

Ward: All

Update to the Statement of Community Involvement.

Report by the Executive Head of Planning, Regeneration and Wellbeing

1.0 Summary

- 1.1 This report identifies the need to update both the Adur and Worthing Statement of Community Involvement (SCI) in response to amendments to the publication of Planning Policy Statement 12: Local Spatial Planning (PPS12)(June 2008) and the accompanying amendments to the Town and Country Planning (Local Development)(England) Regulations 2004. The Worthing SCI was adopted in October 2006 and the Adur SCI was adopted in December 2006.
- 1.2 This Report is also being considered at the meeting of the Adur Cabinet on 26 January 2010.

2.0 Background

- 2.1 The SCI forms an integral part of the Local Development Framework (LDF). It sets out the Councils commitment to involve communities and other stakeholders in the production and review of planning policy documents that make up the LDF. It also details how developers should involve communities and stakeholders in discussions regarding major planning proposals prior to seeking planning permission, and how the local planning authority will consult with the community and stakeholders once a planning application has been made.
- 2.2 Both SCI's were prepared in accordance with the Town and Country (Local Development)(England) Regulations 2004 which set out the minimum statutory requirements for community involvement in the production of Local Development Frameworks. Since June 2008 these Regulations have been replaced by the Town and Country Planning (Local Development)(England)(Amendment) Regulations which set out a new process for the production of Development Plan Documents and therefore a new process for involving communities and other stakeholders in their production.
- 2.3 Advice from the Government Office for the South East is that a full review of the SCI's is not necessary at this stage, but that an update, setting out the changes and what this means for community involvement, would suffice. It is intended that a full review of both SCI's will commence in 2011 and that a joint document will be prepared for the two local authorities.

2.4 This update should therefore be read in conjunction with the full Statement of Community Involvement adopted and published on the website of the respective Councils.

3.0 Update to the Adur and Worthing Statement of Community Involvement

3.1 Annex 1 to this report sets out how the respective SCI's will be updated in response to amendments made to the Regulations which came into force on 27 June 2008.

3.2 The update describes the new stages in preparing Development Plan Documents and how both Adur and Worthing Councils will engage with our communities and stakeholders.

3.3 For the Adur SCI it replaces:

- Diagram 2 (Preparation of Development Plan documents) in Section 5
- Appendix 3 – Local Development Framework – Core Strategy (and other non-site specific) Development Plan Documents
- Appendix 4 – Local Development Framework – Site Allocations (and other site specific) Development Plan Documents

For the Worthing SCI it replaces:

- Chapter 7 – (Consultation Activity) Diagram 1a – Process of consultation Activity – DPDs – High Level Development Plan Documents
- Chapter 8 – (Proposals for Community Engagement) Table 1 – Proposals for Community Engagement on Higher Level DPD's such as Core Strategy and Site Allocations

3.4 The new Regulations seek to simplify the consultation procedure and provides for a two stage rather than a three stage consultation process. A change has been made to the first stage of the consultation process to allow public participation and the early preparation stage of Development Plan Documents. A new second stage also allows the local planning authority to publish and receive representations on the DPD prior to submission of that DPD to the Secretary of State. In addition, new statutory consultees have been added – the Police Authority must be consulted on a DPD where its area is in or adjoins the area covered by the DPD as should the Coal Authority

3.5 In preparing their Core Strategies, both local authorities have been following these new Regulations.

4.0 Legal

4.1 There is a statutory requirement to prepare a Statement of Community Involvement and it has been updated in line with new Regulations. It comprises part of the Local Development Framework.

5.0 Financial implications

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5.1 There may be minor financial implications linked with any additional consultation undertaken but it is anticipated that these will be met from the existing budget.

6.0 Recommendation

6.1 The Cabinet adopts Annex 1 of this report as an update to the respective Adur and Worthing Statement of Community Involvement and that it is made available alongside, and read in conjunction with, the current adopted Statement of Community Involvement.

Local Government Act 1972

Background Papers:

Planning Policy Statement 12: Local Spatial Planning (June 2008).

Town and Country Planning (Local Development)(England)(Amendment) Regulations (June 2008).

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Schedule of Other Matters

1.0 Council Priority

1.1 The preparation of a Statement of Community Involvement is a statutory responsibility

2.0 Specific Action Plans

2.1 Matter considered and no issues identified

3.0 Sustainability Issues

3.1 Matter considered and no issues identified

4.0 Equality Issues

4.1 The SCI is the Councils formal statement setting out how and when the public can get involved in planning issues

5.0 Community Safety Issues (Section 17)

5.1 Matter considered and no issues identified.

6.0 Human Rights Issues

6.1 Matter considered and no issues identified

7.0 Reputation

7.1 Matter considered and no issues identified

8.0 Consultations

8.1 The update to the Statement of Community Involvement was written in response to amendments to the Town and Country Planning (Local Development)(England) Regulations, and no consultation was undertaken.

