

# Cheltenham Borough Council

## Council – 11 December 2023

### Statement of Community Involvement 2023

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**Accountable member:**

Cllr Rowena Hay, Leader of the Council

Cllr Martin Horwood, Cabinet Member Customer & Regulatory Services

**Accountable officer:**

Tracey Birkinshaw, Director of Community & Economic Development

**Ward(s) affected:**

All

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**Key/Significant Decision:**

No

**Executive summary:**

The Statement of Community Involvement (SCI) sets out how the community can engage with the planning system. There is a statutory requirement to review SCIs every five years and therefore an up-to-date SCI is required. A revised SCI has now been produced. Once adopted, when preparing Local Development Documents (other than the SCI), the authority must also comply with the SCI.

**Recommendations:**

**Council is asked to:**

- 1. Adopt the revised Scheme of Community Involvement, attached to the report at Appendix 2 to take effect immediately; and**
- 2. Delegate authority to the Director of Community & Economic Development, in consultation with the Leader and the Cabinet Member Customer and Regulatory Services, to prepare the Statement of Community Involvement for publication correcting any minor errors such as spelling, grammar, typographical and formatting changes that do not affect the substantive content of the Statement of Community Involvement.**

## 1. Implications

### 1.1. Financial, Property and Asset implications

None arising from this report.

**Signed off by:** Director of Finance and Assets (Deputy Section 151 Officer)  
[gemma.bell@cheltenham.gov.uk](mailto:gemma.bell@cheltenham.gov.uk)

### 1.2. Legal implications

Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) requires all local planning authorities to adopt an SCI. This has to take into account the following requirements:

1. (a) Section 6 of the Neighbourhood Planning Act 2017, which states that a “statement of community involvement must set out the local planning authority’s policies for giving advice and assistance” in relation to Neighbourhood Planning. This requirement came into force on 31 July 2018.
2. (b) Regulation 4 of the Town and Country Planning (Local Planning (England) (Amendment) Regulations 2017 came into force on 6th April 2018 and requires a local planning authority to review a SCI “every five years, starting from the date of adoption of the statement of community involvement.”

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) do not require a revised SCI to go through an examination process and there is no requirement for local planning authorities to consult when reviewing and updating their Statement of Community Involvement.

The revised SCI sets out how the Council will meet the statutory requirements for consulting on various types of planning documents and through the development management process.

When adopted, the SCI must be published on the Council’s website.

**Signed off by:** One Legal, [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk)

### 1.3. Environmental and climate change implications

By accounting for local knowledge and facilitating community opinion into planning, this can accelerate behavioural change and adaptation measures. By ensuring communities can influence decision-making in local planning, this can provide a sense of ownership and therefore help to overcome barriers and unlock solutions (such as community owned renewable energy projects), shaping net zero resilient places, adequate planning for net zero energy infrastructure and access to the natural environment.

**Signed off by:** [Maizy McCann, Climate Emergency Officer, [maizy.mccann@cheltenham.gov.uk](mailto:maizy.mccann@cheltenham.gov.uk) ]

### 1.4. Corporate Plan Priorities

This report contributes to the following Corporate Plan priorities:

- Being a more modern, efficient and financially sustainable council

## 1.5. Equality, Diversity and Inclusion Implications

The SCI in paragraphs 1.10 to 1.14 sets out that the Council recognises that many members of the community are hard to reach or engage with for a variety of reasons and the commitment that we will try to modify traditional consultation methods where appropriate to engage with such groups and individuals. Consideration will also need to be given though to carrying out an equality impact assessment, at the appropriate stage, on the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan in order that the various consultations are made as accessible as possible to all sections of the community.

**Signed off by:** Richard Gibson, Head of communities, wellbeing & partnerships,  
[richard.gibson@cheltenham.gov.uk](mailto:richard.gibson@cheltenham.gov.uk)

## 1.6. Performance management – monitoring and review

The statutory requirement is to review the SCI within five years of its adoption.

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## 2. Background

- 2.1. The SCI sets out how the local authority will seek the involvement of the community in the planning of the area. All Local Planning Authorities (LPAs) are required by law to prepare a SCI and SCIs should be reviewed every 5 years. The SCI is a statement of how Cheltenham Borough Council will involve interested parties in matters relating to development in their area.
- 2.2. The previous SCI dates from 2014. There have since been changes to planning legislation that have brought new requirements and processes for the plan-making process and also for dealing with planning applications.

## 3. Reasons for recommendations

- 3.1. The Planning process has to comply with a variety of legal procedures in terms of public consultation and engagement. The SCI sets out how the Council will address these and how the public can expect to be engaged and kept informed. It also sets out local standards for consultation and engagement.
- 3.2. The SCI applies to planning policy, including the production of the Development Plan, i.e. the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan (SLP), as well as Supplementary Planning Documents (SPDs). The SCI also sets out how Cheltenham Borough Council will involve communities in relation to the development management process in relation to planning applications and related applications. Finally, the SCI sets out how Cheltenham Borough Council will support communities in undertaking neighbourhood planning.
- 3.3. Of relevance to the SCI is the recognition of the increased use of electronic communication as a way of notifying and consulting with communities. Amongst other aspects, the SCI sets out the benefits of consultation and principles for public involvement.

#### **4. Alternative options considered**

4.1. Because the SCI is a statutory requirement, there is no suitable alternative to its production.

#### **5. Consultation and feedback**

5.1. There is no statutory requirement for consultation.

#### **6. Key risks**

6.1. As set out in Appendix 1, the risk can be avoided through having an up-to-date Statement of Community Involvement.

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#### **Report author:**

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#### **Appendices:**

- i. Risk Assessment
- ii. Statement of Community Involvement (SCI)

#### **Background information:**

N/A

## Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	If the Council does not have an up-to-date Statement of Community Involvement then it will not be performing part of its statutory duty	Director of Community & Economic Development	3	1	3	Avoid the risk.	Close	This risk will be mitigated by the Council decision.	11 December 2023

## **Appendix 2: Statement of Community Involvement**