

**CAMBRIDGESHIRE STATEMENT OF COMMUNITY INVOLVEMENT (SCI)**

*To:* **Cabinet**

*Date:* **18 December 2012**

*From:* **Alex Plant, Executive Director: Economy, Transport and Environment**

*Electoral division(s):* **All**

*Forward Plan ref:* **2012/51**

*Key decision:*  
**Yes**

*Purpose:* **To consider:**

- 1. an Addendum to the Cambridgeshire Statement of Involvement 2006;**
- 2. the proposal to undertake a full review of the Cambridgeshire Statement of Involvement 2006, incorporating wider areas over which it would be applicable**

*Recommendation:* **It is recommended that Cabinet;**

- a) approve the Addendum to the 2006 Cambridgeshire Statement Community Involvement.**
- b) Give approval for a full review of the Cambridgeshire Statement of Involvement 2006 to be undertaken.**

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## **1.0 INTRODUCTION**

1.1 Cambridgeshire County Council's Statement of Community Involvement (SCI) sets out the Council's processes for engaging local communities in:

- preparing the minerals and waste management planning policy; and
- the determination of planning applications (county development, and minerals and waste management).

1.2 The SCI was adopted in 2006 and since then there have been significant changes to the planning system, through changes in legalisation and regulations. Consequently, the SCI is now out of date. One of these changes is the wider remit of the Planning Inspectorate in determining Nationally Significant Infrastructure Projects. Currently the SCI does not set out the Council's requirements in relation to community involvement in such projects should they come forward.

1.3 Since the SCI was prepared, the Government's agenda of localism has also been rolled out, and far more emphasis is now placed on community involvement across a wide range of the Council's activities. The narrow focus of the existing SCI is therefore no longer appropriate.

## **2.0 PROPOSED ADDENDUM TO THE EXISTING SCI**

2.1 Given the combination of factors outlined above it is suggested that a review of the adopted SCI is needed. However, as it will not be possible to complete a full review of the SCI until the end of 2013 / early 2014, it is proposed that an Addendum to the existing SCI could cover the intervening period. This addendum would:

- update and more clearly articulate requirements for community involvement in planning applications. This relates particularly to the pre-application stage and is aimed at making this stage much more effective. Provision has also been made for the inclusion of Members in this process to the planning proposal, and an early briefing of the planning committee on large complex proposals prior to submission of an application
- set out the Council's requirements for consultation associated with planning applications for Nationally Significant Infrastructure Projects (NSIP). The Planning Inspectorate now examines applications for development consent from the energy, transport, waste, waste water and water sectors. A NSIP is by definition a significant proposal and will therefore give rise to implications to the local area. For this reason it is important that the County Council sets out its requirements for community involvement on any NSIP which are proposed in Cambridgeshire. The absence of having an agreed consultation standard would enable the Planning Inspectorate to engage in the manner it chooses rather than following any local standards set out by this Council.

2.2 As it is proposed that a review of the SCI will follow this Addendum it would be advisable to update the section in the existing SCI on the preparation and review of a new SCI. This is because procedures have significantly changed since 2006 when the SCI was adopted. An SCI is no longer subject to an Examination by an independent planning inspector, but it will still involve a period of public consultation which will extend for six weeks. The community

involvement that will take place on the preparation of the draft SCI is set out in the Addendum and includes:

- a six week public consultation period;
- notification of all statutory and other consultees, including district councils and parish council;
- publication of the proposals on the Council website;
- deposit of the proposals at Shire Hall and other locations e.g. libraries;
- press releases and media interviews (if requested;)
- attendance at meetings on request e.g. town and parish councils, local minerals and waste liaison forums

### **3.0 REVIEW OF THE CAMBRIDGESHIRE SCI**

#### **Scope of the new SCI**

3.1 In addition to addressing community involvement in planning applications and the preparation of minerals and waste planning policy, it is suggested that it would also be beneficial for the SCI to be extended to address community involvement in the following areas. This would offer greater transparency and certainty on how we will consult and involve communities.

- highways development management
- new communities
- floods and water – including community involvement on the development of local flood risk management policy and applications for sustainable drainage
- major infrastructure – including community involvement on the county councils proposals for major infrastructure e.g. bridges, roads, railway stations
- transport and infrastructure policy – including community involvement on the development of transport planning policy in the Local Transport Plan

3.2 If members are agreeable to this proposal, there will be public consultation undertaken with local communities, as well as other consultees, over a six week period as part of the preparation of the SCI.

