

COUNCIL

18 March 2014

REPORT OF THE PORTFOLIO HOLDER FOR ECONOMY AND EDUCATION

STATEMENT OF COMMUNITY INVOLVEMENT ADOPTION

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.

A draft Statement of Community Involvement was published for a 7 week public consultation over the summer of 2013 and representations were taken into consideration when preparing this final version.

The Council must adopt the new Statement of Community Involvement before it becomes policy.

RECOMMENDATIONS

- (1) That Council adopts the Statement of Community Involvement as policy.

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 aligning the consultation requirement for documents where possible.

Planning Applications

The 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.

Public Consultation

A revised draft SCI was considered by Cabinet in June 2013 and was approved for public consultation.

What took place

- The public consultation was held over a 7 week period from Friday 12th July to Friday 20th August 2013.
- E-mails and letters were sent to the Local Plan consultation database; which 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 had the opportunity to comment on the Statement of Community Involvement consultation.
- The Statement of Community Involvement consultation document and comments form were made available on-line at the Council's website.
- Paper copies of the Statement of Community Involvement and comments form were made available at Marmion House, Tamworth Library, Wilnecote Library and Glascote Library.
- A noticed and press release was published in the Tamworth Herald during this period to inform people of the consultation.
- A press release was issued to the Council's website
- Members of the Local Plan Sub-Group were presented the draft Statement of Community Involvement and consultation responses, to facilitate discussion and additional feedback.

The intention of the new SCI is for it to be easy to read and remove some of the barriers local residents face when engaging with the planning system, such as planning jargon and overly technical language. Following the consultation the wording for some paragraphs, in particular the Sustainability Appraisal has been changed to make these subjects clearer and easier to understand. There have also been some changes to ensure that planning committee operates efficiently and effectively.

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. 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. The Council's graphics team will be used to produce a final published document.

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 compliant at examination.

SUSTAINABILITY IMPLICATIONS

No sustainability implications

BACKGROUND INFORMATION

None

REPORT AUTHOR

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LIST OF BACKGROUND PAPERS

Cabinet Report, 20th June 2013, "Statement of Community Involvement"

APPENDICES

Statement of Community Involvement - for Adoption