

SURREY COUNTY COUNCIL**CABINET****DATE: 24 SEPTEMBER 2019****REPORT OF: MR MIKE GOODMAN, CABINET MEMBER FOR ENVIRONMENT AND PLANNING****LEAD OFFICER: GILL STEWARD, INTERIM EXECUTIVE DIRECTOR FOR HIGHWAYS, TRANSPORT AND ENVIRONMENT****SUBJECT: REVISION OF STATEMENT OF COMMUNITY INVOLVEMENT****SUMMARY OF ISSUE:**

The Statement of Community Involvement (SCI) is the County Council's public statement of how it engages with the public and consultees on planning applications and planning policy documents.

RECOMMENDATIONS:

It is proposed that Cabinet recommends that the County Council adopt the revised Statement of Community Involvement (SCI).

REASON FOR RECOMMENDATIONS:

It is a statutory requirement to produce the SCI and to keep it up to date. The current SCI was adopted in 2015 and this revision takes account of changes in legislation and policy.

DETAILS:

1. The SCI sets out how people can be involved in the process of planning for minerals and waste development in Surrey. It sets out our approach for public consultation and involvement in the preparation of the minerals and waste plans, and in the determination of planning applications for minerals and waste development and our own development proposals.
2. The County Council is required to produce a SCI by the Planning and Compulsory Purchase Act 2004 (as amended).
3. Since the current SCI was adopted by the County Council in May 2015 there have been a number of changes to legislation and planning policy guidance which make it necessary to revise the SCI so that it reflects these changes. The main changes to the SCI to reflect current legislation, are:
 - a. Highlighting changes to how we collect and process data in light of the General Data Protection Regulation implemented in 2018.
 - b. A section on Neighbourhood Planning has been added to provide more clarity on support that Surrey County Council can provide.

4. With regard to development management, the protocol for consulting residents and other statutory and non-statutory consultees in respect of applications for planning permission remains broadly unchanged. Where they are consulted, adjoining residents will continue to be notified by letter since it is the only way of ensuring they are reached. Nevertheless there will be an emphasis on electronic communication wherever possible and the reduction of unnecessary paperwork. Since adopting the current SCI in June 2015, the County Council has made planning application documents and documents for other types of submissions requiring approval available to view on our online register. Members of the public can find out about and view details of all types of applications on our website; find out about and review any amendments; and follow progress, whether or not they have been directly contacted about an application.

5. Changes are proposed to streamline the development management process and to make best use of resources. The publicity for major applications for planning permission will remain unchanged: a newspaper advert will be posted, site notices displayed and letters will be sent to neighbours, generally within 90 metres of the application site boundary. The protocol for publicising minor planning applications and other types of applications is proposed to be amended to bring it into line with the requirements set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015, to better reflect the application fees paid, to improve the County Council's efficiency in managing minor and other applications, as well as to allow more resources to be put towards more complex applications.

The changes to simplify publicity are as follows:

- a. For minor applications: a site notice will be displayed or a letter sent to adjoining neighbours, with any wider publicity at the case officer's discretion

 - b. Other proposals such as approvals of details under conditions, nonmaterial amendments, prior notifications and Certificates of Lawfulness will usually involve relevant statutory and non-statutory consultees and technical advisers only.
6. A section on Environmental Impact Assessment (EIA) has been added to provide clarity on the difference between EIA and non-EIA development and the publicity of such development, as well as information on Screening and Scoping Opinions.

CONSULTATION:

7. A six week public consultation was undertaken from 7 May 2019 to 18 June 2019.

8. There were a total of six responses to the SCI consultation. All comments received have been assessed and changes made where appropriate. Some comments refer to matters outside the scope of this consultation such as the Scheme of Delegation, public speaking at committee and the structure of planning application documents. Many comments relate to sections of the SCI that have not been amended. In broad terms, all respondents are seeking greater and further reaching publicity. Publicity has to be proportionate to the scale of the proposal and the likely impacts. The SCI complies with the statutory requirements as a

minimum in all respects, exceeding them in some cases, such as in respect of neighbour notifications for planning applications.

RISK MANAGEMENT AND IMPLICATIONS:

9. It is important that the County Council's SCI remains compliant with legislation, policy and practice. Failure to do so could lead to successful challenges to decisions on relevant planning applications, whereby they are overturned and costs are potentially awarded against the County Council.

Financial and Value for Money Implications

10. No direct implications although the new procedures will enable officer time to be more focused on major applications. The increased use of IT where possible will provide better value for money.

Section 151 Officer Commentary

11. The Section 151 officer confirms that there are no material financial issues, risks or changes to resource requirements associated with the adoption of a revised SCI.

Legal Implications – Monitoring Officer

12. The County Council is the Minerals and Waste Planning Authority for Surrey. It is required by the Planning and Compulsory Purchase Act 2004 (as amended) to prepare a Statement of Community Involvement and review the statement every 5 years as required by the national Planning Practice Guidance Paragraph 071 Ref ID: 61-071-20190315.

Equalities and Diversity

13. The existing SCI ensures that a wide range of people are consulted with regard to planning matters. The revised SCI carries this forward.
14. An Equalities Impact Assessment has been carried out into the revised draft SCI and is included as Annex 2 to this report.

WHAT HAPPENS NEXT:

15. The SCI will need to be formally adopted by the County Council on 8 October. Upon adoption the revised SCI will replace the previous 2015 SCI and become the County Council's adopted policy for consultation and engagement with the community on the minerals and waste plans and on planning applications for minerals and waste development and the County Council's own proposals for development.

Contact Officer:

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Consulted:

District and Borough Councils, Parish Councils and Resident and Amenity Groups.

Planning & Regulatory Committee

Annexes:

Annex 1: Revised Draft Statement of Community Involvement.

Annex 2: Revised Draft Statement of Community Involvement Equality Impact Assessment

Sources/background papers:

Surrey Statement of Community Involvement 2015.