

Draft SCI Consultation Responses 2013

Paragraph No:	Summary of Issues Raised	Officer Response	Proposed Amendment to SCI
General	General and specific support for the document and involving the community in the preparation, alteration and review of the Council's planning policies, plans and decisions.	Noted and welcomed.	None.
General	Draft Statement of Community Involvement was very easy to read and accessible. The information was clear and there were good signposts to the relevant legislation and regulations that underpin the SCI.	Noted and welcomed.	None.
General	Key issue will be how successfully it works out in practice with respect to getting the wider public involvement sought for the policy documents. Past community meetings have tended to be dominated by those who might be classed as "NIMBY" or otherwise comparatively narrow focussed.	Noted.	None.
General	In the context of the duty to cooperate the Statement of Community Involvement should also consider how the Council will deal with strategic priorities that cross administrative	Acknowledged that the Draft SCI is silent on the duty to co-operate. New paragraph 2.1.6 drafted to cover duty to co-	Add new paragraph 2.1.6: "In recognising that in many cases there are very strong

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	boundaries.	operate issues; however, as the nature of involvement will vary depending on issues apparent in each individual case, this should not be prescriptive of method.	reasons for neighbouring local authorities, or groups of authorities, to work together on planning issues in the interests of all their local residents, the Government introduced the duty to co-operate via the Localism Act, 2011. The Council is cognisant of the duty and will engage constructively and actively in this process. It is also recognised that, with the requirement being of an on-going nature, the form and method of contact will be likely to vary according to the type of issue concerned and the relevant bodies involved. Therefore, no prescriptive method of consultation is proposed in respect of the duty to co-operate in the SCI.”
1.1.4	While the Statement of Community Involvement outlines the intent to try to engage hard to reach groups it does not identify what measures the Council proposes	Paragraph 1.1.4 sets the context in acknowledging that some people are harder to involve in public consultation than others.	Add to end of paragraph 1.1.4: “The following section details the guiding principles that set out

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	<p>or any particular methods that may be used to try and encourage greater engagement to ensure the views from seldom heard groups are obtained.</p>	<p>While there may not be explicit reference to particular methods designed to reach specific groups in the later text, the guiding principles set out inclusive engagement methods that the Council will use to encourage participation by people of all backgrounds.</p> <p>An additional sentence should be added to the paragraph to explain this, and a further bullet point added to paragraph 2.1.1 to include information being available on the internet.</p>	<p>inclusive engagement methods that the Council will use (making use of current guidance and good practice) to encourage participation by people of all backgrounds.”</p> <p>Paragraph 2.1.1 – New bullet point also to be inserted after third bullet point to state:</p> <p>“Emphasis is placed on making material accessible on the Council’s website to ensure that information on consultations is made widely available;”</p>
4.0.4	<p>What happens if a Parish Council decide not to produce a formal Neighbourhood Plan (for example because they have not got the resources or cannot fund it)?</p>	<p>The production of Neighbourhood Plans is discretionary. If no Plan is produced then the policies of the District Plan will apply.</p> <p>However, as this matter is beyond the scope of a document concerned with consultation procedures, no amendment to</p>	<p>None.</p>

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		the SCI is considered necessary in this respect.	
4.0.4	If a Parish Council consults the local residents and others as best they can, will the outputs of this consultation be used by EHC Planning as part of their fact base/guidance?	<p>Consultation outputs will be considered as part of the evidence base to be taken into account to inform decisions, in much the same way as Parish Plans are being used to inform the emerging District Plan, where relevant.</p> <p>Once the District Plan has been adopted, outputs would be taken into account, provided that they are in conformity with strategic policies in the District Plan. Where a community produces a Neighbourhood Plan, subject to examination and referendum, this will form part of the District Plan and will be accorded the same weight as the District Plan.</p> <p>However, as the SCI is not the appropriate mechanism to provide full guidance on</p>	None.

