

STATEMENT OF COMMUNITY INVOLVEMENT

PORTFOLIO RESPONSIBILITY: ENVIRONMENT

CABINET

22ND MARCH, 2007

Wards Affected

Countywide.

Purpose

To seek adoption of the Council's Statement of Community Involvement (SCI) and be informed of the Inspector's report into the soundness of the document. This document is required as part of the new planning system and will set out how the Council will consult on planning matters.

Key Decision

This is not a key decision.

Recommendation

THAT the Inspector's report be received and that the Statement of Community Involvement be adopted as the Council's policy in respect of consultation on planning matters in line with the Town and Country Planning (Local Development) (England) Regulations 2004.

Reasons

It is a requirement of the Planning and Compulsory Purchase Act 2004 that as part of the Local Development Framework a Statement of Community Involvement is prepared which sets out the Council's policy in respect of consultation on planning matters.

Considerations

1. The Planning and Compulsory Purchase Act 2004 introduced new provisions and requirements for development planning. The need to prepare a Statement of Community Involvement is a requirement of this new system. The process by which an SCI is prepared is laid down by Government in the Town and Country Planning (Local Development) (England) Regulations 2004.
2. The purpose of the SCI is to:
 - Identify who will be consulted on particular types of documents and applications and when they will be actively involved in plan making and in reaching decisions on planning applications;
 - Set out transparent, accessible and meaningful approaches to community involvement in plan preparation and decision making on planning applications;

Further information on the subject of this report is available from
David Nicholson, Forward Planning Manager on 01432 261952

- Encourage early involvement in decision making between the community, interest groups and stakeholders. This can help to resolve any initial conflicts and can generate a sense of ownership early in the process and on agreed outcomes;
- Recognise and understand the different needs of all sections of the community and stakeholder interests and establish the most effective means of enabling all sections of the community to make their views known and help shape planning decisions in their areas;
- Explain how the results of the consultations will be fed into preparation of local development documents and how those involved will be kept informed;
- Set out standards for the Council to achieve and explain how the process will be resourced and managed and how the new planning process will be co-ordinated with other community involvement and consultation initiatives undertaken by the Council;
- Ensure that the Council complies with the adopted Statement of Community Involvement when preparing its Local Development Documents. This compliance must be kept under review and revised where necessary.

3. The process by which an SCI is prepared is laid down by Government in the Town and Country Planning (Local Development) (England) Regulations 2004. The following provides a summary of some of the key regulations:
 - Reg 25 – Initial consultation
 - Reg 26 – Draft SCI for public consultation
 - Reg 27 – Consider and amend SCI as appropriate
 - Reg 28 – Submit SCI to Secretary of State
 - Reg 34 – Possible public examination
 - Reg 35 – Binding Inspector’s report
 - Reg 35 – Publish Inspector’s report
 - Reg 36 - Adopt the SCI with any revisions.

- 4 The enclosed Consultation Statement provides a summary of the consultations which have been undertaken throughout the SCI process and which have informed the preparation of the document. The consultation at the submission stage (Regulation 28) was about gaining support or otherwise to a document that had been submitted to the Secretary of State for consideration. There were 11 objectors, resulting in 31 individual objections to various parts of the SCI; and 32 supporting representations. In line with Regulation 33 copies of all representations that were received at this stage, which relate to the nine tests of soundness of the document and could not be met by the Council, were submitted to the Secretary of State for consideration. The Inspector has now given consideration to these and the Council is now in receipt of the Inspector’s report which is binding on the authority.

- 5 The nine tests of soundness are identified below and can be found at paragraph 4.24 of PPS 12:

1	Does the SCI comply with the minimum requirements for consultations as set out in the Town and Country Planning (Local Development) (England) Regulations 2004?
2	Does the SCI's strategy for community involvement link with other community involvement initiatives (eg the community strategy)?
3	Does the SCI identify in general terms which local community groups and other bodies will be consulted?
4	Does the SCI identify how the community and other bodies can be involved in a timely and accessible manner?
5	Are the methods of consultation to be employed suitable for the intended audience and for the different stages in preparation of local development documents?
6	Are the resources available to manage community involvement efficiently?
7	Does the SCI show how the results of the community involvement will be fed into the preparation of development plan documents and supplementary planning documents?
8	Does the SCI set out a mechanism for reviewing the SCI?
9	Does the SCI clearly describe the policy for consultation on planning applications?

6. The Inspector dealt with the representations through the written representation procedure. Appendix 1 provides an extract from the Inspector's report and includes his 12 recommendations. These are all binding on the authority. The Inspector found that subject to the 12 recommendations set out in his report, the Herefordshire SCI is sound.

7. In line with Regulation 35 the Council is required to publish the Inspector's report. The Report needs to be made available at all deposit locations throughout the County, on the Council's website and a letter needs to be sent to all those who made a representation at the submission stage notifying them of the publication of the report.

8. In line with Regulation 36 there is now a requirement to formally adopt the SCI with the revisions identified in the Inspector's report and issue an adoption statement. A copy of the revised SCI is enclosed with this report.

Risk Management

The production of this Statement of Community Involvement is a statutory requirement.

Alternative Options

There are no alternative options as preparation and adoption of the Statement of Community Involvement is a statutory requirement.

Consultees

Planning Committee on the 30th September 2005, 20th January 2006, 21st April 2006 and

2nd March 2007.

Other consultees as set out in Consultation Statement.

Appendices

Appendix 1: Summary of the Inspector's report

Background Papers

- SCI Pre-Submission Draft (January 2006)
- SCI Submission Draft (June 2006)
- SCI Inspector's report (February 2007)
- SCI Consultation Statement (February 2007)
- The Planning and Compulsory Purchase Act 2004
- Town and Country Planning (Local Development)(England) Regulations 2004.
- Planning Policy Statement 12