#### **Timescale for preparation of the new SCI**

3.3 The proposed timescale for preparation of the new SCI is set out below. This allows time to prepare the document and arrange for public consultation. Engagement with consultees is planned to take place in autumn 2013, avoiding the summer holiday period.

<b>STAGE</b>	<b>TIMESCALE</b>
Drafting the SCI	Late 2012 / Early 2013
Member consideration of the Draft SCI	Spring 2013
Arrangements for public consultation	Summer 2013

Public consultation (6 weeks)	Autumn 2013
Consideration of responses and revision of SCI	Winter 2013
SCI Adopted	Late 2013 / Early 2014

#### **4.0 DEVELOPING THE LOCAL ECONOMY FOR THE BENEFIT OF ALL**

- 4.1 Updating the SCI will enable the Council to ensure that the local community to are adequately consulted on and involved in the determination of development proposals in their local area.

#### **5.0 HELPING PEOPLE LIVE HEALTHY AND INDEPENDENT LIVES**

- 5.1 There are no significant implications for this priority.

#### **6.0 SUPPORTING AND PROTECTING VULNERABLE PEOPLE**

- 6.1 There are no significant implications for this priority.

#### **7.0 WAYS OF WORKING**

- 7.1 The review of the SCI and the Addendum aligns well with the Council's corporate priorities, in particular its role in working more locally and involving local communities in the decisions that the Council makes.

#### **8.0 SIGNIFICANT IMPLICATIONS**

- 8.1 There are the following significant implications associated with the proposal to undertake a full review of the SCI and put an Addendum in place:
- resources and performance – the SCI will set out how the Council will involve the community in its planning processes. There is also the opportunity to set out how charging for pre-application advice will operate.
  - statutory, risk and legal implications – the Council has a statutory duty (under the Planning Act) to prepare an SCI. This needs to be kept up to date, which this area of work will address.
  - equality and diversity implications – proposals aim to ensure that all local communities, and groups within them, have equal involvement in the processes addressed by the SCI. The full review of the SCI may be accompanied by a Community (Equality) Impact Assessment
  - engagement and consultation – this document is about community involvement and consultation on the work undertaken by the Council. The SCI itself will also be subject to public consultation
  - public health implications – there are no significant implications for public health.

<b>Key Documents</b>	<b>Location</b>
Cambridgeshire Statement of Community Involvement 2006	<a href="http://www.cambridgeshire.gov.uk">www.cambridgeshire.gov.uk</a>

**Addendum**

**Cambridgeshire**

**Statement of Community Involvement**

**December 2012**

## **Introduction**

- i. The Cambridgeshire Statement of Community Involvement (SCI) sets out Cambridgeshire County Councils processes for engaging local communities in:
  - preparing of planning policy and process documents
  - the determination of planning applications.
- ii. This Addendum supplements the adopted Cambridgeshire Statement of Community Involvement 2006. This Addendum together with the adopted SCI will apply up to the point the Statement of Community Involvement (SCI) is comprehensively reviewed and adopted in 2013 / 14.
- iii. The Addendum has been prepared to respond to changes in legislation and process that have occurred since 2006 in relation to planning applications. It now:
  - updates and more clearly articulates requirements for community involvement
  - sets out the Councils requirements for consultation associated with applications for Nationally Significant Infrastructure Projects
- iv. As a review of the SCI will follow this Addendum the opportunity has also been taken to update the section in 2006 SCI on the preparation and review of SCI. This is because procedures have significantly changed since 2006.

## **1.0 Planning Applications - Revised Requirements for Community Involvement**

- 1.1 The County Council determines planning applications for three types of development:
  - the County Councils own development – including schools, libraries, transport infrastructure
  - minerals development – including extraction and ancillary associated development
  - waste management development – including waste processing and recycling, landfill and ancillary associated development.
- 1.2 A planning application will go through 3 stages – pre-application; application and decision; and post decision. Each of these stages is addressed in the Cambridgeshire SCI.
- 1.3 Of the three stages outlined above, the stage which has been subject to most change since 2006 is the pre-application stage. The Localism Act 2011 (paragraph 122) now requires developers to undertake pre-

application consultation before submitting a major application. It also requires that responses be taken into account in the submitted application.

