

Draft Newcastle-under-Lyme Statement of Community Involvement 2021 Consultation Document

Report Title: Draft Newcastle-under-Lyme Statement of Community Involvement 2021 Consultation Document

Ward(s) affected: All Wards

Purpose of the Report

To inform Committee of the responses to the consultation on the Draft Newcastle-under-Lyme Statement of Community Involvement 2021. .

Recommendations

- 1. That it be requested that Planning Committee recommend the adoption of the Newcastle-under-Lyme Statement of Community Involvement 2021 and publish the document on the Council's website.**

Reasons

To enable the views of the Planning Committee to be taken into account by Cabinet. To ensure that the Borough Council has an up to date Statement of Community Involvement to maintain an efficient and effective planning service which supports meaningful engagement with the community and stakeholders in planning policy and development management matters.

1. Background

- 1.1. The Statement of Community Involvement (SCI) is aimed at a wide range of stakeholders, individuals and groups with the intention of informing people how and when they will be consulted by the planning department. The planning process also impacts on the wider community, and not just residents. The wider community includes businesses, land owners and the development industry, as well as statutory agencies and local interest groups.
- 1.2. Community involvement is encouraged for both planning policy and planning applications (development management), and consultation is a statutory requirement at key stages. Whilst the SCI is a statutory requirement, the Borough Council recognises that engagement is an essential part of the planning process.
- 1.3. In September 2020 the Newcastle-under-Lyme Statement of Community Involvement was reviewed and updated to ensure consistency and compliance with legislation, and to reflect the circumstances the circumstances of Covid-19 which restrict some of the methods used to communicate with the public during the Local Plan Process, especially in regards to physically accessing planning policy documents and face to face community engagement.
- 1.4. On 9 December 2020 Cabinet formally decided to review the suitability of continuing with the Joint Local Plan with Stoke-on-Trent City Council, or to undertake work on a new standalone Newcastle-under-Lyme Local Plan. The review was formed within a two stage process with Cabinet seeking a second report in January 2021. During this

process the Borough Council invited comments and opinions from those involved in the development plan process. The Borough Council also sought advice from an external consultant to explore a way forward.

- 1.5. On 13 December 2020 Cabinet made the decision to cease work on the Joint Local Plan, and begin work on the provision of a new Borough Local Plan. The Covid-19 outbreak and the UK's separation from the European Union in 2021 presents an uncertain economic and social climate. In these unprecedented times, departure from the production of the Joint Local Plan was considered appropriate to enable the Borough Council to be flexible and adaptable whilst planning for the future. Furthermore, a Borough Local Plan will be more aligned with the needs and growth aspirations of businesses and residents in the Borough of Newcastle-under-Lyme.
- 1.6. Whilst the Statement of Community Involvement has recently been reviewed and updated, the current adopted SCI was produced jointly with Stoke-on-Trent City Council reflecting the timetable of the Joint Local Plan, and the methods of community involvement as part of that process. In light of Cabinet's decision to start a new Local Plan for the Borough of Newcastle-under-Lyme, a new SCI is required that is aligned with the new timetable for the production of the Local Plan, and sets out proposals for community engagement as part of this process.
- 1.7. Officers will be seeking to present a report to Cabinet on the Draft SCI at its meeting on 7th July 2021, taking into account the views and recommendations of the Planning Committee before publishing the Draft Statement of Community Involvement 2021 for public consultation purposes. The Draft SCI was published on the Newcastle-under-Lyme Borough Council website along with guidance on how to make a representation. The consultation was open for 6 weeks, in accordance with legislation, and closed at 5pm on 31st May 2021.

2. Policy Context

- 2.1. Section 18 of the Planning and Compulsory Purchase Act 2004 requires all Local Planning Authorities to prepare a Statement of Community Involvement (SCI), setting out their policy for involving persons with an interest in the development of the area when preparing and revising their local plan. Furthermore, the Town and County Planning (Local Planning) (England) (Amendment) Regulations 2017 requires Local Planning Authorities to review their SCI's at least once every five years starting from the date of its adoption.
- 2.2. The National Planning Policy Framework states that plans should:

'be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees' (NPPF 2019, Paragraph 16a)
- 2.3. The Statement of Community Involvement is important to help a wide section of the community to express their views on draft proposals and to ensure Local Plans reflect a collected vision and priorities for the sustainable development of the Borough. Furthermore, the involvement of all sections of the community within local plan making and decision making is viewed as a way of creating healthy and safe places (NPPF 2019, Paragraph 91).

- 2.4. From a development management perspective, the National Planning Policy Framework states:

‘Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties’ (NPPF 2019, Paragraph 39)

- 2.5. The Statement of Community Involvement is important to help communities understand the planning application process, and how and when they can express their views to help achieve an improved or desired outcome at the decision making stage.

3. Key Issues

- 3.1. In January 2021 members of Cabinet formally made the decision to depart from the Joint Local Plan, and start production of a new standalone Local Plan for the Borough of Newcastle-under-Lyme.
- 3.2. The current adopted SCI reflects both Newcastle-under-Lyme Borough Council’s and Stoke-on-Trent City Council’s methods of community engagement for the Joint Local Plan. A new SCI is required because effectively, the Borough Council is starting the plan making process again through the production of a new Local Plan. It is important the SCI is up to date and reflects the Borough Council independently.
- 3.3. The Borough Council consulted on a new Draft SCI between 19th April and 31st May 2021 to provide local communities the opportunity to express their views on draft proposals for engagement, and to help shape how and when they are consulted on within planning policy and development management matters. This specifically related to the development of planning policy documents such as the new Local Plan, or the determination of planning applications. The Draft SCI consultation provided the public an opportunity to identify what they like and dislike about how the Borough Council proposes to involve them within planning matters. Representations were received from the following bodies:
- Natural England
 - Historic England
 - Staffordshire Police
 - The Coat Authority
 - Keele Parish Council
 - Audley Parish Council

Summarised comments from these bodies can be found in Appendix B.

