

REPORT TO:		Cabinet	
DATE:		09 February 2022	
PORTFOLIO:		Cllr Miles Parkinson, Leader	
REPORT AUTHOR:		Principal Planning Officer (Policy)	
TITLE OF REPORT:		Revised Statement of Community Involvement Revised Local Development Scheme	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	Options	If yes, date of publication:	

1. **Purpose of Report**

- 1.1 This report presents two updated documents: a draft revised Statement of Community Involvement; and a draft revised Local Development Scheme, for consideration and approval. Both are documents which the Council must produce in relation to its planning functions and relate to the processes rather than the content of Local Plans. These two updates have been produced in anticipation of the upcoming public consultation on the emerging Local Plan (Strategic Policies and Site Allocations). A further report on the Local Plan and the public consultation will be brought to Members in due course.
- 1.2 The draft Statement of Community Involvement updates the version adopted in June 2018 and sets out how and when the Council will engage local communities in producing the Local Plan and in determining planning applications. It is updated to reflect changes since adoption in relation to legislation, regulations, guidance and progress with the Local Plan. The revised Local Development Scheme sets out an up to date timetable for the production of documents within, and associated to, the Development Plan, otherwise referred to as the Local Plan.

2. **Recommendations**

2.1 That Cabinet

1. Notes the approach to public engagement as set out in the attached Statement of Community Involvement for the purposes of engaging the local communities in producing the Hyndburn Local Plan and determining planning applications;
2. Notes the timescales for preparation of the documents which will make up the Hyndburn Local Plan as set out in the attached Local Development Scheme (2022-2025); and

3. Approves the content of the Statement of Community Involvement and the Local Development Scheme.

3. Reasons for Recommendations and Background

Statement of Community Involvement

- 3.1 The Council has a duty to prepare a Statement of Community Involvement (SCI)¹. This has to be updated at least every five years, or sooner if circumstances have changed since the last SCI was produced.
- 3.2 An SCI was first adopted in 2006 to reflect the requirements of the new plan making system introduced by the Planning and Compulsory Purchase Act 2004 and reflected the relevant provisions at the time in relation to both plan making and determination of planning applications. The SCI was then revised in 2018 to reflect changes in legislation, such as amendments to the National Planning Policy Framework (NPPF) and new guidance on Neighbourhood Planning.
- 3.3 This latest SCI has been revised to reflect the most recent NPPF (published in 2021) and the latest timetable for the production of the Hyndburn Local Plan.

Local Development Scheme

- 3.4 The Council also has a duty to prepare a Local Development Scheme (LDS)² which must publicise the intended timetable for producing the Local Plan. The LDS should be published on the Council's website and be kept up to date. Reporting of progress against the LDS is made in the Council's annual Authority Monitoring Report and is an important way of keeping communities informed of plan making activity.
- 3.5 The Council's last LDS was published in June 2018, covering the period of plan preparation up to August 2021. During this time the Council has completed three rounds of consultation on the emerging Local Plan and is preparing to publish the final consultation version shortly, as set out in the LDS itself. This revised LDS presents the intentions of the Council to progress (and complete) the Local Plan over the period 2022-2025.
- 3.6 Whilst it has been prepared separately to the statutory Local Plan making process, the Masterplan for Huncoat forms a key part of the future development and growth of Hyndburn. It is intended that the Masterplan will be adopted as a Supplementary Planning Document (SPD) in due course.

Summary

¹ Section 18 Planning and Compulsory Purchase Act 2004

² Section 15 Planning and Compulsory Purchase Act 2004

- 3.7 Both the SCI and LDS are documents to which an inspector would look at examination in assessing the soundness of plan documents to ensure that the relevant procedural and legal requirements have been met. Inspectors may also consider the SCI at planning appeals to ensure that Council has discharged its engagement and consultation functions appropriately.
- 3.8 Both documents will be monitored and reviewed in the light of any further changes and any requirements to keep them up to date.

4. Alternative Options considered and Reasons for Rejection

- 4.1 The only alternative option would be not to adopt the updated SCI and LDS and rely on the previous versions. However this is not a realistic option for various reasons. The adopted SCI would not be up to date in terms of reflecting current legislation, guidance and regulations. Furthermore, if an updated SCI is not adopted now, it would shortly be at risk of not complying with the requirement that it be reviewed every five years. There are significant inherent risks in not having an up to date SCI or LDS which could impact on the tests of soundness when a plan is examined.

5. Consultations

- 5.1 There is no formal requirement to consult on the revised SCI and LDS. Internal consultation has taken place with relevant officers and any comments incorporated in the attached documents.

6. Implications

Financial implications (including any future financial commitments for the Council)	The indirect financial implications of the updated SCI and LDS arise from plan preparation and the related consultation process. These are covered by the annual budget assigned to Local Plan work. Consultation costs from handling planning applications are covered by the Development Management budget
Legal and human rights implications	It is not considered that there are any adverse legal or human right implications arising from this report.
Assessment of risk	There are no significant risks associated with this report. See section 4 of report.
Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix</i>	The Council is subject to the public sector equality duty introduced by the Equality Act 2010. When making a decision in respect of the recommendations in this report Cabinet must have regard to the need to:

<p><i>to the report.</i></p>	<ul style="list-style-type: none"> • eliminate unlawful discrimination, harassment and victimisation; and • advance equality of opportunity between those who share a relevant protected characteristic and those who don't; and • foster good relations between those who share a relevant protected characteristic and those who don't. <p>For these purposes the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</p> <p>When making a decision in respect of the proposals in this report members should have regard to the Customer First Analysis annexed to this report.</p>
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**7. Local Government (Access to Information) Act 1985:
List of Background Papers**

7.1 The following background papers will be attached to this report:

1. draft revised Statement of Community Involvement
2. draft revised Local Development Scheme