9.0 Risk Assessment

9.1 The Council need to update the statement of Community Involvement to ensure it complies with current legislation.

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified

11.0 Procurement Strategy

11.1 Matter considered and no issues identified

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12.0 Partnership Working

12.1 Matter considered and no issues identified

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Annex 1

Update to the Adur District Council Statement of Community Involvement and the Worthing Borough Council Statement of Community Involvement

This update should be read in conjunction with the full Statement of Community Involvement for Worthing Borough Council adopted in October 2006, and for that of Adur District Council adopted in December 2006.

This update to the Statement of Community Involvement (SCI) provides details of the new stages in preparing Development Plan Documents following the publication of Planning Policy Statement 12: Local Spatial Planning (PPS12) by Communities and Local Government on 4 June 2008 and the accompanying amendments to the Town and Country Planning (Local Development)(England) Regulations 2004 which came into force on 27 June 2008.

For the Adur SCI it replaces:

- Diagram 2 (Preparation of Development Plan documents) in Section 5
- Appendix 3 – Local Development Framework – Core Strategy (and other non-site specific) Development Plan Documents
- Appendix 4 – Local Development Framework – Site Allocations (and other site specific) Development Plan Documents

For the Worthing SCI it replaces:

- Chapter 7 – (Consultation Activity) Diagram 1a – Process of consultation Activity – DPDs – High Level Development Plan Documents
- Chapter 8 – (Proposals for Community Engagement) Table 1 – Proposals for Community Engagement on Higher Level DPD's such as Core Strategy and Site Allocations

The new Regulations allow for more flexibility in how the Council will engage with their communities and stakeholders during the early stages of Development Plan Document preparation

Stage 1 - Preparation

The new Regulations remove the requirement for the formal "Preferred Options" consultation – the Regulation 26 stage. This has been replaced by a new Regulation 25 which introduces a single preparatory stage for Development Plan Documents. It encourages ongoing engagement with the community and stakeholders and depending on the type and nature of the DPD being prepared will include encouraging participation on:

1. Scoping and Evidence Gathering

Regulation 25 calls for local authorities to invite relevant stakeholders and, if appropriate for the DPD being prepared, the public and local businesses, to make representations to them about what the DPD ought to contain. Therefore, at the beginning of the DPD preparation, evidence will be gathered from a variety of sources to ensure that the Council has an understanding of the main issues that need to be addressed in the document.

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2. Consideration of Issues and Options

The consideration of Issues and Options will explore reasonable alternative approaches to the DPD being prepared. The community and stakeholders will be encouraged to participate in this ongoing policy development process and a range of consultation and engagement methods, as outlined in the SCI will be used.

3. Consideration of draft Development Plan Documents

In seeking continuing engagement with communities and stakeholders, draft policies and proposals will be published for comment. This allows for optimum consensus to be reached prior to publication of the proposed submission draft DPD. Consultation will be targeted to the specific DPD being prepared and a variety of approaches will be used including:

- Information through direct council communication (email or letter), the council website, the media and making documents available at all council offices, sub offices and libraries;
- Involvement through questionnaires or on-line or at public events and exhibitions;
- Discussions with statutory consultees, stakeholder groups as well as other interested parties;
- Links with existing community involvement activities and
- Targeted work to engage with those who are traditionally less involved.

Stage 2 – Publication of the Proposed Submission DPD

Following the preparation of the DPD under Regulation 25, new Regulation 27 requires the Council to publish a “Regulation 27 Publication Version” of the DPD for consultation, before it formally submits the DPD to the Secretary of State for examination

The new Regulation 28 requires the Council to invite representations on the Regulation 27 version for a minimum 6 week consultation period. As this is a statutory stage, formal consultation arrangements will apply:

- The DPD and supporting documents will be made available at the Council offices, sub offices and public libraries as well as being published on the Councils website
- Each of the specific consultation bodies listed in Chapter 5 of the Worthing SCI and Appendix 2 of the Adur SCI, with the addition of the Police Authority and the Coal Authority (where considered relevant), will be invited to make representations and will be sent:
 - i) a copy of the proposed submission documents, and
 - ii) a statement of the representation procedure

Publicity and notification of the availability of the documents will also take place through:

- i) direct council communications via e-mail or letter
- ii) advertisements in the local newspapers

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- iii) the Council website

Submission of the DPD for Examination

The council will consider all of the representations made on the Regulation 27 Publication Version of the DPD. If the Council wishes to make a focused change it will:

- i) prepare an addendum to the proposed submission DPD setting out the proposed change;
- ii) conduct a Sustainability Appraisal of the implications and
- iii) consult the community and stakeholders on the addendum for a minimum period of 6 weeks

At the close of this consultation the Council will submit the proposed submission DPD, the first representations, the addendum and responses to the Secretary of State.

Independent Examination

There have been no changes to the Regulations regarding the issuing of a Binding Report and Adoption by the Council.

Changes to the Regulations regarding Supplementary Planning Documents (SPD)

There is no longer a statutory requirement to carry out a Sustainability Appraisal for each Supplementary Planning document.

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