

SOUTH LAKELAND DISTRICT COUNCIL

Council

Date of Meeting: 26 October 2004

Part: 1

Report From: Assistant Director Development

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Report Title: Statement of Community Involvement – Consultation Draft (July 2004)

Summary of Responses and Proposed Changes

Agenda

Item No:

Summary

A public consultation exercise was undertaken in July and August on the Draft Statement of Community Involvement (SCI), a copy of which was sent to all members. This report summarises the results of the consultation exercises and proposes changes to the SCI document, prior to submitting it to the Secretary of State and Planning Inspectorate. The report also incorporates the Planning Portfolio Holder Advisory Group's recommended changes, which were supported when Cabinet considered this report on 14 October.

Recommendations

It is recommended that Council consider and approve the proposed amendments to the Draft Statement of Community Involvement, and add the Statement to the local authority's policy documents under Article 4 of the Constitution.

Report

1. Introduction

This report summarises the results of the consultation exercise on the draft Statement of Community Involvement (SCI) in the summer of 2004, and recommends a series of changes to the document, prior to its initial submission to the Secretary of State and Planning Inspectorate. Their comments will be reflected in a revised version of the SCI for later formal consultation, following formal commencement of the Planning and Compulsory Purchase Act 2004 on 28 September 2004.

The Statement of Community Involvement for the Council's planning responsibilities will form part of an emerging corporate approach to community engagement, in the context of the Council's improvement process. The draft document and consultation exercise were designed to enable lessons to be drawn for this wider purpose.

2. Statement of Community Involvement

A Statement of Community Involvement (SCI) is a requirement of the new Planning and Compulsory Purchase Act 2004. The Act introduces significant changes to the planning system, including the replacement of Local Plans with a new Local Development Framework (LDF). The Act will require the Council to replace the current statutory South Lakeland Local Plan with a Local Development Framework by April 2007, for those parts of the district outside the two national parks.

At the outset of this process a Statement of Community Involvement is required to set out the Council's policy for involving the community in preparing an LDF and also in significant development control decisions. Each LDF document will be expected to show how it complies with the policy on community engagement set out in the SCI.

3. Local Development Framework

The new Local Development Framework is intended to provide more speed and certainty in the preparing statutory land use planning documents. The LDF will have a wider role than the Local Plan. It is expected to form the 'spatial expression' and a delivery mechanism for the Community Strategy and any other Council strategies that relate to the use and development of land. It should provide an agreed vision for the area, signed up to by the community and stakeholders.

The LDF will differ from a Local Plan in comprising a series of documents, including statutory *Development Plan Documents* (DPDs), such as a core strategy, generic development control policies and Area Action Plans. The LDF can also comprise *Supplementary Planning Documents* (SPDs), which will provide policy guidance. Those making representations on DPDs will have a right to an independent examination by an inspector, in so far as they relate to the 'soundness' of the Plan. SPDs will not be subject to independent examination. The SCI is slightly different, in that while it is not a DPD, it will still be subject to independent examination in relation to the soundness of the document. Planning Policy Statement (PPS) 12, published in late September, sets out the tests for a DPD's 'soundness'

4. Consultation Exercise

On 16 July 2004, about 272 organisations and individuals were invited to comment and complete a questionnaire on a Draft Statement of Community Involvement by 31 August. The document was published on the SLDC website together with an on-line questionnaire. A press release was issued and interview held on Lakeland Radio. Copies of the document were also placed at South Lakeland House and local libraries. Appendix A lists the consultees and respondents.

As part of the consultation process, the SCI was reported to the Council's Development Overview and Scrutiny Committee, Planning Committee and the Community Involvement Task Group of the South Lakeland Local Strategic Partnership. Meetings were held with several District Council Groups and arms-length bodies (Policy, Community and Housing, Culture and Tourism, South Lakes Housing) and outside bodies including Voluntary Action Cumbria and Cumbria County Council. These meetings focussed on the following key elements of the draft SCI: -

- The description of South Lakeland's community and its interests, as they relate to land-use planning
- The range of representative organisations set out in Appendix 4 of the SCI document.
- The summary of key issues, which the LDF will need to address, based on a profile of the district.

An Appendix B provides a detailed summary of all the response to the consultation exercises and proposed changes to the SCI document. A copy of Appendix B will be placed in the Members' room and on the Council's website. A copy of this schedule and (in due course) this report will be made available to respondents (copy sent by post) and other consultees (on request). A copy of both will be made available on the SLDC website.

