

Adopting the Broads Authority's Statement of Community Involvement
Report by Planning Policy Officer

Summary:	The Statement of Community Involvement (SCI) explains what the Broads Authority's policy is regarding how it will consult and involve people and organisations who have an interest in matters relating to the development and management of the Broads.
Recommendation:	That the Authority adopts the SCI.

1 Introduction

- 1.1 This Statement of Community Involvement (SCI) is the Broads Authority's formal policy which identifies how and when local communities and stakeholders will be involved in the preparation of the Broads Authority's Local Plan, sets out the community involvement in the consideration of planning applications and states how the community can inform the Management Plan for the Broads.
- 1.2 The Broads Authority's first SCI was adopted in 2006 and then revised in 2008. It is now necessary to update this to accommodate recent changes in planning regulations. Additional amendments are also needed to make sure that the SCI reflects new policy documents that are going to be produced, and also to take advantage of electronic engagement such as the internet, emails and social media.
- 1.3 An SCI is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended). Section 18 states:
(1): The local planning authority must prepare a statement of community involvement.
(2): The statement of community involvement is a statement of the authority's policy as to the involvement in the exercise of the authority's functions under sections 19, 26 and 28 of this Act and Part 3 of the principal Act of persons who appear to the authority to have an interest in matters relating to development in their area.
- 1.4 The proposed SCI is available at the following link: <http://www.broads-authority.gov.uk/broads-authority/committees/broads-authority/broads-authority-21-november-2014> . This is a version marked with changes that have arisen as a result of the consultation. See section 3.2 of this report and Appendix B.

2 Contents of the SCI

2.1 The SCI is set out under various sections, as follows:

2.2 Involving the Community in Planning Policy

This sets out the Local Plan production process and shows the basic relationship between different documents related to planning. It describes what Duty to Cooperate means and identifies how the Authority will advertise consultations and says what different techniques it may use. In addition it identifies hard to engage groups and says how it will try to involve those groups. Finally, it clarifies what will be done with comments received and lists the organisations with whom the Authority will consult.

2.3 Involving the Community at the Planning Application Stage

This section emphasises the importance of pre-application discussions and advice. It sets out how the Authority will consult with the public over planning applications, and explains what will be done with comments received. Finally, it sets out the arrangements for public speaking at Planning Committee.

2.4 Involving the Community in producing the Broads Management Plan

The Broads Plan is reviewed every five years and this section of the SCI sets out how consultation will be undertaken. It explains that a variety of engagement methods will be used and that there will be consistency with the approach for planning policy document consultations, with the same consultees engaged. Two rounds of consultation for 6-8 weeks each are proposed.

2.5 Neighbourhood Planning

This section explains what Neighbourhood Planning is, describes the typical process in producing a Neighbourhood Plan and the Authority's involvement; it also explains how the Authority works with neighbouring councils on the development of Neighbourhood Plans.

2.6 Planning Help and Advice Available to the Community

This section signposts the community where to go to get help and advice on planning matters.

2.7 Complaints Procedure

This section sets out the complaints procedure at the Broads Authority.

3 Consultation

3.1 At their meeting on 10 October 2014 the Planning Committee resolved that the SCI should be the subject of a 4 week consultation. Regulations do not require the SCI to be consulted on, but other Local Planning Authorities have completed a consultation on their SCI and have found it a useful exercise. The consultation ran from 13 October to 7 November 2014.

3.2 The table at Appendix B sets out the comments received, accompanied by an officer response.

4 Financial Implications

- 4.1 At various stages of document production it may be appropriate to undertake particular activities to promote engagement, for example, to produce leaflets or have open days. There will be a cost associated with venue hire and leaflet production, in addition to the staff time. This will fall within the budget for producing the Local Plan and the Broads Management Plan.

5 Conclusion

- 5.1 The updated SCI reflects new planning regulations, the new Local Development Scheme and new ways to engage with the community.
- 5.2 It is recommended that the Statement of Community Involvement is adopted by the Broads Authority.

Background papers: None

Author: Natalie Beal
Date of report: 5 November 2014

Appendices: Appendix A: Broads Statement of Community Involvement. The SCI can be found here: <http://www.broads-authority.gov.uk/broads-authority/committees/broads-authority/broads-authority-21-november-2014> .
Appendix B: Comments received, accompanied by an officer response.

