

**Bolsover District Council**

**Meeting of the Planning Committee on 27<sup>th</sup> April 2022**

**Report of the Assistant Director: Development**

**STATEMENT OF COMMUNITY INVOLVEMENT: DRAFT  
FOR PUBLIC CONSULTATION**

<b>Classification</b>	This report is Public
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**PURPOSE / SUMMARY OF REPORT**

- To seek approval to consult on a draft Statement of Community Involvement.

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**REPORT DETAILS**

**1. Background**

**The role of the Statement of Community Involvement**

- 1.1 The Council's Statement of Community Involvement sets out how we will engage with the public in the development of our Development Plan documents, during our stage of the Neighbourhood Plan preparation process and on development management cases / planning applications.
- 1.2 We last published the Statement of Community Involvement in October 2017 and this has guided the Council's public engagement on the later stages of the preparation of the Local Plan for Bolsover District. This role is important as one of the Local Plan Examination's tests of legal compliance is whether the Council's public consultation took place in accordance with the Statement of Community Involvement.
- 1.3 In addition, the Statement of Community Involvement has guided the Council's public engagement on planning applications since it was published in 2017. The Statement of Community Involvement is also the appropriate document to refer to

if the Council receives complaints about its consultation methods in both the plan making and development management processes.

- 1.4 The Council's recently published Local Development Scheme highlights that the Statement of Community Involvement needs to be updated by October 2023 as part of the Council's duties to keep planning documents up to date and sets out the timetable for both public consultation on a draft Statement of Community Involvement and adoption.
- 1.5 This report implements this timetable and seeks approval to start a 6-week public consultation exercise on the prepared draft Statement of Community Involvement in May. The findings of this public consultation exercise will be taken into account and a final version prepared, which will be brought back to Planning Committee for adoption in advance of October 2022.

### National Planning Reforms and Public Engagement

- 1.6 The Government published its Planning White Paper in 2020 and this proposed a greater emphasis on effective community involvement to ensure good quality front loading engagement where the White Paper says –

*'democratise the planning process by putting a new emphasis on engagement at the plan-making stage' and '...create great communities through world-class civic engagement and proactive plan-making' (PWP, 2020: pgs. 20-21).*

- 1.7 The Government followed up the Planning White Paper in 2022 with its Levelling-up White Paper, which amongst its many proposals also seeks a:

*'Review of neighbourhood governance in England' and to make it 'easier for local people and community groups to come together, set local priorities and shape the future of their neighbourhoods' (pg. 215).*

- 1.8 Whilst these national reforms need to go through several further iterations to become law, it is considered that both White Papers provide a good indication about the direction of travel the Government wishes to see in relation to public engagement. Furthermore, the Council is a pilot authority for the Government's digital planning reforms and their PropTech Engagement Fund, and we are trialling some of the latest techniques to strengthen public engagement.
- 1.9 How these reforms may ultimately affect the role of the Statement of Community Involvement are yet uncertain, but the Council will monitor the situation and will respond as appropriate whilst seeking to make its own progress and continue to innovate for the benefit of the District's communities.

## **2. Details of Proposal or Information**

- 2.1 The prepared consultation draft Statement of Community Involvement forms an appendix to this report and sets out how the Council will engage with the public when carrying out its planning functions.

