



**Report for: Planning Policy
Advisory Panel**

Date of Meeting:	13 July 2023
Subject:	Updated Statement of Community Involvement (SCI)
Key Decision:	No – Advisory Panel
Responsible Officer:	Viv Evans, Chief Planning Officer
Portfolio Holder:	Councillor Marilyn Ashton, Deputy Leader of the Council, Planning & Regeneration Portfolio Holder
Exempt:	No
Decision subject to Call-in:	No
Wards affected:	All Wards
Enclosures:	Appendix A – Updated Statement of Community Involvement

Section 1 – Summary and Recommendations

This report sets out the updated Statement of Community Involvement (SCI) as a replacement to the previously adopted 2012 version.

Recommendations:

The advisory panel is requested to:

- A. Note and comment on the draft SCI and proposed changes;
- B. Note and comment on the intention not to formally consult on the document; and
- C. Commend the updated Statement of Community Involvement (SCI) to Cabinet for adoption, subject to any legal advice received in relation to not undertaking consultation.

Report for: Planning Policy Advisory Panel

Reason:

It has been over 10 years since the Statement of Community Involvement (SCI) was last revised and adopted. The publishing of a new SCI facilitates Regulation 18 Consultation on the upcoming draft New Harrow Local Plan as it is good practice to ensure that the SCI is updated prior to launching such an extensive borough wide consultation.

Section 2 – Report

1. Introduction

- 1.1 Section 18 of the Planning and Compulsory Purchase Act (2004) requires local planning authorities to prepare a Statement of Community Involvement (SCI). The SCI is a statutory document that sets out how the Council intends to involve the community in the planning process and engage with local residents, businesses and other interested parties when developing and reviewing planning documents and determining planning applications. This report recommends an updated version of the Council's current Statement of Community Involvement which was adopted in 2012.

2. Options considered

- 2.1 The option not to update the current SCI was considered but rejected. This is because SCIs should be reviewed every five years and the current SCI is over ten years old, necessitating an update. Additionally, the National Planning Practice Guidance (NPPG) indicates that local planning authorities may review and update their SCI at the same time as reviewing and updating a plan to reflect what action is taken to involve the community in any change to the plan.
- 2.2 Two options in relation to consultation on the draft updated SCI are addressed below.

3. Background

- 3.1 Harrow's existing SCI was adopted in 2012 following public consultation. It provides a commentary on the planning system and the objectives and principles of community involvement. There are further chapters relating to involvement in the Local Development Framework (LDF) (now referred to as Local Plans), the Development Management (DM) process, and a series of tables setting out the consultation techniques to be employed in the preparation of different types of planning document and for development control.
- 3.2 There have been many updates to the planning system since the publication of the last SCI including updates to the National Planning Policy Framework (NPPF), Planning Policy Guidance (PPG), and best practice standards for consultation. Another significant impact has been the Covid-19 Pandemic and its implications for in-person and online consultation methods.

4. Why a change is needed

- 4.1 The existing SCI contains content which is now out of date as it has been over ten years since the current iteration was adopted. It is good practice to update these documents to ensure their relevance to the community and renew the standards of consultation that they contain.
- 4.2 Additionally, the council has commenced drafting a new Local Plan that it intended to be adopted by December 2025. The council has already adopted a new Local Development Scheme (2023) which outlines the proposed timeline for drafting and adoption of the new Local Plan. Typically, an updated SCI accompanies the LDS as part of the suite of statutory documents required as part of the Local Plan process.
- 4.3 There have been no fundamental changes to the SCI as the statutory requirements for the document have not changed significantly. The content of the SCI itself will always follow government guidance.
- 4.4 A summary of changes from the adopted SCI to the newly drafted SCI will be published on the council's website to identify what changes have been made. The changes are as follows:
- Identification of a 17-day re-consultation period for development management applications.
 - Updates to online consultation methods (MyHarrow Talk page).
 - Introduction of extenuating circumstances context paragraph (what we will do in a situation like the Covid-19 pandemic if we are unable to consult in person).
 - Updated names of statutory consultees and links to their webpages.
 - Changes to Neighbourhood Community Infrastructure Levy (NCIL) Consultation.
- 4.5 The SCI has been reviewed for compliance with the Council's new Communications Consultation Standards. The Corporate Communications Team has also reviewed and signed off the document.

5. Process considerations

- 5.1 As noted above, the Council intends to have the new Local Plan adopted by December 2025, as reflected in the Local Development Scheme (that sets out the key milestones for the Plan). The report to the Panel on the LDS identified this as a challenging timeframe. In this context, options for making the timeframes as efficient as possible are under constant consideration.
- 5.2 In relation to the proposed minor changes to the SCI, consideration has been given to whether it is necessary or beneficial to consult on these. While consultation on the SCI is typically considered good practice, it is not explicitly required in planning guidance ('There is no requirement for local planning authorities to consult when reviewing and updating their Statement of Community Involvement.' Plan Making Guidance Paragraph: 035 Reference ID: 61-035-20190723). As noted in above, the proposed changes are considered modest in their nature.
- 5.3 If the updated SCI was consulted on, this would be for a six-week period and would involve another round of meetings (this Panel and Cabinet) to report back

on the consultation and any changes to the document, prior to adoption. This would take at least three months and delay when the Council can undertake the Regulation 18 (initial) consultation on the draft Local Plan. Given the modest nature of the proposed changes, this is considered a disproportionate delay (and would also result in additional costs).

