



EXECUTIVE DECISION NOTICE

SERVICE AREA:	GROWTH DIRECTORATE Planning
SUBJECT MATTER:	STATEMENT OF COMMUNITY INVOLVEMENT
DECISION:	That the Council consults on the draft Statement of Community Involvement for a period of 6 weeks.
DECISION TAKER(S):	Cllr Gerald P. Cooney
DESIGNATION OF DECISION TAKER (S):	Executive Member (Housing, Planning and Employment)
DATE OF DECISION:	5 August 2020
REASON FOR DECISION:	Community engagement is an essential part of the Corporate Plan, ensuring that the residents of Tameside, its communities and businesses are involved within shared decision making. A revised Statement of Community Involvement brings the Council's planning consultation guidance up to date. Local Planning Authorities must review their Statements of Community Involvement every 5 years from the adoption date as set out within The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
ALTERNATIVE OPTIONS REJECTED (if any):	There are a number of risks associated with the failure to publish up to date evidence and information, namely: <ul style="list-style-type: none"> • Failure to comply with requirements relating to the timely revision of the SCI at least every 5 years • Increased risk of challenge relating to plan making activities should implications of the Covid-19 pandemic and a consistent position of the GMSF not be established.
CONSULTEES:	Executive Board
FINANCIAL IMPLICATIONS: (Authorised by Borough Treasurer)	There are no direct financial implications as a result of this report, however the income collected from planning fees is significant and any increase in the number of successful appeals would have an adverse financial implication on Planning fee income. Any costs associated with the new statement will be managed from within the planning service budget.
LEGAL IMPLICATIONS: (Authorised by Borough Solicitor)	Consulting on the revised SCI is considered the correct approach for the reasons set out in the report. A hurriedly introduced SCI, without an opportunity to consult with and assess its impacts on those it seeks to engage could be found to be unsound and open to challenge. A reliance on web-based consultation and a reduction in or changes to "physical" consultation means the Council risks



	<p>not reaching and therefore disenfranchising individuals who don't have access to the internet. Care needs to be taken that changes to the SCI and consultation procedures do not result in a breach of equality duties and fairness principles particularly given the current restrictive environment and care should be taken to consider whether the time period is appropriate and what additional efforts will need to be made to ensure an effective and inclusive consultation.</p> <p>When undertaking a consultation exercise, it's important to make sure we give people enough time to respond. We also need to make sure that we have allowed sufficient time to analyse the results, evaluate the process and consider their views before we make any decisions about the next steps.</p> <p>The length of time needed will vary depending on:</p> <ul style="list-style-type: none"> • the consultation channels we have selected • the ability of consultees to participate (for example, if they have specific needs) • the time of year (for example school holidays) – election periods should be avoided • the level of response we are seeking • if other local events are taking place (can you use this to your advantage, or is it likely to dilute the level of interest in your consultation)? <p>Best practice suggests a council should plan for at least 6 weeks for a consultation exercise unless there are specific legal requirements.</p>
CONFLICT OF INTEREST:	None.
DISPENSATION GRANTED BY STANDARDS COMMITTEE ATTACHED:	Not applicable.
ACCESS TO INFORMATION:	<p>The background papers relating to this report can be inspected by contacting Jeff Upton.</p> <p> Telephone: 0161 342 4460</p> <p> e-mail: jeff.upton@tameside.gov.uk</p>



Signed Dated: 5 August 2020
Clr Gerald P. Cooney
Executive Member (Housing, Planning and Employment)

EXECUTIVE DECISION REPORT

SERVICE AREA:	GROWTH DIRECTORATE Planning
SUBJECT MATTER:	STATEMENT OF COMMUNITY INVOLVEMENT
DATE OF DECISION:	5 August 2020
DECISION TAKER(S):	Cllr Gerald P. Cooney
DESIGNATION OF DECISION TAKER (S):	Executive Member (Housing, Planning and Employment)
REPORTING OFFICER:	Jayne Traverse - Director of Growth
REPORT SUMMARY:	<p>The current Statement of Community Involvement (SCI) was adopted by the Council 31 August 2016 to reflect updates to procedural changes as to how planning documents are prepared.</p> <p>More recently the Covid-19 pandemic and continued progress on the Greater Manchester Spatial Framework (GMSF) means it is important to reflect a number of more technical amendments to the SCI, ensuring consistency across Greater Manchester in the message delivered through SCIs about the GMSF.</p>
RECOMMENDATION:	That Executive Cabinet be recommended to agree to consult on the draft SCI for a period of 4 weeks.
JUSTIFICATION FOR THE DECISION:	Community engagement is an essential part of the Corporate Plan, ensuring that the residents of Tameside, its communities and businesses are involved within shared decision making. A revised Statement of Community Involvement brings the Council's planning consultation guidance up to date. Local Planning Authorities must review their Statements of Community Involvement every 5 years from the adoption date as set out within The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
ALTERNATIVE OPTIONS REJECTED (if any):	<p>There are a number of risks associated with the failure to publish up to date evidence and information, namely:</p> <ul style="list-style-type: none"> • Failure to comply with requirements relating to the timely revision of the SCI at least every 5 years • Increased risk of challenge relating to plan making activities should implications of the Covid-19 pandemic and a consistent position of the GMSF not be established.
CONSULTEES:	Executive Board
FINANCIAL IMPLICATIONS: (Authorised by Section 151	There are no direct financial implications as a result of this report, however the income collected from planning fees is significant and any increase in the number of successful