- 2.2 The format of the document has been reviewed and updated with a view to making the information more accessible by creating a slimmer, more concise document and moving procedural information into a series of appendices. The document includes lots of web links where further information can be found. Whilst the overall content has not changed significantly since last time, this version represents a welcome 'refresh'. It is intended that the document that will be issued for public consultation will be made to look more colourful and appealing, with the final version being prepared in line with corporate design standards.
- 2.3 The document is structured as follows and a brief summary of each section is provided below:
- Introduction
  - Plan Making
  - Neighbourhood Planning
  - Planning Applications
- 2.4 The Introduction sets out some basic general principles in line with Vision Bolsover where we are committed to increasing customer satisfaction with our services, improving customer contact and removing barriers to accessing information, and actively engaging with partners to benefit our customers and promoting equality and diversity and supporting vulnerable and disadvantaged people.
- 2.5 The Plan Making section covers how the public can expect to get involved in plan making and covers involvement in the preparation of the Local Plan, Supplementary Planning Documents and Non-Statutory Growth Plans. It also sets out how the public can respond to consultations and how we will consider comments.
- 2.6 Importantly, this section also sets out a number of specific options that the Council could choose to do that would exceed the minimum requirements of the Town and Country Planning (Local Planning) (England) Regulation 2012. These options are as follows:
- Publish a Consultation Response Information sheet or a guidance note that would set out the type of comments that are acceptable e.g. material considerations and explaining how we use evidence to help inform and change our policies.
  - Station a Planning Policy member of staff for at least 3 days within each of the District Offices at Shirebrook, Bolsover and South Normanton (or other suitable alternative venues) for each local plan consultation period. This is to be more accessible to other areas who may find it inconvenient to travel to Clowne to speak to a planning policy officer.
  - Have at least 1 Saturday morning drop in session in the district to have at least some availability to those people who cannot make a weekday or evening drop in session.
  - Offer to hold a meeting(s) with key representatives of General Consultation Bodies / community groups with elected members in

attendance, where we will explain the process and the background to any policy, and listen to their concerns.

- Offer to establish Local Plan Resident Forums where residents can be invited to meetings to discuss the current position within the Local Plan timetable and where we can explain in much greater detail what we are doing. Elected members would also be invited in an observational capacity. The number of, frequency of, and geographical coverage of such forums would depend upon levels of interest.
- Consult directly by letter all properties affected by a draft site allocation in the same way as we would an outline planning application, unless it already has planning permission. Engagement cannot be effective if people do not know about something to start with. But engagement must be proportionate. We cannot consult about every site allocation included within a plan, but we can consult on each of the following types of allocation:- residential, employment, gypsy and traveller, travelling show-people and retail, town centre and tourism uses.
- Offer to hold a meeting(s) with the Showmen's Guild, Access Bolsover and any Eastern European groups in the district.
- Continue to meet with the County wide Gypsy and Traveller Liaison working group that meets twice yearly and also one to one with the Derbyshire Gypsy Liaison Group itself.
- More regular meetings with Parish Councils
- After evaluating the Shirebrook Growth Plan consultation, consider using 'mobile phone' outreach methods to achieve higher engagement.

2.7 These options will form a key part of the public consultation on the draft Statement of Community Involvement and we will specifically ask our local communities if these would help or encourage their engagement in the Council's plan making processes. All of these options will impact on staff resources but officers will put together a report on how they could be delivered if the options receive good public support.

2.8 The Neighbourhood Planning section explains how the public can get involved in the Neighbourhood Planning process and the Neighbourhood Development Order process, providing links to existing publications such as the Neighbourhood Planning Protocol and to the Parish and Town Councils that prepare these neighbourhood planning documents. Alongside the stated options being put forward for consideration above, we will also invite during the consultation exercise the public's comments about how engagement could be improved in respect of neighbourhood planning.

2.9 The Planning Applications section covers how the public can get involved in development management cases and outlines the planning application process. It also covers public engagement in Planning appeals, Pre-application consultations, Planning Enforcement and Complaints. Alongside the stated options being put forward for consideration above, we will also invite during the consultation exercise the public's comments about how engagement

could be improved in respect of planning applications.