- 3.4. The examination of the Local Plan by the Planning Inspectorate will consider whether the plan was carried out in accordance with the adopted Statement of Community Involvement. Therefore it is essential that the SCI is up to date and reflects the Borough Council’s aspirations for community engagement. The Borough Council aims to provide transparent, user friendly and accessible ways to encourage and maximise public participation.
- 3.5. Complex community involvement exercises can be costly and labour intensive in the preparation, attendance and follow up. The consultation proposals presented within the Draft SCI seeks to achieve a balance between giving confidence to the community

that their voice will be heard, and delivering a service that is cost efficient. Furthermore, the proposals seek to support the delivery of a planning service without overloading local communities with consultation exercises.

- 3.6. It is important to note that the Covid-19 outbreak has forced the Government to place restrictions on people's movements and social interactions in order to prevent the spread of the Coronavirus. These restrictions will impact on the scope and nature of community involvement within planning matters.
- 3.7. Temporarily, the Borough Council will be unable to fulfil some of its commitments as set out in the Draft SCI, and will compensate through maximising the use of virtual and electronic forms of communication. The Borough Council will continue to be guided by public health advice from the Government and other related bodies to protect the health and safety of all those involved in the planning process whilst ensuring effective community involvement. Temporary measures are presented within Appendix 8 of the Draft SCI on page 53.

4. Options

- 4.1. By law Local Planning Authorities are required to have an adopted Statement of Community Involvement (SCI), and to take responsibility to monitor and review the SCI accordingly. The current SCI was produced jointly with Stoke-on-Trent City Council and reflects methods of community involvement for the Joint Local Plan. A new SCI is required for Newcastle-under-Lyme to reflect the changes in the plan making process and forms of engagement with the public. A new SCI will demonstrate how and when the Borough Council will consult on key stages of the new Local Plan as set out within the agreed timetable.
- 4.2. There is no reasonable alternative option to creating a new SCI. A new SCI provides an opportunity for the Borough Council to develop an efficient and effective approach to consultation, and support the successful involvement of local communities in the development of the new Local Plan. Without a transparent and up to date SCI the Borough Council risks criticism and complaints from the public.

5. Proposal

- 5.1. The Draft Newcastle-under-Lyme Statement of Community Involvement 2021 (Draft SCI) provides a structured approach to engaging with local communities across the local authority area 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 with planning policy, neighbourhood planning and development management. Specifically, this refers to the preparation of planning policy documents and determining planning applications.
- 5.2. All representations made during the consultation have been considered by the Borough Council. It is considered that no further amendments to the SCI are required and therefore, it is requested that the SCI be formally adopted in its current form.
- 5.3. The Draft SCI was published in April 2021 as a consultation document to give the public, businesses, parish and town councils and interest groups an opportunity to express their views on how they want to be involved in guiding development with the

Borough of Newcastle-under-Lyme. It also gives the opportunity for people to tell us what they like and dislike within the proposals set out to involve them.

- 5.4. The Draft SCI is split into four main sections. Part one is an introduction to the planning system and explains the background to the Statement of Community Involvement, and why it is beneficial to engage with the local community 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 (SPD's).
- 5.5. The Draft SCI shows who the key stakeholders are and explains when and how people are consulted during the preparation of planning policy documents. This section also shows the Borough Council's commitment towards fulfilling the Duty to Co-operate legal requirement. This is designed to provide the community with information to improve their understanding of planning policy processes and procedures rather than being a necessary part of producing an SCI.
- 5.6. Part three describes the key stages of neighbourhood plan development, where the majority of the workload is undertaken externally by the Qualifying Body (i.e. Neighbourhood Forum or Town or Parish Council). The Borough Council plays a more supporting role within neighbourhood plan development.
- 5.7. Part four focuses on the types of planning applications and explains who, when and how people are consulted on development proposals. The types of applications and forms of engagement with planning applications are presented within Appendix 2 to 7 of the Draft SCI. The Borough Council is committed to meeting the requirements when consulting with the local community in the process of determining planning applications.

6. Earlier Cabinet Committee Resolutions

- 6.1. 9 September 2020 Cabinet Report – Decision was made to review and recommend changes to the adopted SCI to ensure consistency with legislation, and reflect circumstances regarding Covid-19 and impacts on community engagement and public consultation for the Joint Local Plan.
- 6.2. 9 December 2020 Cabinet Report – Decision was made to undertake a Joint Local Plan review following the economic and social impact of Covid-19 and Brexit, and to explore the option of continuing, or to split from the Joint Local Plan.
- 6.3. 13 January 2021 Cabinet Report – Provided a consultation update for the continuation of the Joint Local Plan, taking into account the review as permitted from the previous Cabinet meeting. It was resolved to start production of a standalone Local Plan for the Borough of Newcastle-under-Lyme.
- 6.4. 17 March 2021 Cabinet Report – Decision was made that the Newcastle-under-Lyme Draft Statement of Community Involvement would be approved for public consultations.

7. List of Appendices

Appendix A: Draft Statement of Community Involvement 2021.

Appendix B: Summarised Comments from SCI Consultation