

EPSOM AND EWELL STATEMENT OF COMMUNITY INVOLVEMENT

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| Head of Service: | Victoria Potts, Head of Place Development |
| Wards affected: | (All Wards); |
| Urgent Decision?(yes/no) | No |
| If yes, reason urgent decision required: | |
| Appendices (attached): Appendix | Appendix 1: Statement of Community Involvement (July 2022) Appendix 2: Consultation Statement |

Summary

This paper is submitted to the Licencing and Planning Policy Committee for a recommendation to adopt the revised Statement of Community Involvement, following the four-week public consultation that was undertaken, in line with our statutory requirements.

Recommendation (s)

The Committee is asked to:

- (1) Adopt the revised Statement of Community Involvement (Appendix 1 of this report)**
- (2) Note the consultation statement (Appendix 2 of this report) and the changes made to the SCI as a result of comments received during the consultation period.**

1 Reason for Recommendation

- 1.1 The Council is required to prepare a Statement of Community Involvement (SCI) setting out how local communities, businesses and other interested groups can be involved when we prepare our planning policies and determine planning applications.

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- 1.2 The Council's current SCI was adopted in November 2019 and since this time, new digital approaches to public consultation have emerged and gained traction as a result of the Covid-19 Pandemic. There have also been changes to legislation which has resulted in some of the content of the current SCI being out of date, such as the process for preparing a Community Infrastructure Levy (CIL) charging schedule.
- 1.3 In addition to legislative changes, there are some inconsistencies within the current SCI which have been addressed in the revised draft, for example when press notices are required to be published to publicise planning applications. This has been achieved through restructuring the document and updating the information presented to align with legislative requirements and the planning practice guidance.
- 1.4 Having an up-to-date Statement of Community Involvement is a requirement for the Local Planning Authority and ensures engagement is being undertaken in accordance with legislative requirements and good practice.
- 1.5 The Council undertook a four-week public consultation on the draft SCI (2022) between 6 June and 4 July 2022. 19 organisations or individuals responded to the consultation which are detailed in the Consultation Statement (Appendix 2) along with any changes made to the final SCI (Appendix 1). It is encouraging that 8 individuals or organisations responded using our online consultation portal.
- 1.6 Upon adoption, the revised Statement of Community Involvement (2022) will supersede the Statement of Community Involvement adopted in 2019.

2 Background

- 2.1 The preparation of a SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 (section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017. This legislation requires the Local Planning Authority (in this case the Council) to prepare a statement for how it will involve those with an interest in development in the area, including the preparation and review of the Local Plan and Supplementary Planning Documents, Neighbourhood Plans/Orders, Community Infrastructure Levy and the consideration of planning applications. It is also a requirement to update the SCI every five years.
- 2.2 The purpose of the Statement of Community Involvement is to set out how people and groups can engage with the planning system in the best way by setting out how the public, businesses and interest groups within Epsom and Ewell Borough can get involved in the creation of local planning policy, neighbourhood planning and the planning application decision making process.

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- 2.3 The Statement of Community Involvement has been updated to provide more information on how people and organisations can get involved in the development of planning policy documents at specific (statutory) stages of their development.
- 2.4 The core changes to the document are that it has been restructured with greater use of tables to demonstrate how people can get involved at different stages of the plan making process. In addition, the document has been amended to reflect changes to the CIL regulations which have removed the need to consult on a Preliminary Draft Charging Schedule.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

- 3.1.1 The Revised Statement of Community Involvement identifies a range of consultation methods for the development of planning policy documents to enable participation by all.

3.2 Crime & Disorder

- 3.2.1 None arising from this report

3.3 Safeguarding

- 3.3.1 None arising from this report

3.4 Dependencies

- 3.4.1 The preparation of the new Local Plan must be prepared in conformity with the adopted Statement of Community Involvement. It is therefore critical to ensure the SCI supports the preparation of the new Local Plan and is in place at the earliest opportunity in its preparation to provide a robust framework for engagement. This is also important to set out how the Council will consult on planning applications for development.

3.5 Other

- 3.5.1 None arising from this report

4 Financial Implications

- 4.1 There are no direct resource implications. Costs will be met within existing resources and budgets
- 4.2 **Section 151 Officer's comments:** None arising from the contents of this report.

5 Legal Implications

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- 5.1 There are legal issues to consider in adopting the SCI, in relation to satisfying the necessary regulations. The preparation of a SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 (section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017.
- 5.2 **Legal Officer's comments:** Under section 18(1) of Planning and Compulsory Purchase Act 2004 a local planning authority must prepare a Statement of Community Involvement. The statement of community involvement is a local planning authority's statement as to the involvement in the exercise of the authority's functions under sections 19, 26 and 28 of the Act in relation to development control and persons who appear to the authority to have an interest in matters relating to development in their area. The statement will apply to the preparation and revision of local development documents and to the exercise of the authority's functions in relation to development control. The statement will be subject to independent examination as if it were a development plan document.
- 5.3 Under section 149 of Equality Act 2010 the Council has a public sector equality duty. Section 149 of the Equality Act 2010 requires a public authority in the exercise of its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act, (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c.) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.4 The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (gender) and sexual orientation. The Council's public sector equality duty has been complied with in the production of the revised Statement of Community Involvement and the consultation statement.
- 5.5 The Human Rights Act 1998 has been considered and complied with in the production of the revised Statement of Community Involvement and consultation statement.
- 5.6 The Statement of Community Involvement must be reviewed and kept up to date therefore the Council has the power to adopt the revised Statement of Community Involvement.

6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged:
- 6.2 The revised Statement of Community Involvement sets commitments as to how the Council will engage with the public at specific stages of Local Plan preparation. The Council's new Local Plan will contribute towards delivering the Council's vision and priorities in its Four-Year Plan.

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- 6.3 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 6.4 **Climate & Environmental Impact of recommendations:** None for the purposes of this report
- 6.5 **Sustainability Policy & Community Safety Implications:** None for the purposes of this report
- 6.6 **Partnerships:** The SCI sets out to partners including residents how they can engage with the planning process

7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- [Statement of Community Involvement \(May 2022\)](#)
- [Statement of Community Involvement \(November 2019\)](#)