the existing (2015) SCI and covers:
 - i. What the SCI is; why it is being revised; and how to comment on the draft;
 - ii. The Council's vision and values for Oxfordshire;
 - iii. The Council's principles of community involvement;
 - iv. The Council's planning responsibilities;
 - v. The Minerals and Waste Local Plan and how consultees and interested parties will be involved in the preparation of plan documents;
 - vi. Planning applications and how consultees and interested parties will be involved in the determination of applications for minerals, waste and County Council developments;
 - vii. Monitoring and review of the SCI.
14. The main changes from the existing (2015) SCI are:
 - Updates and consequential amendments to section 1 Introduction;
 - A new section 2 on the Council's Vision and Values for Oxfordshire;
 - A new paragraph 4.3 on the Oxfordshire 2050 Plan;
 - A new paragraph 4.12 on the requirement for Statements of Common Ground;
 - A new section at paragraphs 4.14 – 4.17 on Neighbourhood Plans;
 - New paragraphs 5.1 – 5.2 on the Council's Minerals and Waste Development Scheme;
 - Updates to paragraph 5.16 to reflect changes in the Council's methods of communication and engagement; and
 - Updates to Appendix 3 to reflect legislative changes to statutory consultees on planning applications.

15. The draft revised SCI complements the Council's corporate policy on communicating and consulting with the public. Where appropriate, it goes beyond the minimum requirements of the relevant regulations in relation to community involvement in the planning processes, and it seeks to promote best practice and effective partnership working with community and other relevant interest groups.

Next Steps

16. In line with the Minerals and Waste Development Scheme, the following programme for completion of the review of the SCI is proposed:

Cabinet agree draft revised SCI for consultation	18 June 2019
Public consultation on draft revised SCI (approximate dates – 6 weeks, excluding August)	1 July – 13 Sept 2019
Minerals & Waste Cabinet Advisory Group consider consultation responses	October 2019
Cabinet consider consultation responses	19 Nov 2019
County Council adopts revised SCI	10 Dec 2019

Financial and Staff Implications

17. The SCI is integral to the Minerals & Waste Local Plan, which is included within the work priorities of the Communities Directorate and is being progressed within the budget for the Council's minerals and waste policy function. The proposed review of the SCI can be undertaken within existing resources and it does not raise any additional financial or staffing implications.

Equalities Implications

18. The SCI seeks to ensure that all interested or affected individuals and community groups can have appropriate involvement in both the preparation of minerals and waste plan documents and the consideration of planning applications for minerals, waste and County Council developments.

Legal Implications

19. Under the Planning and Compulsory Purchase Act 2004 (as amended) and related Regulations, the County Council is required to prepare a SCI and to regularly review it to keep it up to date.

Risk Management

20. Review of the existing SCI and adoption of a revised, up to date SCI before the Minerals and Waste Site Allocations Plan is published and submitted (early in 2020) will mitigate the risk that the Inspector who examines the Site Allocations Plan finds it to be deficient because it has not been prepared in accordance with an up to date SCI; and the risk of possible judicial review in relation to this.

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Background papers: None

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