

ROTHERHAM BOROUGH COUNCIL – REPORT TO COMMISSIONER KENNY

1.	Meeting:	Commissioner Kenny's Meeting
2.	Date:	1 May 2015
3.	Title:	Adoption of a Revised Statement of Community Involvement
4.	Directorate:	Environment & Development Services

5. Summary

5.1 The Council's Statement of Community Involvement sets out how we consult on the Local Plan and planning applications. The report outlines the outcome of consultation on a draft revised Statement of Community Involvement. Approval is sought for withdrawal of the current Statement of Community Involvement and adoption by the Council of the revised document.

6. Recommendations

- 1. That the current Statement of Community Involvement be withdrawn.**
- 2. That the Council adopt the revised Statement of Community Involvement.**

7. Proposals and Details

- 7.1 Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) requires the Council to produce a Statement of Community Involvement (SCI). The SCI sets out how and when stakeholders can influence new planning policy documents covering Rotherham, how information will be communicated and the ways in which individuals and organisations can comment on planning applications. It is critical in encouraging engagement in the planning process with the communities and stakeholders of Rotherham and a range of other statutory consultees.
- 7.2 Since the existing SCI was adopted in 2006 the national planning context has changed significantly, particularly with the introduction of the Localism Act (2011), National Planning Policy Framework (2012) and Town and Country Planning (Local Planning) (England) Regulations 2012.
- 7.3 These have introduced changes that mean a SCI is no longer a development plan document and is not subject to independent examination. The contents of what a SCI should contain are also now much less prescriptive. Nonetheless, for a development plan document to be found sound at examination in public it must be demonstrated that it has been prepared in accordance with the Council's adopted SCI.
- 7.4 The current SCI has been reviewed and refreshed to create a new simplified and user-friendly document that is fit for purpose. The former Cabinet approved consultation on the draft document at its meeting of 24 September 2014 (minute C56, 24/09/14).
- 7.5 The Draft Revised SCI was subject to a six-week consultation period between 13 October and 24 November 2014. Representations were received from nine individuals or organisations.
- 7.6 Further detail of the consultation process including a summary of the representations received and the Council's response is set out in the consultation statement at **Appendix 1**.
- 7.7 The key issues raised in the representations received were:
- Comments around the volume of supporting documents made available for Local Plan consultations
 - Concern about the use of the internet for consultations as many, especially older residents have no internet access and there is no alternative
 - Information should be concise, easily accessible and easily navigable on the Council's website
 - Concerns around the number and location of public consultation events

- 7.8 A number of comments were received objecting to the development of particular sites. However, the revised SCI sets out how people will be engaged in the planning process – it does not set planning policy or allocate sites for development.
- 7.9 In response to the representations received a number of changes to the document have been made. These are set out in Table 1 of the Consultation Statement (Appendix 1). In summary the changes:
- Explain how people can be added to our consultation database to ensure they are notified of future consultations
 - Clarify that where consultation documents are placed in libraries or other locations, that relevant staff are fully briefed regarding the consultation purpose and material
 - Clarify that we must balance the need to provide easily understandable information with the need to ensure a transparent process by allowing all relevant documents to be accessible. We will ensure that the information provided through our website is concise, easily accessible and easily navigable
 - Clarify that charges for copies of documents will be limited to the costs of reproduction and postage
 - Emphasise that the Council provides free internet access in all libraries
- 7.10 The text of the revised SCI incorporating the above amendments is included at **Appendix 2**. The final version published on our website may include minor formatting and presentational changes.
- 7.11 Following adoption of the revised SCI the Council will be required to carry out future planning consultations in accordance with the document.

8. Finance

- 8.1 The Planning Policy team budget will meet the costs associated with the production and adoption of the revised Statement of Community Involvement.

9. Risks and Uncertainties

- 9.1 The Council has a statutory duty to prepare and keep up to date a Statement of Community Involvement under The Planning and Compulsory Purchase Act (2004) and The Town and Country Planning (Local Planning) (England) Regulations 2012.
- 9.2 It is important to note that when a development plan document is subject to Examination in Public it is subject to a legal “test of soundness”. The Council must demonstrate the development plan document has been consulted on in accordance with the Council’s SCI. It is also equally important that consultation

on planning applications is carried out in accordance with the SCI so that decisions are not subject to legal challenge.

- 9.3 There are significant tensions in ensuring extensive community participation while meeting the Government's desire for timely determination of planning applications and quicker Local Plan preparation. The revised SCI seeks to balance those aims.

10. Policy and Performance Agenda Implications

10.1 The Local Plan will work alongside the Community Strategy to deliver local priorities for development and shares a common goal for effective and worthwhile community involvement.

10.2 The pre-application procedures promoted by the SCI will contribute to improving the quality and appropriateness of applications submitted. This will help minimise refusals and reduce the percentage of appeals allowed against the authority's decision to refuse planning applications.

11. Background Papers and Consultation

Appendix 1 Revised Statement of Community Involvement: Consultation Statement

Appendix 2 Revised Statement of Community Involvement

Consultation responses are available to view on our consultation website:

http://rotherham.limehouse.co.uk/portal/planning/sci/draft_sci_2014/draft_sci_2014?tab=list

The Council's Development Management team have been consulted and have helped to draft the section of the revised SCI dealing with the development management process.

The Council's Community Engagement team have been consulted to ensure alignment with corporate aims. The draft revised SCI has also been subject to an Equalities Impact Assessment.

Contact names:

Andy Duncan, Planning Policy Manager
01709 823830, andy.duncan@rotherham.gov.uk

Ryan Shepherd, Senior Planning Officer
01709 823888, ryan.shepherd@rotherham.gov.uk