

<b>Committee</b> Planning & Transportation Committee	<b>Dated:</b> 11/05/2023
<b>Subject:</b> Adoption of Statement of Community Involvement and Developer Engagement Guidelines	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	3,9
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>£0</b>
<b>What is the source of Funding?</b>	
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	n/a
<b>Report of:</b> Gwyn Richards, Planning & Development Director	<b>For Decision</b>
<b>Report author:</b> Peter Shadbolt, Head of Planning Policy	

### Summary

The City Corporation is required to prepare a Statement of Community Involvement (SCI) setting out how it intends to consult the public when preparing planning policies and deciding planning applications. A draft SCI, updating the previous version from 2016, was approved for public consultation by this Committee at its meeting on 11 October 2022.

The Committee also considered and agreed for consultation draft Developer Engagement Guidelines, a non-statutory document which sets out how the City Corporation expects developers to consult with local communities prior to, and following, the submission of a planning application.

This report sets out the responses to the consultation on the SCI and Developer Engagement Guidelines, the revisions proposed to these documents and recommends their adoption.

### Recommendation(s)

Members are asked to:

- Adopt the revised Statement of Community Involvement and Developer Engagement Guidelines

## **Main Report**

### **Background**

1. The Statement of Community Involvement (SCI) sets out how the City Corporation will consult the public in preparing planning policy documents and deciding planning applications for planning permission and related consents. The current SCI was adopted by the Planning & Transportation Committee at its meeting on 5 July 2016.
2. The SCI sets out how the City Corporation will consult and engage on planning matters. It does not set out, or provide guidance on, how developers should consult and engage with the public and stakeholders.
3. At its meeting on 11 October 2022, this Committee approved a draft revision to the SCI for public consultation. At the same meeting, the Committee approved draft Developer Engagement Guidelines for consultation. The Developer Engagement Guidelines have been prepared as a non-statutory Planning Advice Note and sets out the City Corporation's expectations for how developers and applicants should engage with the local community and other stakeholders at an early stage in the formulation of development proposals and throughout the planning phases of development.

### **Current Position**

4. Public consultation on the draft SCI and Developer Engagement Guidelines commenced on 9 December 2022. It was scheduled to run for 8 weeks until 3 February 2023, but subsequently extended until 3 March 2023 to encourage as many responses as possible. The 2 documents were made available on the City Corporation's website, at City libraries and the Guildhall Planning Reception and sent to those organisations and individuals on the City Corporation's planning consultation database. Developers have also been encouraged to apply the principles set out in the Developer Engagement Guidelines through pre-application discussions in advance of formal adoption of the Guidelines.
5. Response to the consultation was limited, with only 11 individual or organisations responding to the SCI and 10 to the Developer Engagement Guidelines. A number of these individuals and organisations commented on multiple parts of the documents. It should be noted that, although the SCI is a statutory document, there is no legal requirement to publicly consult on revisions and so, although the response was limited, in undertaking the consultation, the City Corporation was going beyond the statutory requirements. The number of responses received on both documents is also suggestive of a broad level of support for the measures set out. In particular, the muted response from the development industry does suggest a broad level of acceptance of the requirements within the Developer Engagement Guidelines, in particular.
6. Responses received to the two documents are set out in the Consultation Statement attached at Appendix 1.

## **Proposals**

7. The Consultation Statement sets out how the consultation on the SCI and the Developer Engagement Guidelines was undertaken, the comments received on both documents and the proposed response.
8. Comments were received from 11 individual and organisations to the consultation on the SCI and from 10 for the Developer Engagement Guidelines. Comments were largely very supportive of the changes to the SCI and the drafting of the new Developer Engagement Guidance, with both documents seen as delivering an improvement in the way that the City Corporation consults on planning matters. A number of comments suggested changes to both documents and these changes have been carefully considered and incorporated where they would improve the delivery of engagement or clarify how the City Corporation and developers should engage. In addition, a number of detailed wording changes have been suggested and these have been incorporated wherever possible. The attached Consultation Statement at Appendix 1 details the consultation undertaken, the comments received and the proposed response to these comments. Appendix 2 sets out proposed changes to the SCI as track changes and Appendix 3 sets out proposed changes to the Developer Engagement Guidance.

## **Corporate & Strategic Implications**

Strategic implications – The SCI and the Developer Engagement Guidelines will ensure that all the City’s communities can engage with the City Corporation and developers in the exercise of planning responsibilities and the form of new development. This meets statutory requirements and good practice as outlined in the national Planning Practice Guidance. It will contribute towards the development of the City Plan and will contribute directly to meeting the three key objectives of the Corporate Plan.

Financial implications - None

Resource implications - None

Legal implications - The SCI is a statutory document and will be a material consideration in consultation on planning policy matters and planning applications. The Courts have found that a SCI is capable of creating a legitimate expectation (i.e. a statement or promise of a public body) that the contents of it will be complied with and that this will be upheld by the Courts.

Risk implications - None

Equalities implications – The draft SCI and the Developer Engagement Guidance have been considered through an Equalities Impact Assessment Screening, which identified no equalities implications. The changes made following consultation do not raise any additional implications.

Climate implications - None

Security implications - None

## **Conclusion**

9. The City Corporation has a statutory duty to prepare and keep up to date a Statement of Community Involvement (SCI). The SCI sets out how the City Corporation will engage and consult with the City's varied communities on both planning policy matters and planning applications. The City Corporation consulted on a draft revision to the adopted SCI between December 2022 and March 2023.
10. Alongside the SCI, the City Corporation consulted on proposed Developer Engagement Guidelines, which set out the City Corporation's expectations for how developers and applicants should engage with the local community and other stakeholders at an early stage in the formulation of development proposals and throughout the planning phases of development.
11. Responses to the consultation have been considered and, where appropriate, amendments incorporated into both documents. The Planning & Transportation Committee is asked to adopt both the SCI and the Developer Engagement Guidelines.

## **Appendices**

- Appendix 1 – Consultation Statement
- Appendix 2 – Statement of Community Involvement 2023
- Appendix 3 – Developer Engagement Guidelines 2023

## **Background Papers**

Approval of draft revised Statement of Community Involvement and Developer Engagement Guidance for public consultation – Report to Planning & Transportation Committee, 11 October 2022.

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