- 1.4 Pre-application consultation will benefit the applicant and the local community. If the community is able to articulate their views including any concerns early on, they have a greater chance of influencing the proposal. Equally if the developer is made aware of a communities view in a timely manner it can be taken into account and their application should proceed more swiftly through the planning process.
- 1.5 To get the maximum benefit from community involvement any consultation needs to be focussed on fully engaging the local community, and the methods used need to be appropriate. The 2006 SCI set out minimal information on consultation methods and this needs to be expanded to ensure that community involvement is undertaken in the most effective way, and at times when the local community will be available to participate.
- 1.6 The current SCI does not consider county councillor involvement at the pre-application stage of planning applications. However, there are clear advantages to councillors being aware of proposals prior to the submission of planning application. Local councillors are a main point of contact for their community and an understanding of what is being proposed in their local area enables them to understand issues and communicate effectively with, and on behalf of, local residents.
- 1.7 Similarly, if a proposal is complex and is likely to have significant community interest, it may be advantageous for both county councillors and the developer for members of the planning committee and local members to have early sight of proposals. This can help to identify issues which may be of concern to the local community, so they can be addressed / explained when the proposals moves to planning application stage.
- 1.8 In order to address the above 'Revised Requirements for Community Involvement on Planning Applications' are set out in **Appendix 1**.

## **2.0 Nationally Significant Infrastructure Projects**

- 2.1 Under the Localism Act 2011, the Planning Inspectorate became the agency responsible for operating the planning process for nationally significant infrastructure projects (NSIPs).
- 2.2 NSIPs are usually large scale developments such as new harbours, power generating stations (including wind farms), and electricity transmission lines, which require a type of consent known as 'development consent'

under procedures governed by the Planning Act 2008 (and amended by the Localism Act 2011). The 2008 Act sets out thresholds above which certain types of infrastructure development are considered to be nationally significant and require development consent. The Planning Inspectorate examines applications for development consent from the energy, transport, waste, waste water and water sectors.

- 2.3 A NSIP is by definition a significant or strategic proposal and will therefore give rise to implications to the local area. For this reason it is important that the County Councils set out its requirements for community involvement on any NSIP which are proposed in Cambridgeshire. These are set out in **Appendix 2**.

### **3.0 Preparation of the New Statement of Community Involvement**

- 3.1 The SCI is a local document which is subject to a statutory process of preparation. In recent years this process has simplified, and most significantly the SCI is no longer subject to independent examination by a Planning Inspector.
- 3.2 The 2006 SCI is therefore out of date, and this Addendum has updated the Councils requirements in terms of community involvement on the preparation of its SCI. These updated requirements will apply to the forthcoming review of the 2006 SCI, which will commence in 2013. The new requirements are set out in **Appendix 3**.



**Revised Requirements for Community Involvement on Planning  
Applications for  
County Council Development, Minerals and Waste Management  
Development**

**1. Category A: “High Level” Community Involvement**

These are major applications involving potentially significant environmental effects or are contrary to the development plan. This will include developments that are:

- Accompanied by an Environmental Statement; and/or
- A departure from the development plan;

and, applications which are broadly consistent with the development plan but which raise significant potential site specific issues or details that will:

- affect nearby sensitive receptors (i.e. people or sensitive biodiversity such as a SSSI) by causing noise, smell, vibration, pollution to the water environment, dust or fugitive emissions to air;
- raise health concerns;
- affect floodplains;
- attract heavy traffic into a generally quiet residential area;
- cause activity and noise during unsociable hours;
- introduce any significant change to an area, for example, particularly large/tall buildings or structures;
- affect the setting of an ancient monument, Conservation Area, listed building or archaeological site;
- affect trees subject to Tree Preservation Orders;
- physically affect a public right of way.

**2. Category B: “Standard Level” Community Involvement**

All other development proposals.

