

Revised Consultation Statement - Statement of Community Involvement

May 2024

Introduction

1. The draft Statement of Community Involvement was published for consultation between 26 June – 6 September 2023. This statement details the consultation on this document before and during the consultation period and the responses received. It was updated in May 2024 as the original statement omitted two responses in error.

Background on the Statement of Community Involvement

2. The Statement of Community Involvement (SCI) sets out how Eastleigh Borough Council (the Council) will involve the local community in planning matters. These include Local Plan and Supplementary Planning Documents, Neighbourhood Plans and the consideration of planning applications.
3. The revised SCI updates the document adopted in December 2023. This replaced both the previously adopted SCI from 2015 and the Addendum SCI published in December 2020 in response to temporary legislation during Covid restrictions (which expired in December 2021). It reflected updated requirements and a general shift towards people accessing consultation materials and responding electronically. More information was also provided on how the Council will consult on planning applications.

Public consultation on the draft SCI

4. The Council published the Statement of Community Involvement for public consultation from 26 June – 6 September 2023.
5. Notification of this consultation was sent to everyone who had signed up to the Council's Local Plan email updates and individuals and organisations on Local Plan consultation database, approximately 3,900 emails and letters. These including statutory consultees, residents and developers.
6. The statement was available online via links on the Council webpage. Paper copies were also available to view at Eastleigh House, other Parish/Town Council Offices and libraries in the borough.
7. The Council encouraged people to respond electronically using the consultation hub; <https://eastleighboroughcouncil.citizenspace.com>. Representations were also accepted via email and by letter.

Responses on the SCI

Number and type of responses

8. Responses were received on the content of the SCI from two members of the public and from the Friends of Wildern Local Nature Reserve, Southern Water and Historic England. In addition Natural England responded and expressed support for key principles of engagement but was unable to comment on the details in the SCI. Further internal comments were also made by Planning officers.

Issues raised

9. Appendix 1 is a schedule of comments received during the public consultation and internal comments. The key issues raised are summarised below. This has been corrected as the original statement did not include issues 2 and 3.

Summary of comment made	Council's response and recommended changes
1. Importance of holding face to face exhibitions and consultations	Agree, these methods are included in the draft SCI. No change required
2. Concern about the lack of transparency in public consultation on planning applications. Request more detail on exactly how public comments are considered.	Noted. Bullet point added under 8.14 encouraging further community engagement where there are major changes to major and contentious applications
3. Concern about the use of the previous SCI 2015 and the consultation on the Local Plan. Issues raised about GDPR and data protection. Request for transparent notification to all affected parties.	Noted. Text added in paragraph 4.22 to commit to the transparent notification to all affected parties (to ensure concerns can be raised by all through the process).
4. Request from Southern Water to be consulted on any major planning applications to assess network capacity	Noted. No change, this text highlights statutory consultees only
5. Request to add specific references to Historic England and early engagement with statutory agencies.	Noted. Historic England added as statutory consultee. Specific reference to early engagement not required
6. New section required with details of planning enforcement	Agree. Text incorporated into final version
7. Further clarification required on neighbourhood planning and the role of the Council and the parish or town council	Agree. Changes made to chapter 7

Changes to the draft SCI

10. The following changes were made in the SCI (December 2023):
 - a. New paragraphs 2.9 - 2.11 were added to the chapter on legislative requirements. These provide information on the Council's responsibilities for Neighbourhood Plans
 - b. Text added to note that neighbourhood plans are written by local communities and led by parish or town councils (paragraph 7.3)
 - c. Bullet point text amended where there is an overlap with the activities of the parish/town council and the Borough Council in publicising a Neighbourhood Plan:
 - i. from the Council making documents available and notifying people to ensuring that this happens (para 7.6 ii).
 - ii. from the Council notifying those local to the area about the plan to working with the parish or town council to ensure that those local to the area are notified (para 7.6 iii).
 - d. The reference to notifying parish / town councils was removed as this was no longer needed following the wording change above (para 7.6 iii).
 - e. The requirements that the Council 'will' use Borough News to notify households of plan consultations and 'will' issue a press release were amended to 'may' to provide more flexibility about how plans are publicised.
 - f. New bullet point added under paragraph 8.14 on processing planning applications. This encourages applicants to under further local community engagement where major changes are proposed to major and contentious applications.
 - g. New paragraphs 8.20 – 8.23 were added to chapter 8 on planning applications. These cover planning enforcement and how the team will contact people for their input and provide information to Councillors and Parish/Town Councils.
 - h. Text added to paragraph 1.5 following the Levelling Up and Regeneration Act receiving royal assent. This notes that the SCI will be reviewed in due course to consider the associated regulations and policy changes.
11. Other minor text changes and corrections were made in the SCI. The text on neighbourhood planning was simplified to refer to 'parish or town councils' instead of 'a qualifying body' (paras 7.3-7.7). References to neighbourhood planning and planning enforcement were added (paragraph 1.3). The final SCI was prepared for publication and designed to reflect the Local Plan style.

