

**Bolsover District Council**

**Planning Committee**

**30<sup>th</sup> March 2016**

**Proposed Minor Amendment to the Statement of Community Involvement**

**Report of the Joint Assistant Director of Planning and Environmental Health (written by Planning Policy Manager)**

This report is public

**Purpose of the Report**

- To seek approval for a minor amendment to the wording of the Council's Statement of Community Involvement (SCI)

**1 Report Details**

- 1.1 The Planning and Compulsory Purchase Act 2004 introduced a requirement for local planning authorities to prepare a Statement of Community Involvement. The Statement sets out the steps the Council will take to encourage consultation in respect of the development of planning policy documents and planning applications, particularly in relation to significant proposals. Once adopted the Council has to follow the steps set out in the Statement of Community Involvement.
- 1.2 The Council's current Statement of Community Involvement was originally adopted in May 2006, and updated to reflect factual changes in October 2014.
- 1.3 The proposed amendment relates to the part of the SCI setting out the process for developing the Local Plan. It was intended that consultation would be in line with the statutory consultation, but did not commit the Council to steps that would require significant additional resources. There is concern that that the current wording of one stage of the process is ambiguous and could give rise to the expectation that each representation would have an individual response. Whereas guidance requires that the Council must take into account representations made to them in response to the consultation<sup>1</sup>, and at a later stage in the development of the Local Plan<sup>2</sup> provide a summary of the main issues raised in the representations, and how the representations have been taken into account.

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<sup>1</sup> Under Regulation 18 (3) of The Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> Under Regulation 22 (1) (c) (iii) & (iv) of The Town and Country Planning (Local Planning) (England) Regulations 2012

- 1.4 Legal advice on this matter has been sought, and it is considered that the proposed amendment can be treated as a minor amendment to the adopted Statement of Community Involvement.
- 1.5 The proposed change to the stage is shown below

Stage 2 – Building on Engagement
<p><b>We will:</b></p> <ul style="list-style-type: none"> <li>• <del>Prepare a schedule of representations received, and the Council's initial response to how these will be taken into account as the plan is developed.</del></li> <li>• Record all representations made. Consider them carefully, and take them into account in the further preparation of the Local Plan</li> <li>• Publish summaries of the representations and responses on the Council's website.</li> </ul> <p><b>You can:</b></p> <ul style="list-style-type: none"> <li>• See the Council's response to your representations.</li> <li>• See what other representations have been made, and the Council's initial response(s).</li> </ul>

## **2 Conclusions and Reasons for Recommendation**

- 2.1 The proposed amendment helps to make clear to stakeholders how their representations will be taken into account, without the potential for any ambiguity. It is considered that this will be useful for people wanting to engage in the process of the development of the Local Plan.

## **3 Consultation and Equality Impact**

- 3.1 Other officers involved in the preparation of this report were: Principal Planner (Policy)
- 3.2 Members consulted during the preparation of the report: Councillors McGregor and Munro

## **4 Alternative Options and Reasons for Rejection**

- 4.1 The alternative would be not make this minor amendment to the Statement of Community Involvement. This could lead to the expectation that each representation would have an individual response. Given the large number of representations initially being made in respect of the new Local Plan this has the potential to involve a significant amount of additional work, and would slow down the timetable for the development of the new Local Plan.

## 5 Implications

### 5.1 Finance and Risk Implications

None identified.

### 5.2 Legal Implications including Data Protection

The Council has a statutory duty to prepare a Statement of Community Involvement.

### 5.3 Human Resources Implications

The work has been accommodated in the work plan for the Planning Policy Team.

## 6 Recommendations

- 6.1 That Planning Committee the proposed minor amendment to the wording of the Statement of Community Involvement as outlined below:

<b>Stage 2 – Building on Engagement</b>	
<b>We will:</b>	<ul style="list-style-type: none"><li>Record all representations made. Consider them carefully, and take them into account in the further preparation of the Local Plan</li><li>Publish summaries of the representations and responses on the Council's website.</li></ul>
<b>You can:</b>	<ul style="list-style-type: none"><li>See the Council's response to representations.</li><li>See what other representations have been made, and the Council's initial response(s).</li></ul>

## 7 Decision Information

<b>Is the decision a Key Decision?</b> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
<b>District Wards Affected</b>	All
<b>Links to Corporate Plan priorities or Policy Framework</b>	The Statement of Community Involvement sets out the Council's commitment to encouraging greater public involvement in planning issues.

	<p>As such it affects the following aims:</p> <p>SOCIAL INCLUSION – Promoting fairness and lifelong learning.</p> <p>STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation</p>
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**8 Document Information**

Appendix No	Title
<p><b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
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