## **Category A: Community Involvement on 'High Level ' Planning Applications**

### **1. Pre-Application Stage:**

<b>Who</b>	<b>Why</b>	<b>How</b>
General Public & Consultees	<ul style="list-style-type: none"> <li>• Opportunity for informal and continuing involvement</li> <li>• Raise awareness</li> <li>• Receive and share information</li> <li>• Obtain views of community</li> <li>• Precursor to any Environmental Impact Assessment (EIA) scoping exercise (if required)</li> </ul>	<ul style="list-style-type: none"> <li>• Pre-application discussions with County Council (prior to undertaking the following requirements) [Developer]</li> <li>• Pre application discussion with statutory and non statutory consultees (including District, City, and Parish/Town Councils). Attendance on request at open Council meetings. [Developer]</li> <li>• Pre-application discussions with community [Developer]</li> <li>• Present proposals (if requested) to at least one meeting with County Council members and officers, and if appropriate provide a guided site visit. [Developer]</li> <li>• One or more manned public exhibitions (to be agreed with CCC). These must be well publicised, including in a local newspaper (minimum one week in advance, paid for by the developer). They must be held in a local venue and must include the afternoon / evening. All material to be in 'plain English' including a summary of main documents. Opportunity for the local community to provide feedback in written or electronic form. [Developer]</li> <li>• Leaflets / posters in the local area, advertising the public exhibition(s) and providing a 'plain English' explanation of the proposed development. [Developer]</li> <li>• Media coverage (press releases/parish newsletters/local newspapers) [Developer]</li> <li>• Liaison groups (where existing) for minerals and waste development [Developer]</li> </ul>
<b><u>Outcomes:</u></b> <ul style="list-style-type: none"> <li>• Feedback on the pre-submission exercise must be included within submission of planning application (including a summary of local responses received), and identifying clearly any changes made as a result of engagement process</li> </ul>		

## 2. Application / Decision Stage

Who	Why	How
General Public	<ul style="list-style-type: none"> <li>Formal submission giving rise to consultations with community and statutory/non statutory bodies</li> </ul>	<ul style="list-style-type: none"> <li>Site notices [Council]</li> <li>Neighbour notification [Council]</li> <li>Letter to respondents [Council]</li> <li>Applications available for inspection including website [Council]</li> <li>Notification to local County Councillors [Council]</li> <li>Consultation with statutory and non statutory consultees (including District, City, and Parish/Town Councils) [Council]</li> <li>Media (statutory notices, press releases, parish newsletters (where appropriate)) [Council]</li> <li>Public exhibitions (where appropriate). Held at a local venue, including an afternoon and evening. [Council]</li> <li>One-to-one meetings/group meetings (where appropriate) [Council]</li> <li>Public meetings (where appropriate) [Council]</li> <li>Liaison groups (where existing) for minerals and waste development [Council]</li> <li>Letter to respondents &amp; consultees inviting them to speak at Committee [Council]</li> <li>Report available for inspection including on website [Council]</li> </ul>
Statutory and other consultees		<p>In addition to above:</p> <ul style="list-style-type: none"> <li>Written consultation (including documentation) [Council]</li> </ul>
<p><b>Outcomes:</b></p> <ul style="list-style-type: none"> <li>Consultation responses summarised in the report to Committee</li> <li>Responses available for inspection</li> <li>Opportunity to speak at Committee (applicant, respondents and local County Councillor)</li> <li>Possible committee site visits before taking decision</li> <li>Consideration of how and/or whether issues can be resolved</li> </ul>		

### 3. Post Decision Stage:

Who	Why	How
General Public & Consultees	<ul style="list-style-type: none"> <li>Foster good relationships with local communities and stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>Letter to applicant, District/City Council(s), Parish Council, community groups and respondents advising of decision [Council]</li> <li>Report/decision notices available for inspection at County Hall including the website [Council]</li> <li>Advertising of any decisions made under Environmental Impact Assessment Regulations 1999 (as amended) [Council]</li> <li>Establish Liaison Groups (where appropriate) [Council/Developer]</li> </ul>
<b>Outcomes:</b> <ul style="list-style-type: none"> <li>Continuing engagement with community throughout operational life of the site</li> <li>Community involvement and monitoring contributes to higher standards of control</li> </ul>		

## **Category B; Community Involvement on 'Standard Level ' Planning Applications**

### **1. Pre-Application Stage:**

<b>Who</b>	<b>Why</b>	<b>How</b>
General Public & Consultees	<ul style="list-style-type: none"> <li>• Opportunity for informal and continuing involvement</li> <li>• Raise awareness</li> <li>• Receive and share information</li> <li>• Obtain views of community</li> </ul>	<ul style="list-style-type: none"> <li>• Pre-application discussions with County Council [Developer]</li> <li>• Liaison groups (where existing) [Developer]</li> </ul>
<b>Outcomes:</b> <ul style="list-style-type: none"> <li>• Feedback of pre-submission exercise included within submission of planning application including any changes made as a result of engagement process</li> </ul>		

