

Birmingham City Council

Report to Cabinet

14th May 2019



Subject: PUBLIC CONSULTATION ON THE 'STATEMENT OF COMMUNITY INVOLVEMENT'

Report of: DIRECTOR, INCLUSIVE GROWTH

Relevant Cabinet Member: Councillor Ian Ward, Leader of the Council

Relevant O &S Chair: Councillor Tahir Ali, Economy and Skills;

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 006329/2019		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

1.1 To seek authority to undertake public consultation on the revised draft Statement of Community Involvement (SCI) for a period of 12 weeks starting in early June 2019.

2 Recommendations

2.1 That Cabinet approves the revised draft Statement of Community Involvement (SCI) for public consultation commencing early June 2019 for a period of 12 weeks.

2.2 That Cabinet receives a further report following consultation and adopts the final SCI.

3 Background

3.1 It is a legal requirement for an up-to-date Statement of Community Involvement (SCI) to be adopted and published by local planning authorities under the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and Neighbourhood Planning Act 2017).

3.2 The SCI is part of Birmingham's local planning framework and sets out how the Council will engage people in various aspects of its land use planning work. It outlines how the Council will consult, who we will consult with and when we will consult for both planning applications and planning policy documents. The purpose of the SCI is therefore to guide and help make public consultation more effective and meaningful and encourage more people to take part in the planning process.

3.3 The purpose of the consultation document is to invite comments on the draft version of the SCI which will then inform the preparation of the final version of the SCI to be adopted by the City Council. It is envisaged that the consultation will commence in early June 2019 for a period of 12 weeks.

3.4 The City Council originally adopted a SCI in 2008. This document now needs to be updated to reflect the legal changes which have taken place since, but also to reflect changes in the way the Council engages and communicates with stakeholders and citizens. This final version, once adopted, will therefore supersede the existing 2008 SCI.

3.5 The main changes to the SCI since the original version published in 2008 are as follows:-

- Updated references to legislation including the Housing and Planning Act 2016, the Neighbourhood Plan Act 2017 and the latest regulations associated with them (the SCI therefore includes new sections on Neighbourhood Plans and the Community Infrastructure Levy (CIL).
- Updates to reflect the latest national and local planning documents including the National Planning Policy Framework (NPPF) and Birmingham's Local Plan.
- Increased emphasis on the Council's commitment to equality and inclusivity as part of its statutory duty under the Equality Act 2010.
- Updated references to the latest Council Plan and corporate policies on community cohesion and localism.
- References to the latest forms of consultation including more emphasis on online consultation and the increased use of social media in engaging a wider audience for consultation on planning matters.

- 3.6 Following Cabinet approval, public consultation on the SCI is to take place starting early in June 2019 for a period of 12 weeks after which all comments received will be considered to inform the final version of the SCI. The final version will then be presented to Cabinet in the Autumn of 2019 for approval and adoption by the City Council.

4 Options considered and Recommended Proposal

- 4.1 Do Nothing: It is a legal requirement for an up-to-date Statement of Community Involvement (SCI) to be adopted and published by local planning authorities under the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and Neighbourhood Planning Act 2017). The Localism Act 2011 in particular emphasises the importance of enabling communities to contribute towards shaping the places where they live. This is therefore not deemed an option.
- 4.2 The SCI was previously updated in 2008 since when legal requirements and consultation methodologies used by the City Council have changed sufficiently to warrant an updated version of the SCI to be produced.

5 Consultation

- 5.1 Officers from the Inclusive Growth Directorate have been involved with the preparation of the Statement of Community Involvement (SCI) consultation document. The launch of the public consultation on the SCI will be the start of both internal and external consultation on the document. This is the first and only consultation stage for the SCI which will commence shortly following Cabinet approval. The consultation process will be carried out under the provisions of the Planning and Compulsory Purchase Act 2004, and the revised procedures required by the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 5.2 The consultation document and relevant material will be published online and all those on the Planning Policy Consultation Database including all Birmingham City Council Members will be notified. All feedback and comments received will be taken into consideration in formulating the final version of the SCI document which will be presented to a subsequent Cabinet meeting for recommended adoption by the City Council.

6 Risk Management

- 6.1 The programme for completion and adoption of the SCI including the consultation allows flexibility to account for any potential issues. This allows time for discussion with stakeholders and for issues to be addressed, as well as the processing of any comments made.
- 6.2 Other risks are addressed elsewhere in this report, including Section 4 on the risks of not having the SCI, and section 7.3 on the financial implications.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The SCI is consistent with the Council Plan 2018-2022 and, in particular, helps to deliver Priority 6 of the outcome; 'Birmingham is a great City to live in' which states that we will 'foster local influence and involvement to ensure that local people have a voice in how their area is run'.

7.1.2 The principles of the SCI reflect those of the Community Cohesion Strategy for Birmingham, particularly in promoting inclusive economic growth that benefits everyone across Birmingham and helping to empower and engage neighbourhoods to be active participants in local solutions and decisions.

7.1.3 The SCI will also deliver the objectives set out in the Council's framework on Localism in Birmingham as it will help to tailor future engagement on planning matters to be more efficient, better suited to the area and aim to make residents feel that they are more in control of decision making in their local area.

7.2 Legal Implications

7.2.1 The preparation of the SCI is being carried out in accordance with the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and Neighbourhood Planning Act 2017) and is prescribed under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012. Once adopted, it will replace Birmingham's existing SCI which was adopted in 2008.

7.3 Financial Implications

7.3.1 The SCI Consultation Document has been prepared using existing Inclusive Growth Directorate (Planning and Development) staff resources and budgets. Following consultation, the drafting and adoption of the final version of the SCI will also be met by the Planning and Development revenue budget for 2019/20. There are no additional financial implications to the City Council from the production of the SCI.

7.4 Procurement Implications (if required)

7.4.1 No implications.

7.5 Human Resources Implications (if required)

7.5.1 No implications

7.6 Public Sector Equality Duty

7.6.1 The SCI is being prepared in line with Section 149 of the Equality Act 2010 in ensuring that public bodies consider the needs of all individuals in shaping policy. Preparation of the SCI includes carrying out an Equality Analysis (Appendix 2) which identifies that the report recommendations will not have an adverse impact on the protected groups and characteristics under the Equality Act 2010.

8 Appendices

8.1 List of Appendices accompanying this Report (if any):

- Appendix 1 – Statement of Community Involvement Public Consultation Document
- Appendix 2 – Equality Analysis

9 Background Documents

9.1 None