Broads Authority Statement of Community Involvement (Draft)

Responses

Anglian Water

We do not have any comments to make, but welcome the opportunity to comment on future consultations.

Broads Authority Officer Summary of Response: No comments.

Broads Authority Comment: Support noted.

Beccles Town Council

The Planning Committee agreed to support this statement as it felt this would encourage applicants to engage with communities.

Broads Authority Officer Summary of Response: Supports the SCI

Broads Authority Comment: Support noted.

English Heritage

We do not have any detailed comments on the document, but welcome the identification of English Heritage as a required consultee in the section of the SCI regarding Sustainability Appraisals (SA) is welcomed, as is the identification of English Heritage as one of the organisations with a Statutory Duty to Co-Operate. The identification of English Heritage as a Specific Consultee in the List of Consultees (Planning Policy and Broads Plan) in Appendix C is also welcomed. As you will be aware, we are also a statutory consultee for certain planning and listed building consent applications. We would welcome consultation at an informal level in addition to the requirements of the legislation where issues may benefit from our early involvement. It is helpful to receive hard copies of consultation letters, although email consultation is also acceptable. We welcome the reference to the Broads Authority's Heritage Environment Officer as an internal consultee on applications. It would be helpful to make reference to external consultees with regard to applications with historic environment issues; Norfolk County Council Historic Environment Service, and English Heritage East of England Region. With regards to Neighbourhood Planning, we would welcome notification of proposed Neighbourhood Planning areas as well as consultation on draft plans. The regulations state that English Heritage should be consulted on draft plans where our interests are considered to be affected, but we would also welcome early notice of proposed neighbourhood areas. We have guidance on Neighbourhood Planning, which can be found at: www.english-heritage.org.uk/caring/get-involved/improve-your-neighbourhood

Broads Authority Officer Summary of Response:

Supports SCI. Would welcome a section on applications with historic environment issues. Would welcome notice of Neighbourhood Plans.

Broads Authority Comment:

Top of page 16 add: 'Some applications may have historic environment issues. On these occasions, the Authority will consult with Norfolk County Council Historic Environment Service, and English Heritage East of England Region as well as the Authority's Heritage Environment Manager.'

Regarding Neighbourhood Plans, Table 4 explains the process and how typically the relevant District Council undertakes the consultation stages. In our experience to date, they have contacted English Heritage for their comments. As such, no change to the SCI is proposed as experience to date indicated EH are consulted.

Environment Agency

We have no comments on the Community Involvement.

Broads Authority Officer Summary of Response:	No comment.
Broads Authority Comment:	Noted.

Fletton, Mr A P

Thank you for the link to this draft policy statement. I note that Brundall Parish is used as an example of spread of responsibility between the Broads Authority and a District Council (Broadland). The draft document, as viewed, appears to be open, clearly stated and unambiguous. This should provide clear guidance to professionals making application within these areas. The provision of specialist help and guidance for individuals is particularly welcome, where they might otherwise have been daunted by the depth and breadth of knowledge required. The Brundall Neighbourhood Plan consultants and their team of local non-specialists are keen to improve the integration of all parts of this Parish. They wish especially to 'engage constructively, actively and in an on-going basis' with all those bodies seeking to promote, preserve and enhance the quality of Brundall as a place to live, work and enjoy. The Brundall Riverside Estate Association has already expressed a wish to contribute constructively, as much as their expertise will allow, to any issues that may affect that particular part of Brundall Parish.

Broads Authority Officer Summary of Response:	Supports the SCI.
Broads Authority Comment:	Support noted.

Health East

NHS Great Yarmouth and Waveney CCG are committed to an integrated approach working with partners to provide the best care we can to the population of Great Yarmouth and Waveney. A key element of this is having the ability to in time ensure that organisational strategies are closely aligned. To that end we have set up an Infrastructure Group which meets monthly and has representation from GYBC, WDC, NCC, SCC and the Broads Authority (Natalie Beal). We look forward to sharing various draft policies as they arise to provide immediate feedback at an early stage.

Broads Authority Officer Summary of Response:	Have set up an Infrastructure Group. No specific comments.
Broads Authority Comment:	Noted.

