

Appendix 3: Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement, 2014 - Summary of main Changes.

This document lists the proposed main amendments to the Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement, 2014, following the completion of the public consultation exercise on the 19 December 2014. The proposed amendments are listed in the order that they appear in the revised SCI (submitted version) and fall into two main categories: 1) changes made in direct response to public representations 2) changes made to bring the document up to date, including changes to reflect the latest legislation and guidance. It does not include typographical errors, reused paragraph numbers, or references to the document being draft.

Part 1 – Introduction and Background

- **Paragraph 1.3** update to explain the consultation undertaken on the draft version of the SCI and the Consultation Report subsequently produced.
- **Paragraph 1.4** update the section to identify that “In many cases the proposals in the SCI go beyond the minimum legal requirements. However, both councils have also recognised the need to deliver a service which is both effective and cost efficient.”
- **Paragraph 1.6** update to reflect the reasons why the respective councils’ previous 2006 and 2007 SCIs have been reviewed
- **Paragraph 1.17** update to reflect the Equality Act 2010 and that both councils have processes established for assessing the potential impacts of planning policy documents on equality called Equality Impact Assessment (EIA). Both councils will undertake EIA of planning policy documents that are to be produced in line with the respective council’s requirements and that the EIA will be published on their websites. It identifies that the councils, in their endeavour to work in an inclusive manner, will consider the way they deliver planning services from the perspective of a range of users, including ‘hard to reach’ groups (definition of ‘hard to reach’ added to the glossary).
- Insert **new paragraph before 1.20** further explaining the planning system and NPPF requirements.
- Add **new sections** within ‘The Planning System: plan-making and decision-taking’ on ‘**Local authority plans**’ and ‘**Neighbourhood plans**’. Within the neighbourhood plans section include that further information will be available on both councils’ websites.

Part 2 – Planning Policy

- **Delete part of paragraph 2.2** on consultation methods having taken into account Newcastle-under-Lyme Borough Council’s public consultation exercise in 2012 to determine the scope and methods to be used in public consultation on the allocations and local planning policies and replace with text explaining that the councils recognise that there are groups with existing communication networks in their areas, that can be key contributors in increasing awareness at the local level, particularly in the rural area.

- **Add a new sentence at paragraph 2.8** that the councils will put in place a shared data agreement to ensure the protection of personal data submitted with consultation responses and identified on the respective planning policy consultation database of each council.
- Further explanation suggested to be added to **paragraph 2.9** explaining that Appendix 1 only contains those consultees and stakeholders which must be consulted in order to meet the requirements of section 18 and that both councils are committed to informing all those who have made requests to the councils that they wish to be informed of future consultation by including them on the consultation database. Also, that due to the timescales involved in producing planning policy documents and the number of people wishing to be kept informed, the councils have not listed them in Appendix 1.
- Add a new sub-section 'Availability of Information on the councils Websites' and a **new paragraph 2.11** that both councils will endeavour to ensure that the information on plan-making activities, including stages in the process, can easily be located on their websites by the use of shortcut links. During consultation periods each council will endeavour to provide a link on their respective homepage to help you access relevant information, including the council's evidence base. (Subsequent paragraph numbers in Part 2 to be changed to reflect this change).
- Add to **paragraph 2.13** further explanation as to who may be involved in duty to cooperate discussions.
- Add **further text to Diagram 1**: The Joint Local Plan production process after "At this stage it is only possible to comment on whether the plan is sound" and insert "meets procedural requirements (set out in the regulations) and has complied with the Duty to Cooperate. The council cannot make substantive changes to the Final Draft Plan without undertaking further consultation."

Part 3 – Development Management

- Add to the end of **paragraph 3.1** that the NPPF paragraph 196 and 197 on the planning process being plan-led and there being a presumption in favour of sustainable development.
- Amend the second sentence of **paragraph 3.8** to read "In the case of both councils these applications are available for members of the public to view on its website but the council takes no proactive steps to invite comment upon them."
- Add to **paragraph 3.16** further explanation in relation to pre-application engagement and that the Planning Practice Guidance states that "Pre-application engagement with the community is encouraged where it will add value to the process and the outcome."¹
- Add to **paragraph 3.22** further explanation that non-statutory consultees will be engaged with in line with the requirements of the Planning Practice Guidance
- Add to **paragraph 3.33** examples of material planning considerations but also state that the list is not exhaustive and that it should also be noted that the

¹ Planning Practice Guidance (2014) Paragraph: 009 Reference ID: 20-009-20140306

weight given to any material consideration is determined on a case by case basis.

- At **paragraph 3.41** substitute the word 'single' to replace 'solitary'.

Appendices

Appendix 1

- Add to other Organisations Staffordshire Police and Crime Commissioner and in the Relevant Government Agencies & Departments explain that this includes those listed in the Regulations as "specific consultation bodies" the Coal Authority, the Environment Agency, Historic England, the Marine Management Organisation, Natural England, Network Rail Infrastructure Limited, the Highways England and Homes and Communities Agency.
- Add a note explaining that any person/ group/ organisation who is not listed in Appendix 1 who wishes to be notified of future consultation on planning policy documents should notify the relevant Council or Councils so that they can be added to the consultation database to be informed of future consultation and that it is their responsibility to notify the Council if their contact details change.

Appendix 2

- Delete final row at the end of Appendix 2 (titled 'Modification or discharge of affordable housing requirements') and amend the definition in the row above regarding 'Householder'.

Appendix 4

- Relevant to both authorities now therefore delete the reference to Newcastle.
- Add a bullet point explaining that where a site is isolated and there are no neighbours that can be identified that a site notice will be displayed.

Appendix 6

- Changes to the table on methods of publicity regarding direct notices.

Appendix 7

- Changes to the table on methods of publicity.

Appendix 8

- Add to glossary a definition of the Equality Act 2010 – protects people from discrimination and replaces previous anti-discrimination laws with a single Act and that the Act identifies a number of characteristics which are protected characteristics and that these are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- Add to the glossary a definition of ‘Hard to reach’ groups – groups that may traditionally be under represented in consultation exercises, such as young people, minority groups, those with disabilities, those living in rural areas and the local business community.
- Add to the glossary a definition of Section 106 (S.106) – that it is a mechanism for securing planning obligations.
- Add to glossary a definition of “sound” – that a Local Plan is considered “sound” if it meets the tests of soundness set out in paragraph 182 of the NPPF. This requires that a plan is positively prepared, justified, effective and consistent with national policy.

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- Add to text that to obtain the document in other formats, please contact one of the councils