12. The Revised SCI (2024) includes an additional change to paragraph 4.22 after considering response 2 and 3 overleaf. This refers to the transparent notification to all parties affected.

Appendix - Schedule of comments and EBC responses

Number and Type	Comments Summary	Specific Relevant Points/Suggestions	EBC comment	Change req.
Response 1 Individual	Comment on the importance of face-to-face exhibitions and consultations	Reasons provided: learn from first-hand experience of the local area; not everyone is digitally enabled and not everyone is capable of expressing themselves in writing	Agree, no change required	No
Response 2 Individual	Concerns raised about consultation on the adopted Local Plan	<p>Full comment on Paragraph 1.2: Revised Statement of community Involvement [SCI] June 2023, is underpinned by the adopted SCI 2015. This document has been used in evidence where hundreds of pages of falsified evidence have been forwarded to the secretary of state and the Planning Inspectorate. One of the main contentions of the Local Plan is consultation. Both Eastleigh Borough Council [EBC] and the Planning Inspectorate have failed to get a grip of matters, affecting many, and the consultation on the Local Plan Review. Matters are to be raised at key points of the process.</p> <p>Request for transparent notification to all parties affected.</p>	Noted and these issues have been considered further by the Council following further correspondence. Text has been added into the revised SCI to paragraph 4.22.	Yes
Response 3 Individual	Concerns raised about the handling of information during the preparation of the adopted Local Plan	<p>Full comment on Paragraph 4.22: Prolific mishandling of GDPR, Data protection, during the Local plan process, with publicised names and documents placed and remaining in the public domain without authority or consent. Eastleigh Borough Council have failed to react to notification. Matters to be addressed at key points of the review.</p> <p>Request for transparent notification to all affected parties.</p>	Noted and these issues have been considered further by the Council following further correspondence. Text has been added into the revised SCI to paragraph 4.22.	Yes
Response 4 Friends of Wildern Local	Concerns raised about the Council's processing and considering of public	Procedures in 8.14 provide insufficient detail to the Council's procedures for the assessment and consideration of public comments. The Council should collate recurring issues raised by the local	Noted. All public comments made on planning applications are scrutinised and made public on the Council's website. The planning officer's report summarises the comments made by	No

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Nature Reserve	comments on planning applications.	community on larger applications into a Public Consultation Feedback Report with recognition of each main issue raised during the public consultation and how the Council has addressed this issue in their evaluation of the application. Our experience of Local Area Committee (LAC) meetings is that public comments are referred to in general terms with insufficient detail. Considering the time and effort put in by the public to compiling and submitting these comments, the Councils response is both disrespectful and completely fails to discharge the duty as stated in the SDI. Suggest expanding 8.14 to provide commitments that provide greater transparency and demonstrate exactly how public comments are considered by the Council during the evaluation process.	members of the public. A more detailed planning report is produced for applications referred to Committee which summarises public comments on the application and addresses the material planning matters. In addition, all members of the public that have made comments on the application are informed of the relevant committee meeting and given the opportunity to make verbal deputations at the public committee meeting, highlighting main points. No change required.	
Response 5 Friends of Wildern Local Nature Reserve	Concerns raised about applicants' engagement with the public on major and contentious planning applications.	For major and contentious applications, the applicant is encouraged to engage with the public particularly during the pre-application phase. Our recent experience is that applicants are not engaging fully with the public or local community groups particularly on contentious applications and when issued the feedback public consultation reports do not detail the main issues raised and explanations on how these issues are considered. Wording in paragraph 8.14 should be expanded to require the applicant to submit a Public Consultation Feedback report that details the issues raised, particularly the contentious issues and how the applicant has addressed these issues. The SCI should also address the situation when applicants on major projects replace their initial proposals with major amendments as has happened on at least two occasions in recent months. In these	Agree that applicants should engage with the local community at the pre-application stage with any feedback considered seriously to influence the development. While a Public Consultation Feedback report would helpfully capture this in one document, it will not be a requirement in the SCI. No change required. (Second point addressed in response 6).	No

