

Draft Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement 2014 Consultation Document

Submitted by: Executive Director Regeneration and Development

Portfolio: Finance and Resources

Wards affected: All

Purpose of Report

1. To consider the recommendations of the Planning Committee prior to considering for approval the Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement 2014 for public consultation purposes and to seek authority to go out to consultation.

Recommendations

- 1) That Cabinet agree to approve the Draft Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement 2014 for public consultation purposes.
- 2) That Officers in consultation with the portfolio holder for Planning and Assets be authorised to make minor editorial changes prior to the publication of the Statement of Community Involvement for public consultation purposes.
- 3) That Cabinet agree to receive a future report setting out the recommendations of the Planning Committee on the outcome of the public consultation before adoption of the SCI is considered.

Reasons

To ensure the Newcastle-under-Lyme and Stoke-on-Trent Local Plan proceeds in accordance with the agreed timetable and to maintain an efficient and effective planning service which supports meaningful community engagement in planning policy and development management matters.

1.0 Background

- 1.1 The Joint Local Plan timetable agreed by Newcastle-under-Lyme Borough Council and Stoke on Trent City Council earlier this year included provision to prepare and consult on a joint Statement of Community Involvement as an important first step towards the preparation of the Joint Local Plan. The Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement (Draft SCI) appended to this report has been agreed by Officers from both councils and now requires sign off by both councils prior to going out to public consultation.
- 1.2 The inaugural meeting of the Newcastle-under-Lyme and Stoke-on-Trent Joint Advisory Group (JAG) on the 18 September 2014 received a report on the Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement 2014 and their comments will be reported to Planning Committee on 7 October, so that their views can be taken into account before making a recommendation to Cabinet. Due to the tight

timescales the recommendations of the Committee will be reported to Cabinet by means of a supplementary report.

2.0 Policy Context

- 2.1 The National Planning Policy Framework (Paragraph 155) requires Local Planning Authorities to undertake *Early and Meaningful engagement and collaboration with neighbourhoods, local organisations and businesses* in the production of a Local Plan. The Statement of Community Involvement is therefore important not only to help a wide section of the community to express their views on draft proposals but also to ensure Local Plans *reflect a collected vision and set of agreed priorities for the sustainable development of the area*. The involvement of all sections of the community in the development of Local Plans and in planning decisions is also seen as way of supporting the creation of *healthy, inclusive communities* (paragraph 69).
- 2.2 In respect of development management the National Planning Policy Framework is not so specific. At paragraph 189 it states that *Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties*.

3.0 Key Issues

- 3.1 Since 2006 and 2007 both councils have introduced changes to the way in which they engage with the community in the process of planning. These changes have been made to improve community involvement practises in order to deliver both an efficient and effective service but also reflect changes to the planning system, including the introduction of the Local Planning Regulations 2012 and the National Planning Policy Framework in 2012. The Draft Joint Statement of Community Involvement formalises these changes and provides the community with a clear understanding of how they can expect to be involved in planning matters. In this way it also helps to manage public expectation.
- 3.2 The examination of the joint Local Plan by the Planning Inspectorate will consider whether the plan was carried out in compliance with the adopted Statement of Community Involvement. It is therefore very important that the Statement of Community Involvement is up to date and reflects both Councils aspirations for community engagement within budgetary constraints.
- 3.3 The Draft Newcastle-under-Lyme and Stoke-on-Trent SCI also reflects, both the Borough and City Council's aim to provide transparent, user friendly and accessible ways to encourage and maximise public participation.
- 3.4 Complex community involvement exercises can be costly and labour intensive in the preparation, attendance and follow up. Therefore the consultation proposals set out in the Draft SCI attempt to strike a balance between giving confidence to the community that its voice will be heard and delivering a service that is cost efficient. Similarly the level of consultation proposed seeks to support delivery of the Local Plan in a timely manner and to ensure that the local community does not become overloaded with consultation exercises
- 3.5 The Draft SCI commits both Councils to meeting a list of requirements when consulting with the local community in the process of determining planning applications. However, there are differences in the way the development management service is managed by the two local authorities and it has been necessary to reflect these differences. It is considered that this is necessary to avoid compromising specific local needs of both local planning authorities.

4.0 Options

4.1 Local Planning Authorities are required by law to have an adopted SCI and have a responsibility to monitor and review the SCI to make sure it is up to date and appropriate. Without an up to date SCI the council risks criticism and complaints from members of the public. Critically the Local Plan would run into difficulty in the future if the Examination by the Planning Inspectorate considered that the consultation that had taken place was inconsistent with the SCI.

4.2 Preferred Solution

The production of a Joint SCI creates an opportunity for the Borough Council and City Council to develop a consistent and effective approach to consultation, to support the successful involvement of the local community in the development of the Joint Local Plan.

5.0 Proposal

5.1 The Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement 2014 (Draft SCI) provides a structured approach to engaging with local people and organisations across the two local authority areas on a variety of planning matters. It attempts to describe the main functions of the planning system in a user friendly manner to help local people and organisations understand the processes involved in preparing planning policy documents and determining planning applications. It seeks to ensure no groups and individuals, including hard to reach groups, are excluded.

5.2 The Draft SCI is scheduled to be published in November as a consultation document to give residents, businesses, parish councils and other groups an opportunity to have a say in how they want to be involved in guiding the development of Newcastle-under-Lyme and The City of Stoke-on-Trent. This is the opportunity for people to tell us what they like and don't like about how each council proposes to involve them.