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		<p>Neighbourhood Planning (the Council has produced a separate Neighbourhood Planning document) and the manner in which all consultation responses will be taken into account is covered generally in paragraph 3.7.1, no amendment to the SCI is considered necessary in this respect.</p>	
4.0.4	<p>If the LDF Plan makes an allocation of X% dwellings to be developed in the villages and a particular village does not produce a formal NP, how will EHC planning decide where to permit the development of the allocated development target, and what sort of commercial and social houses?</p>	<p>It is anticipated that, should any (as yet to be determined) provisions of the emerging District Plan not be met then an Allocations DPD, to follow after the production of the District Plan, will address this matter in due course.</p> <p>However, as this matter is beyond the scope of a document concerned with consultation procedures, no amendment to the SCI is considered necessary in this respect.</p>	None.
5.4.1	By neighbours immediately abutting the	All neighbouring properties	After "Notify neighbours

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	property do you include where the rear gardens butt up end to end as well as those on either side?	sharing a common boundary will be consulted. Additional text to be added to this effect.	immediately abutting the property concerned” add: “wherever a common boundary is shared,”
5.4.1	It may be useful to provide information regarding how long a period of public consultation will be for the type of planning applications under paragraph 5.4.1.	<p>Consultation periods can vary depending on the type of application and various stages in the decision making process and the suggestion would involve adding a complex section that would not be commensurate with the level of detail in the remainder of the document or aid ease of use for the reader. The existing proposed footnote provides full details of the minimum requirements that must be met.</p> <p>However, as consultation at the initial application stage is for at least 21 days additional text could be added to the paragraph to reflect this.</p>	<p>In between first two sentences insert:</p> <p>“Initial consultation at the application stage will be for a period of not less than 21 days.”</p>
5.6.2	Applications determined by the Development	This matter is considered beyond	None.

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	<p>Control Committee, in accordance with the criteria set out in the Council's Constitution. Section F para (v) of the Constitution states "Where the application is one where a member considers that delegated powers should not be exercised by the Director of Neighbourhood Services in which case the member must notify and obtain the written agreement of the Chairman of the Development Control Committee in writing stating why he/she should not determine the application.</p> <p>It is felt that this is not a transparent process and Parish and Town Council's should be able to request that an application is referred to the Development Control Committee providing that certain (to be decided) criteria applies. There are occasions when an application is not major development but has such a significant effect on the community it warrants consideration by the Development Control Committee. The current process delegates the decision to the Committee Chairman and is not democratic.</p>	<p>the scope of this document, which is concerned with consultation procedures rather than regarding constitutional matters and application processes.</p> <p>However, it should be noted the current arrangements do allow for a local member to request that an application is referred to the (now) Development Management Committee. Town and Parish Councils are of course at liberty to approach their local members to ask them to take such a course of action.</p> <p>No amendment to the SCI is considered necessary in this respect of this issue.</p>	
5.7.2	"oral" is more accurate than "verbal".	Agreed.	Replace "verbal" with "oral".

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Appendix 1	<p>British Waterways having transferred to the charitable sector and now known as the Canal & River Trust, wishes to ensure that [the Council] continues to view the Trust a key Delivery Partner and be kept informed of any planning consultations within its buffer zone as provided by the Trust on a GIS layer to the Council and also wish to continue to be notified of any Planning Policy document consultations.</p>	<p>Following the change from British Waterways to the Canal & River Trust, this body continues to be consulted by the Council in respect of relevant planning applications in the same way as previous to being transferred to the charitable sector.</p> <p>The Canal & River Trust is also registered on the Council's planning policy database to be informed of all planning policy consultations as they occur.</p>	None.
Appendix 1	<p>The County Council as Minerals and Waste Planning Authority would like to ensure that the SCI is clear in relation to all of the relevant persons that should be required to be consulted for plan making purposes. In addition to the general consultation bodies listed in appendix 1, it may be worth adding in the bodies that should be consulted as part of an authority's duty to co-operate requirement as specified in part 2 of the Town and Country Planning (Local Planning) (England)</p>	<p>Agreed that reference to duty to co-operate bodies and the relevant Regulations would provide added value to the document and should be included in the text.</p>	<p>Paragraph 3.2.1 – In first sentence, insert after “Specific and General consultation bodies who must be consulted by the Council”:</p> <p>“, and those bodies who should be consulted as part of the duty to co-operate requirement,”</p> <p>and add to the end of footnote:</p>

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	<p>Regulations 2012. It should also be acknowledged that the amendment to these Regulations came into force on 12 November 2012 known as The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 (<i>SI 2012/2613</i>) which includes “local nature partnerships” as additional persons with whom local planning authorities and county councils must co-operate in achieving sustainable development.</p>		<p>“and the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012.”</p> <p>Appendix 1 – Add Duty to co-operate bodies as specified in Part 2 of the Town and country Planning (Local Planning) (England) Regulations 2012 and the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012.</p>
Other	Request to be advised of revised timelines for adoption of the elements covered in the District Plan	Not appropriate for inclusion in SCI. However, all those registered on the Council’s planning policy database will be advised of all future District Plan consultations as they occur and the opportunity to request notification of adoption of documents, as appropriate.	None.