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		cases, substantial changes to the original design were included. We believe that when the applicant has made major changes particularly if submitted many weeks after the initial submission, they should re-engage with the public to provide details of the revised submission.		
Response 6 Friends of Wildern Local Nature Reserve	Concerns raised about the insufficient time given for the public to comment on major changes to planning applications	The current procedures detail timescales and procedures for consultation of the initial application but do not include arrangements for the consultation and review of major changes or amendments submitted by the applicant. Good examples of this are the planning applications for Moorlands Farm SSSI and Ageas Bowl when major changes to the application were submitted many weeks after the initial submission. The current procedures do not allow sufficient time for public consultation when major amendments are carried out. On the above applications public consultation was restricted to a small number of days. When you consider the major changes in the amended designs of these projects and the number of new plans and support documents, the review period is totally unreasonable. Therefore, we believe the procedures must be amended to ensure the period for public consultation is sufficient to understand, review and comment on major changes to the original application.	Agree. Bullet point added to 8.14 to encourage further community engagement where there are major changes to major and contentious applications	Yes
Response 7 Southern Water	Request to add in reference to consulting with Southern Water (a non-statutory consultee) to paragraph 8.1.3, in the section on Planning applications publicity	Whilst not a statutory consultee on planning applications, Southern Water would wish to be consulted on any major applications for development in the Borough in order to assess whether adequate network capacity exists for any requisite wastewater or water supply connections to new major development. Where inadequate capacity exists, this would help to ensure the delivery of timely upgrades.	Note comment. There are many non-statutory agencies that the Council would consult on major developments, depending on the nature, location and scale of development proposed. Instead of adding a long list to the SPD and potentially missing some agencies, this will be assessed on a case-by-case basis.	No

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			No change required.	
Response 8 Historic England	Request to add in reference to Historic England	Encourage reference to Historic England as a specific consultation body in paragraph 2.4.	Reference added	Yes
Response 9 Historic England	Request to reference early engagement with statutory consultees on plan-making	Encourage early engagement on plan-making and query if early engagement with statutory consultees might be referenced in the SCI. Paragraph 5.2 point viii refers to statutory consultees, but the impression given is that the focus here is on notification. In our experience informal exchanges can be invaluable, enabling a more fruitful evolution of discussions than is possible through a focus only on statutory requirements.	While the Council supports and will seek early engagement, the SCI includes text relating to the evidence base and content that address this. There is reference to reviewing and updating the evidence base in consultation with relevant organisations and authorities (5.2 ii). There is also reference to arranging workshops and meetings with interested parties including specific consultation bodies to explore issues and options in more depth (5.2 vi.). No change required.	No
Response 10 Historic England	Request to add in reference to duty to cooperate organisations	Query if the SCI might refer to the organisations with which the Council has a duty-to-cooperate	Note comment. The SCI includes reference to involving specific consultation bodies and the wider context within which planning policy. The specific duty to cooperate has been removed. No change required.	No
Response 11 Historic England	Correction	Amend the reference in Appendix 2 from English Heritage to Historic England.	Agree	Yes
Response 12 Historic England	Request for notification of neighbourhood planning areas	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 we should be consulted on draft plans where our interests are considered to be affected.	Note comment. Paragraph 7.6 refers to notifying relevant specific consultation bodies at all stages of the Neighbourhood Plan which includes publicising neighbourhood planning areas. No change required	No

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		Our published advice on neighbourhood planning can be found at: https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/		
Response 13 Natural England	Supportive comments	Supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in policy and planning applications	Welcome support	No
Response 14 Internal comment	New section required on Planning Enforcement	New text provided to cover the role of the team, information on enforcement investigations, communications to Councillors and Parish/Town Councils and a link to the enforcement website.	Text incorporated into final document, new paragraphs 8.20 – 8.23.	Yes