5.3 The Draft SCI is split into three sections. Part one is an introduction to the planning system and explains the background to the Statement of Community Involvement, as well as, stating the benefits of getting involved at an early stage. Part two focuses on what planning policy documents are and the key stages in preparing Development Plan Documents and Supplementary Planning Documents.

5.4 The Draft SCI shows who the key stakeholders are and explains when and how people are consulted during the preparation of these documents. This section also shows the councils' commitment towards satisfying the Duty to Co-operate legal requirement. This is designed to provide the community with information to improve its understanding of the planning policy process rather than being a necessary part of producing a SCI.

5.5 Part three focuses on the types of planning applications the council deals with and explains who, when and how people are consulted on development proposals. The numerous types of planning applications are described in an appendix to the Draft SCI.

5.6 The Draft SCI tries to avoid technical language to help it to be understood by all persons but in some cases it is necessary to use technical terms. These have been defined through a Glossary set out in Appendix 8 of the SCI.

6.0 Next Steps

6.1 In accordance with the agreed Local Plan timetable public consultation on the Draft SCI is scheduled to take place over a six week period from early November to mid December. All comments received will be reviewed and necessary amendments made,

before each council takes the steps to independently 'adopt' the joint SCI as its policy for involving the community in the way it guides and controls development.

- 6.2 Prior to going out to consultation the Draft SCI will be formatted and styled to ensure the document is user friendly. As part of the sign off process it may also be necessary to make minor editorial changes to the document prior to going out to consultation. It is proposed that this is done in consultation with the portfolio holder for Planning and Assets.
- 6.3 The consultation on the Draft SCI will be carried out in accordance with the proposals set out in 'Table 5 Statement of Community Involvement Consultation,' set out on page 19 of the Draft SCI.

7.0 Risks

- 7.1 Both councils propose continuing the current practise of providing different methods and opportunities for community involvement in development management decisions. The publication of the Draft SCI for public consultation purposes will draw the publics' attention to this. As stated above (3.5) the differences reflect specific local needs, but it may attract comments, particularly from developers and agents who tend to favour consistency in approaches, that the two services should be more closely aligned. Similarly comments may also be received, which object to the preparation of a joint SCI on the grounds that a common approach to planning policy consultation is not in the interests of supporting distinctive communities.

8.0 Financial and Resource Implications

- 8.1 The Draft SCI commits the council to meeting a list of requirements when consulting with the local community. The resource implications of these requirements have been carefully considered in the preparation of the Draft SCI. The proposals aim to maximise participation without over promising. Any proposals to increase the proposed minimum standards will need to consider the budget implications otherwise there would be a risk of expectations being raised unrealistically as well as triggering complaints from the public.
- 8.2 Members will recall that the October 2013 Cabinet report considered in some detail the financial and resource implications of going forward with a joint Local Plan and it was resolved that the financial implications of the report be addressed through the next Medium Term Financial Strategy and the respective budget-setting. In this respect consultation arrangements set out in the Draft SCI will be carried out within existing revenue resources of the Council.
- 8.3 The October 2013 Cabinet report also noted that, given the scale and nature of the Local Plan, resources from other borough Council departments would be required to ensure compliance with all relevant corporate and service priorities. Certainly it is highly likely that the public consultation exercises involving public meetings and workshops will need to be supported with staff from other sections within the Directorate (most notably within the Regeneration and Development Management teams). Such an arrangement may necessitate re-profiling of work programmes and there may be adverse impacts upon the core workload of those other teams. Nevertheless steps will be taken to minimise impact on service users / customers.

9.0 Legal and Statutory Implications

- 9.1 The Council is required by Section 18 of the Planning and Compulsory Purchase Act, 2004 to have an adopted Statement of Community Involvement.

- 9.2 The Borough Council's current Statement of Community Involvement, adopted in 2006, and the City Council's Statement of Community Involvement adopted in 2007 had the same status as a Development Plan Document in the same way as a Local Plan, and was therefore subject to independent Examination. An amendment to the Regulations in 2008 no longer identifies the Statement of Community Involvement as a Development Plan Document and is no longer required to undergo an independent Examination. It is the responsibility of the Borough to consider and agree to adopt a new Statement of Community Involvement as its policy for community involvement in planning matters. The SCI is not therefore part of the Development Plan Policy Framework but is a supporting document.
- 9.3 The SCI is important to ensure the Local Plan process is robust and can help deliver a legally compliant plan at Examination.
- 9.4 The Draft SCI satisfies the legal requirement for each council to provide a '*specific*' consultation list of bodies (statutory) that must be consulted and a '*general*' consultation list of those who may wish to be consulted on Planning Policy Documents and Planning Applications.

10.0 Earlier Cabinet Committee Resolutions

- 5 March 2014 Cabinet Report - Proposed Newcastle-under-Lyme and Stoke-on-Trent Local Plan Programme. It was resolved to agree to the preparation of a joint statement of Community Involvement.

11.0 Background Papers

- 18 Sept Newcastle-under Lyme and Stoke-on-Trent Joint Advisory Group Joint Report re: Draft Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement 2014 Consultation Document
- 7 Oct Planning Committee Report re: Draft Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement 2014 public consultation report.

12.0 Appendices

- Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement 2014