Officer)	<p>appeals would have an adverse financial implication on Planning fee income.</p> <p>Any costs associated with the new statement will be managed from within the planning service budget.</p>
<p>LEGAL IMPLICATIONS: (Authorised by Borough Solicitor)</p>	<p>Consulting on the revised SCI is considered the correct approach for the reasons set out in the report. A hurriedly introduced SCI, without an opportunity to consult with and assess its impacts on those it seeks to engage could be found to be unsound and open to challenge.</p> <p>A reliance on web-based consultation and a reduction in or changes to “physical” consultation means the Council risks not reaching and therefore disenfranchising individuals who don’t have access to the internet. Care needs to be taken that changes to the SCI and consultation procedures do not result in a breach of equality duties and fairness principles particularly given the current restrictive environment and care should be taken to consider whether the time period is appropriate and what additional efforts will need to be made to ensure an effective and inclusive consultation.</p> <p>When undertaking a consultation exercise, it’s important to make sure we give people enough time to respond. We also need to make sure that we have allowed sufficient time to analyse the results, evaluate the process and consider their views before we make any decisions about the next steps.</p> <p>The length of time needed will vary depending on:</p> <ul style="list-style-type: none"> • the consultation channels we have selected • the ability of consultees to participate (for example, if they have specific needs) • the time of year (for example school holidays) – election periods should be avoided • the level of response we are seeking • if other local events are taking place (can you use this to your advantage, or is it likely to dilute the level of interest in your consultation)? <p>Best practice suggests a council should plan for at least 6 weeks for a consultation exercise unless there are specific legal requirements.</p>
CONFLICT OF INTEREST:	None.
DISPENSATION GRANTED BY STANDARDS COMMITTEE ATTACHED:	Not applicable.
ACCESS TO INFORMATION:	<p>The background papers relating to this report can be inspected by contacting Jeff Upton.</p> <p> Telephone: 0161 342 4460</p> <p> e-mail: jeff.upton@tameside.gov.uk</p>

1. INTRODUCTION

- 1.1 Consultation in the planning process is vital. It can bring significant benefits by: strengthening the evidence base for plan making and decision taking; ensuring community commitment to the future development of an area; promoting regeneration and investment; and increasing ownership and strength of delivery.
- 1.2 The current Statement of Community Involvement (SCI) was adopted in 2016 and in order to comply with regulatory requirements¹ must be reviewed at least every five years.
- 1.3 Since that version of the SCI was published there is a need to principally reflect on three matters:
- The Covid-19 pandemic, temporary changes to how documents are required to be made available under Regulations and how the Council is able to comply with its SCI in a socially distanced way;
 - Establish a consistent message about the progression of the Greater Manchester Spatial Framework and the role of the Combined Authority; and
 - Other technical updates since 2016.
- 1.4 It is timely therefore that the above updates and amendments are made to the SCI and a revision is undertaken to reflect the approach which needs to be taken for consultation moving forward. The revised SCI at **Appendix 1** shows the proposed amendments as tracked changes.

2. CONSULTATION

- 2.1 While there is no legislative requirement for local planning authorities to consult when reviewing and updating their SCI, the Council makes the following commitment within its existing SCI², *“significant amendments required as a result of any future changes will manifest in revision of the SCI in line with the procedures used the preparation of this SCI or as required by any changes to national legislation or regulation”*.
- 2.2 While the changes are not of themselves substantive, they will result in a new SCI rather than temporary changes and are reflective of the significant changes in how people are interacting physically. It is considered appropriate in this instance to consult for a period of 4 weeks, as was undertaken for the existing SCI and that the same consultation methodology be largely followed but be reflective of social distancing requirements.
- 2.3 It is proposed therefore the consultation methodology for the draft document will involve the following:
- Direct email or letter to all contacts on the Planning policy Local Plan database;
 - Press notice;
 - Press release; and
 - Website content including contact details and downloaded resources
- 2.4 Comments received will be assessed and any implications reported to the Director and Executive member responsible for forward planning matters following delegation to approve the revised SCI.

¹ Town and Country Planning (Local Planning) (England) Regulations 2012/767 Regulation 10A
<http://www.legislation.gov.uk/ukxi/2017/1244/regulation/4/made>

² <https://www.tameside.gov.uk/planning/ldf/StatementofCommunityInvolvement.pdf>

3. EQUALITIES IMPACT ASSESSMENT

- 3.1 Government Guidance on Plan Making recommends that local planning authorities should consider how they can continue to promote effective community engagement by means which are reasonably practicable in the current circumstances, in particular to reach those sections of the community that do not have internet access.
- 3.2 It is proposed that an Equalities Impact Assessment (EIA) will be carried out to assess the impact of the SCI draft document and consultation methodology and ensure that the Council complies with its Equalities Duties. An EIA gives an opportunity to assess the risk of particular groups with protected characteristics being negatively affected by the proposed changes and any action needed to address this.

4. RECOMMENDATION

- 4.1 Recommendations are as set out at the front of the report.