### **2. Application / Decision Stage**

<b>Who</b>	<b>Why</b>	<b>How</b>
General Public	<ul style="list-style-type: none"> <li>• Formal submission giving rise to consultations with community and statutory/non statutory bodies</li> </ul>	<ul style="list-style-type: none"> <li>• Site notices [Council]</li> <li>• Neighbour notification [Council]</li> <li>• Letter to respondents [Council]</li> <li>• Notification to local County Councillor [Council]</li> <li>• Applications available for inspection including website [Council]</li> <li>• Media (statutory notices) [Council]</li> <li>• Liaison groups (where existing) [Council]</li> <li>• Letter to respondents &amp; consultees inviting them to speak at Committee [Council]</li> <li>• Report available for inspection including on website [Council]</li> </ul>

Statutory and other consultees		In addition to above: <ul style="list-style-type: none"> <li>Written consultation (including documentation) [Council]</li> </ul>
<b><u>Outcomes:</u></b> Consultation responses summarised in the report to Committee/Delegated <ul style="list-style-type: none"> <li>Responses available for inspection</li> <li>Opportunity to speak at Committee (applicant, respondents and local County Councillor)</li> <li>Consideration of how and/or whether issues can be resolved</li> </ul>		

### 3. Post Decision Stage:

Who	Why	How
General Public & Consultees	<ul style="list-style-type: none"> <li>Foster good relationships with local communities and stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>Letter to District/City Council(s), Parish Council, community groups and respondents [Council]</li> <li>Report/decision notices available for inspection at County Hall including the website [Council]</li> </ul>
<b><u>Outcomes:</u></b> <ul style="list-style-type: none"> <li>Consultation responses summarised in the report to Committee/Delegated</li> <li>Responses available for inspection</li> <li>Opportunity to speak at Committee (applicant, respondents and local County Councillor)</li> <li>Consideration of how and/or whether issues can be resolved</li> </ul>		

## **APPENDIX 2**

### **Community Involvement in Nationally Significant Infrastructure Projects determined by the Planning Inspectorate**

#### **1. Pre-Application Stage:**

<b>Who</b>	<b>Why</b>	<b>How</b>
General Public & Consultees	<ul style="list-style-type: none"> <li>• Opportunity for informal and continuing involvement</li> <li>• Raise awareness</li> <li>• Receive and share information</li> <li>• Obtain views of community</li> </ul>	<ul style="list-style-type: none"> <li>• Present proposals to at least one meeting with Council members and officers, and provide a guided site visit. And, prepare a note of the meeting to be sent to the Council (officers) for approval. [Applicant / Developer]</li> <li>• Publicise for two consecutive weeks in advance in a local newspaper. Then hold a three day staffed public exhibition (including a Saturday) at a venue local to the site. [Applicant / Developer]</li> <li>• Provide drawings and "Plain English" justification for the proposal including a copy of the Design &amp; Access statement, and the executive summary of relevant technical documents. [Applicant / Developer]</li> <li>• Provide the general public with the opportunity to provide response feedback comments either in a hand written form or submitted by email or through a website. [Applicant / Developer]</li> <li>• Present proposals to meetings with the immediate and neighbouring Town or Parish Council at open Council meetings. [Applicant / Developer]</li> </ul>
<b><u>Outcomes:</u></b> <ul style="list-style-type: none"> <li>• Provide a summarized copy of the pre-application engagement process and explain how this engagement has shaped/influenced the planning application submitted.</li> </ul>		

#### **2. Application / Decision Stage**

<b>Who</b>	<b>Why</b>	<b>How</b>
General Public & Consultees	<ul style="list-style-type: none"> <li>• Keeping the local community informed</li> </ul>	<ul style="list-style-type: none"> <li>• Notification of the outcome of NSIP planning application</li> </ul>

**Community Involvement in Statements of Community Involvement**

Stage		Draft SCI	Adoption
<b>Community Involvement</b>	Consult / Inform 'Statutory' Consultees & relevant General Consultees	X	X
	Consult / Inform Other Relevant Parties	X	X
	Place 'Proposals' on Website*	X	X
	Documents on Deposit at Principal Office & other locations	X	X
	Six Week Consultation Period	X	
	Meeting with Stakeholders (on request)	X	
	Press Releases / Media Interviews e.g. local radio (on request)	X	X
	Attend Parish / Town Council Meetings (on request)	X	
	Attend Minerals & Waste Liaison Forums	X	X

\*Proposals will also be available in hard copy (on request) and on CD.