Hemsby Parish Council

No comment.

Broads Authority Officer Summary of Response:	No comment.
Broads Authority Comment:	Noted.

Highways Agency

Your draft statement appears to be clear in your intentions and your methods of communication with regard to community involvement and consultation. The Highways Agency have therefore no comment to make regarding the intended methods. However, I note that the Highways Agency, whilst it is a Highways Authority and responsible for the management of the Strategic Road Network in England, which in your area includes the A47, A11 and A12 trunk roads, is not included in the list of organisation who have a statutory duty to co-operate in section 2.3. Whilst it may be the case that many issues and planning applications considered by your authority may be remote from the trunk roads listed above and therefore the Highways Agency's interest is minimal, it remains that the Highways Agency is a Statutory Consultee. I am aware that the Agency is regularly consulted by your authority but feel that the Agency should be specifically listed in you Statement of Community Involvement. The only reference I can find in your draft document is on page 33 in the list of Specific Consultees which I would consider should be reflected in section 2.3.

Broads Authority Officer Summary of Response:	Supports the SCI. Requests Highways Agency are included in section 2.3.
Broads Authority Comment:	Support noted. Add Highways Agency to section 2.3.

Marine Management Organisation

Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. The MMO has reviewed the document and whilst we have no specific comments to make we would like to draw your attention to the marine planning remit of our organisation as you may wish to be aware of this in relation to the consultation. As the marine planning authority for England the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides marks there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark. In our duty to take all reasonable steps to ensure compatibility with existing development plans, which apply down to the low water mark, we are seeking to identify the 'marine relevance' of applicable plan policies. On 2 April 2014 the East Inshore and East Offshore marine plans were published, becoming a material consideration for the Marine Management Organisation (MMO) and other public authorities with decision making functions. The East Inshore and East Offshore Marine Plans provide guidance for sustainable development in English waters, and cover the coast and seas from Flamborough Head to Felixstowe. Marine plans will inform and guide decision makers on development in marine and coastal areas. More information including the East Inshore and East Offshore marine plans document can be found at <https://www.gov.uk/government/collections/marine-planning-in-england>

Broads Authority Officer Summary of Response:	No specific comments.
Broads Authority Comment:	Noted.

Natural England

We are supportive of the principle of meaningful and early engagement of the general community by the public, community and other organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications. We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: <http://www.naturalengland.org.uk/ourwork/planningdevelopment/default.aspx>.

Broads Authority Officer Summary of Response:	Unable to comment in detail on the SCI.
Broads Authority Comment:	Noted.

Norfolk County Council

The SCI is considered a very thorough document and is welcomed by the County Council. I would however make the following comments:

- (a) Page 3 – item 7 in the table refers to a minimum of 8 weeks for commenting on the Plan, which is at odds with the length of consultation referred to on pages 9 and 10 (i.e. referring to the Reg18 and 19 consultation periods – which refers to a minimum of 6 weeks). I understand the correct period is a minimum of 6 weeks and SCI ought to be amended accordingly;
- (b) Page 6 – Duty to Cooperate. While welcoming reference to the County Council in this section, it is considered unnecessary to have any text in brackets i.e. all that is needed is reference to the County Council. NB the County Council is covered by duty to cooperate as Minerals and Waste Authority as well;

(c) Appendix C – Welcome reference to Norfolk County Council as a Specific Consultee in the Local plan process;

(d) Appendix C – Given that Marine Management Organisation (MMO) is covered under the Duty to Cooperate (referred to on page 6 of the SCI), it is felt that they should be a “Specific Consultee” on the Local Plan. NB There is a duty on Local Authorities under the Marine and Coastal Access Act (2009) (section 58) to have regard to Marine Plans which are produced by the MMO in any of the Las decisions.

Broads Authority Officer Summary of Response: Thorough document. Some amendments recommended.

Broads Authority Comment: Support noted.
Change table on page 3 to say 6 weeks rather than 8 weeks.
Page 6, remove brackets after County Council.
Add Marine Management Organisation to the list of Specific Consultees

Weymouth, Mrs S

No comment.

Broads Authority Officer Summary of Response: No comment.

Broads Authority Comment: Noted.