5.4 Further consideration is that the revised SCI reflects minimum standards for consultation (consistent with legislation) and options to go beyond that. There is nothing stopping the Council from exceeding the requirements of the SCI.

5.5 Given the above, it is proposed to proceed to present the draft SCI to Cabinet for adoption without undertaking consultation. The soundness of this approach will be discussed with Counsel, prior to the SCI going to Cabinet in September.

6. Ward Councillors' comments

6.1 None as the revised SCI covers all wards.

7. Risk Management Implications

Risks included on corporate or directorate risk register? **Yes**

Separate risk register in place? **Yes (Local Plan Risk Register)**

The relevant risks contained in the register are attached/summarised below.
Yes

The following key risks should be taken into account when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
If the recommendation(s) are not agreed, Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 would not be facilitated and residents would not be notified that LBH is preparing a new Harrow Local Plan and that this is imminent	<ul style="list-style-type: none"> ▪ Acceptance of the proposed recommendations in this report will mitigate risk 	GREEN
If the recommendation(s) are not agreed, the current SCI will continue to remain out-of-date and not updated for some 10 years	<ul style="list-style-type: none"> ▪ Acceptance of the proposed recommendations in this report will mitigate risk 	GREEN

Risk Description	Mitigations	RAG Status
Harrow residents, businesses and other stakeholders are not being offered an opportunity to have their say on how they are engaged and informed on LBH planning processes lessening engagement and collaboration with them on planning decisions	<ul style="list-style-type: none"> ▪ Public consultation on the SCI is not compulsory or specifically required by law ▪ The revised SCI reflects minimum standards for consultation which are consistent/compliant with relevant legislation and also incorporates options for engagement and collaboration that can be flexed to go beyond this level of consultation if required 	GREEN
The consultation arrangements set out in the SCI are not fit-for-purpose.	<ul style="list-style-type: none"> ▪ The revised SCI reflects an evolution of the current SCI and has been updated to reflect current statutory requirements. ▪ The revised document has been reviewed by internal stakeholders (Development Management and Communications colleagues) and cross-checked with corporate consultation standards 	GREEN
The SCI is challenged due to a lack of consultation.	<ul style="list-style-type: none"> ▪ Seek Counsel advice to ensure that there is no contravention with the NPPF. ▪ Planning guidance is very clear on the matter, it is not compulsory 	AMBER
The SCI is not endorsed for adoption by cabinet, causing delay to the Local Plan program set out in the Local Development Scheme (LDS).	<ul style="list-style-type: none"> ▪ Seek endorsement from the PPAP and progress the SCI for adoption by Cabinet. 	GREEN

8. Legal Implications

8.1 Under section 18 of the Planning and Compulsory Purchase Act (2004) local planning authorities must prepare a statement of community involvement (SCI). The SCI is a local development document for purposes of Part 2 of the Act and by virtue of section 26 (1), the Council may at any time prepare a revision of all local development documents including the SCI.

9. Financial Implications

9.1 The cost of updating the SCI has been met from the Planning Policy budget. Any additional work required to finalise the document will also be met from this budget.

10. Equalities implications / Public Sector Equality Duty

10.1 The SCI has thoroughly addressed equalities implications by ensuring that everyone in the community has a way to be heard when the council embarks on the formal stages of Local Plan consultation (Regulation 18 – draft plan, and Regulation 19 – plan for submission), and within the day to day scope of the planning system.

11. Council Priorities

Please identify how the decision sought delivers this priority.

- 1. A council that puts residents first**
- 2. A borough that is clean and safe**

11.1 The SCI is a statutory aspect of all Local Plan/Local Development Framework updates. Progressing the development of the updated Local ensures that residents are put first by facilitating discussions and ensuring that they are able to have their say on the future of the borough through this consultation. The Local Plan will also aim to deliver a borough that is clean and safe through planning policy.

Section 3 - Statutory Officer Clearance

Statutory Officer: Jessie Mann

Signed on behalf of Chief Financial Officer

Date: 26/06/2023

Statutory Officer: Jimmy Walsh

Signed on behalf of the Monitoring Officer

Date:

Chief Officer: Dipti Patel

Signed off by the Corporate Director

Date: 03/07/2023

Head of Procurement: Nimesh Mehta

Signed by the Head of Procurement

Date: 03/07/2023

Head of Internal Audit: Neale Burns

Signed by the Head of Internal Audit

Date: 28/06/20203

Mandatory Checks

Ward Councillors notified: NO*, as it impacts on all Wards

EqIA carried out: NO*

Advisory panel report for information only

EqIA cleared by:

Section 4 - Contact Details and Background Papers

Contact: Viv Evans, Chief Planning Officer,
Viv.Evans@harrow.gov.uk

Background Papers: None