

20 June 2013

REPORT OF THE PORTFOLIO HOLDER FOR ECONOMY AND EDUCATION**STATEMENT OF COMMUNITY INVOLVEMENT
CONSULTATION****EXEMPT INFORMATION**

N/A

PURPOSE

The Council, as a Local Planning Authority, is required to produce a Statement of Community Involvement setting out how and when the Council will seek the views of local people, businesses and key organisations when preparing the new development plan documents and when planning applications are received.

The current Statement of Community Involvement was adopted by the Council in 2006. Since then legislation governing the Statement of Community Involvement has changed and it is now necessary to update it to reflect changing statutory requirements.

This report will allow for a 6 week public consultation to take place. It will satisfy the Duty to Co-operate requirement and will also give members of the public and other individuals and organisations the opportunity to make comments on the document.

RECOMMENDATIONS

- (1) To approve the proposed Statement of Community Involvement for public consultation for a period of 6 weeks.

- (2) To give delegated authority to the Head of Planning and Regeneration in consultation with the Portfolio Holder for Economic Development to make minor changes to the Statement of Community Involvement after the public consultation has closed and before the document goes to Full Council for adoption.

EXECUTIVE SUMMARY

The Statement of community involvement (SCI) is the Council's code of practice on how people can expect to be involved in the planning process. It covers the production of different types of planning policy documents, and the different stages for each one. It is also concerned with how people should expect to be involved in the planning application process.

The current SCI document was adopted in June 2006 and was prepared under previous planning regulations. Since then the planning system has changed significantly, with the new National Planning Policy Framework published in March 2011, the Localism Act being given royal assent in November 2011, and the introduction of new planning regulations in 2012.

This review aims to update the SCI to simplify it and remove duplication with other documents. It also aims to reflect the new regulations and the emphasis of the NPPF on speedier and responsive plan-making. In general, the revised SCI document is more streamlined and flexible in terms of involvement in the planning process when compared to

the adopted version. Officers have also sought to rationalise the previous SCI and produce a more succinct, flexible and customer focussed document. The changes and implications for both the plan making process and planning applications process are set out below:

Planning Policy Documents

There have been significant changes to the procedures for producing planning policy documents since the last SCI was adopted in March 2010. The new Town and Country Planning (Local Planning) (England) Regulations 2012 re-introduce Local plans in place of Local development frameworks. The regulations set out the range of documents that can form a Local plan as either an individual document or a portfolio of documents. The updated SCI document reflects these changes and provides greater clarity about who to involve in consultations, how and when. It also aims to introduce greater flexibility by streamlining the consultation requirement for documents where possible.

Planning Applications

The adopted SCI document sets out the requirements for consultations in the planning applications process and specifically the expectations for developers to undertake consultation on major applications.

One significant addition is that it provides clarification over the speaking rules at planning committee and sets them out in this revised SCI.

Proposed Public Consultation

- The public consultation will be held over a 6 week period from 1st July to 9th August 2013
- E-mails and letters will be sent to the Local Plan consultation database; this currently contains 857 different people and organisations.
- All Tamworth Borough Council Members and Tamworth area Staffordshire County Members are included in the Local Plan consultation database and will have the opportunity to comment on the Statement of Community Involvement consultation.
- The Statement of Community Involvement consultation document and comments form will be made available on-line at the Council's website.
- Paper copies of the Statement of Community Involvement and comments form will be available at Marmion House, Tamworth Library, Wilnecote Library and Glascote Library.
- A noticed will be published in the Tamworth Herald during this period to inform people of the consultation.

Once consultation has closed, comments will be reviewed and where necessary changes will be made.

The previous planning regulations governing the preparation and adoption of SCI's required a public examination by a Planning Inspector to be held. If the Inspector's report found the document to be 'sound' it could be then adopted by the Council. These regulations are no longer in place. Following this consultation a revised version of this SCI and list of changes will be put to Full Council seeking adoption, an examination is no longer required to adopt an SCI.

Upon adoption by Council the document will be published with the assistance of Officers in the communications team.

RESOURCE IMPLICATIONS

Costs can be met within the Local Development Framework budget. Electronic communications will be used to reduce costs, by using e-mail and making documents available on line at the Council's website. Hard copies will be made available at Council offices and local libraries.

LEGAL/RISK IMPLICATIONS BACKGROUND

The Council must produce a Statement of Community Involvement (SCI) which adheres to the Government's principles for community engagement in planning. The involvement of the public in preparing planning documents and the consideration of planning applications must follow the approach set out in the SCI. Under the Planning and Compulsory Purchase Act 2004 S 20(5) (a) an Inspector is charged with checking that a Local Plan submitted for adoption has complied with legislation. This includes checking that the plan has been prepared in accordance with the Local Development Scheme and ***in compliance with the Statement of Community Involvement*** and the Town and Country Planning (Local Planning) (England) Regulations 2012.

Without passing this legal test the Council would not be able to demonstrate to an Inspector that the Local Plan is legally compliant and therefore could not be found sound at examination.

SUSTAINABILITY IMPLICATIONS

No sustainability implications

BACKGROUND INFORMATION

REPORT AUTHOR

Alex Roberts – Development Plan Manager x279

LIST OF BACKGROUND PAPERS

Statement of Community Involvement – 2006

APPENDICES

Statement of Community Involvement – Draft for Consultation

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