Cabinet supported the results of the consultation on 14 October, together with additional recommendations by the Planning Portfolio Holder Advisory Group, for further consideration by Council on 26 October 2004. Following consideration by Council, the revised draft SCI will be submitted to the Secretary of State and Planning Inspectorate. The comments of both will be reflected in the document before further formal public consultation, in line with the confirmed procedures in the 2004 Act and accompanying regulations.

5. Summary of Responses and Proposed Changes

From around 272 consultees, 60 replies were received – a response rate of 22%. The level and content of response was high, indicating significant interest. Overall the document was well received but with some concerns which need to be addressed. For example, while 73% felt the document provided a clear understanding of how the Council intended to engage the community, a number of consultees requested use of simpler language and a clearer idea of how and when they would be consulted. Some warned of the dangers of ‘consultation fatigue’ and others queried if the Council had the resources to undertake an increased level of community engagement. Many welcomed the opportunities arising from SCI and several offered to work closely with the Council.

Members are asked to consider and approve the main recommended changes to the draft SCI arising from the consultation exercise, which are listed below, under 3 headings.

Main Changes to SCI Document

- Produce a simplified summary version of the SCI document;
- Review the SCI document to use simpler language where possible, including a fuller glossary of terms used and testing of later revisions by a readers’ panel;
- Outline the likely opportunities and techniques of community engagement which the community is likely to expect in the first year (2005/6) of developing an LDF for South Lakeland. (Section 3)
- State the importance of learning from community engagement, and the need to explain to consultees the scope and parameters of engagement and their potential to influence decisions. (Section 4.1)
- Take full account of the statutory requirements now confirmed in the Planning and Compulsory Purchase Act 2004, the accompanying regulations and guidance in Planning Policy Statement 12.

Other Changes to the SCI Document

- Explain further the contribution, which Parish Plans can make to the LDF, including their potential role as supplementary planning guidance.
- Remove or significantly reduce the section on Development Issues (para 3.1) as these are more appropriate to later Local Development Framework documents, rather than the SCI which relates to the process of community engagement; the comments on development issues will be taken into account when the LDF documents are drafted.
- Include an improved map of the South Lakeland LDF area (3.1.1), including those areas in the adjoining national park areas.
- Take account and include most suggestions on communities of interest, representative organisations and engagement techniques.(sections 3.2 and 3.3 and appendix 4)
- Acknowledge that a number of organisations (such as Friends of the Lake District) have a range of interests and will wish to be consulted on all relevant issues in the emerging LDF documents.(section 3.3 and appendix 4)

Procedural Issues

- Report the revised SCI to the Local Strategic Partnership to explore how the emerging LDF documents can become the ‘spatial expression’ and a delivery mechanism for the Community Strategy; and also how the LSP can form part of seeking the LDF’s wider endorsement by the community and stakeholders.
- Meet with the Lake District and Yorkshire Dales national park authorities to explore a coordinated approach across South Lakeland to the LDF and SCI.

- Work with Cumbria County Council (Neighbourhood Development), Voluntary Action Cumbria (VAC) and the National Park authorities, on a joint approach to community engagement, which builds on the experience and current work and experience of these organisations in this field and presents a joint approach to the public.
- List Town Councils separately from Parish Councils in Appendix A and future documents.

6. Conclusion

Members are invited to consider the proposed changes to the draft Statement of Community Involvement.

Alternative Options

None. The preparation of a Statement of Community Involvement will become a requirement of the Planning and Compulsory Purchase Act 2004.

Key Decision

The Statement of Community Involvement appears as a Key Decision) in the Forward Plan for the period 1 August to 30 November 2004. (Ref. No. KD/03/88)

Material Considerations

Financial/Risk

The Statement of Community Involvement will set a framework for public consultation and community engagement in the preparation of Local Development Framework documents. Any additional revenue costs will be met from within existing Planning Services budgets or the Planning Delivery Grant. (The Local Development Framework documents will be prepared in the period to April 2007.)

Staffing

Existing staff will undertake the additional work arising from the Statement of Community Involvement at this stage.

Sustainability

This report does not have any registered significant environmental effects.

Sustainability will be at the heart of the subsequent Local Development Framework documents. In due course, the LDF documents will be subject to sustainability appraisal and strategic environmental impact assessment – the latter, to comply with European Directive 2001/42/EC.

Links to Strategic Plan

This report links to the aim of a 'High Quality Environment' – preparing and reviewing the Council's planning policies to provide guidance for the development of land in South Lakeland (outside the two National Parks)

Equalities

The Draft Statement of Community Involvement takes account of the equalities issue in seeking to define South Lakeland's community and interests relevant to preparing spatial planning documents.

Background Documents

Document: Draft Planning Policy Document 12 – **Contact:** Alastair McNeill x 7352
Local Development Frameworks