### Consultation proposals

- 2.10 There is no statutory requirement to consult on draft Statements of Community Involvement but we have consulted on previous draft versions and it is common practice to do so. Ultimately, this proposed consultation exercise is the public's opportunity to talk to us about how they'd like to be consulted and therefore it is felt that public engagement on the preparation of a refreshed Statement of Community Involvement is important.
- 2.11 As outlined above, as part of this consultation it is proposed that in addition to asking people for comments on the draft Statement of Community Involvement, we ask specific questions about the listed options and ask for any other suggestions the public may have.
- 2.12 To publicise this consultation exercise, it is proposed that the Council will:
- write to everyone on the Planning Policy consultation database to notify them of the start of the consultation exercise and where to find the document;
  - publicise the consultation on Bolsover TV, the Council's website and Ask Derbyshire websites;
  - make the draft Statement of Community Involvement available online and place a physical copy at publically accessible venues such as Libraries, Customer Contact Centres including our offices, and others where appropriate.
- 2.13 It is proposed that this consultation exercise commences on Friday 6<sup>th</sup> May and runs for 6 weeks through to Friday 17<sup>th</sup> June 2022.
- 2.14 Finally, responses to the consultation will be presented to Members of the Local Plan Steering Group for discussion prior to reporting a final version of the Statement of Community Involvement back to Planning Committee in September / October 2022.

## **3. Reasons for Recommendation**

- 3.1 The Council's new Local Development Scheme (February 2022) sets out the timetable for the preparation of a new Statement of Community Involvement by October 2022.
- 3.2 This report implements this timetable and seeks approval to start a 6-week public consultation exercise on the prepared draft Statement of Community Involvement in May.

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

- 4.1 One alternative option available to the Council would be to choose to wait until more is known about how the Statement of Community Involvement will fit into the Government's planning reforms. However, given progress with the national

reforms is not certain, this could mean that the Council would not have an up-to-date Statement of Community Involvement by October 2022 and this option has therefore been rejected.

- 4.2 A further alternative option available to the Council would be to just re-issue the Statement of Community Involvement in the same format as it was last approved 2017. However, it is considered that this would reduce the chance to review its practice in light of the aspirations within Vision Bolsover and best practice from further afield and this option has therefore also been rejected.

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## **RECOMMENDATION(S)**

That Planning Committee:

Approve the draft Statement of Community Involvement (as attached at Appendix A) for a public consultation exercise as outlined in the above report.

Approved by Portfolio Holder for Corporate Governance

### **IMPLICATIONS:**

**Finance and Risk:**            Yes             No

**Details:** There are no specific finance or risk issues arising from this report.

On behalf of the Section 151 Officer

**Legal (including Data Protection):**            Yes             No

**Details:** There are no specific legal or data protection issues arising from this report

On behalf of the Solicitor to the Council

**Staffing:**            Yes             No

**Details:** There are no human resources implications arising from this report. Decisions around staffing levels within the Planning Policy team will be raised in the report to the Employment and Personnel Committee.

On behalf of the Head of Paid Service

## DECISION INFORMATION

<p><b>Is the decision a Key Decision?</b>  A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p><b>BDC:</b>  <b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/>  <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p><b>Is the decision subject to Call-In?</b>  <i>(Only Key Decisions are subject to Call-In)</i></p>	No

<p><b>District Wards Significantly Affected</b></p>	ALL
<p><b>Consultation:</b>  <b>Leader / Deputy Leader</b> <input checked="" type="checkbox"/> <b>Executive</b> <input type="checkbox"/>  <b>SLT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/>  <b>Members</b> <input checked="" type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/></p>	<p>Yes</p> <p>Details: Councillor Duncan McGregor, Portfolio Holder for Corporate Governance</p>

<p><b>Links to Council Ambition: Customers, Economy and Environment</b></p>
<p>Focussing on Our Customers  Focussing on Our Economy  Focussing on Our Environment</p>

<p><b>DOCUMENT INFORMATION</b></p>	
<p><b>Appendix No</b></p>	<p><b>Title</b></p>
<p>A</p>	<p>Consultation Draft Statement of Community Involvement</p>

<p><b>Background Papers</b></p>
<p><i>(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)</i></p>
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