

MAIDSTONE BOROUGH COUNCIL

CABINET MEMBER FOR PLANNING, TRANSPORT AND DEVELOPMENT

REPORT OF THE DIRECTOR OF CHANGE, PLANNING AND THE ENVIRONMENT

Report prepared by Emma Boshell

Date Issued: _____

1. STATEMENT OF COMMUNITY INVOLVEMENT CONSULTATION DRAFT 2012

1.1 Key Issue for Decision

- 1.1.1 To consider the draft Statement of Community Involvement 2012, and to approve the document attached at Appendix A to this report for public consultation.

1.2 Recommendation of the Director of Change, Planning and the Environment

That, subject to the views of the Spatial Planning Strategy Advisory Group, the Cabinet Member for Planning, Transport and Development approves the draft Statement of Community Involvement 2012 (attached at Appendix A) for public consultation.

1.3 Reasons for Recommendation

- 1.3.1 Section 18 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to prepare a statement of community involvement (SCI). The SCI sets out how and when stakeholders and the local community can participate in the preparation of local planning policy documents and planning applications. Maidstone's current SCI was adopted in 2006 but is now considerably out of date due to recent changes to planning legislation, in particular the procedures for producing local plans and changes in how we consult on planning applications. These changes are set out in The Town and Country Planning (Local Planning) (England) Regulations 2012 and in the National Planning Policy Framework 2012 (NPPF). In addition, the NPPF highlights the importance of community involvement and paragraph 69 states that 'local planning authorities should aim to involve all sections of the community in the development of local plans and in planning decisions'.

1.3.2 With these changes in mind, the SCI has been updated to reflect new plan making policy and development management procedures. Thus, the SCI comprises:

- An introduction, including an explanation of how the document fits into the wider plan making process;
- Key principles of community involvement, which summarise the benefits of engaging with the community as well as well as setting out the 'duty to cooperate' as required by the Localism Act 2011;
- Community involvement in the local planning policy framework;
- Community involvement in planning applications;
- A glossary of terms to assist the reader with the terms used throughout the document.

1.3.3 The 'community involvement in the local planning policy framework' chapter sets out how the Council intends to involve the community in the preparation of local planning policy documents, and the methods to be used. Since differing levels of engagement apply for different types of document, flow charts and tables have been used with clear 'The Council Will' and 'You Can' headings to guide the reader to the relevant section. The role that members play in engaging the public in the consultation process is also set out. The Spatial Policy consultation database is used to keep registered individuals, organisations and groups informed on the development and production of any local planning policy documents, and the SCI explains how a member of the public can request to be added to the database.

1.3.4 The 'community involvement in planning applications' chapter sets out how the Council intends to involve the community in planning applications. Emphasis is placed on pre-application discussions between a potential applicant and the local community, and the Council expects applicants to submit proposals that take account of the views of the community, in accordance with NPPF requirements. The Council encourages potential applicants to make full use of its pre-application advice and validation checking services to achieve an early resolution to any problems that may arise. The role that members and parish councils play as part of pre-application discussions is also set out. Tables presenting the procedures of different types of planning applications and how the community can get involved have been used with clear 'The Council Will' and 'You Can' headings to guide the reader to the relevant section.

1.3.5 The updated SCI will form the basis of the Council’s approach towards consulting the public when preparing local planning policy framework documents and when determining planning applications.

1.3.6 There is no longer a duty to consult the public on the SCI and some local planning authorities have updated their documents and adopted them without any consultation. However, it is considered good practice to consult the public on this document. It is proposed to place a public notice in the Kent Messenger and to publish the document on the Council’s website, and in addition to statutory consultees to advise residents, businesses and parish councils that they have the opportunity to comment on the document. The consultation will run for 4 weeks.

1.4 Alternative Action and why not Recommended

1.4.1 An alternative action is to retain the 2006 Statement of Community Involvement and not update it, but the document would then not reflect current legislation and practices.

1.5 Impact on Corporate Objectives

1.5.1 The SCI supports the objective of corporate and customer excellence.

1.6 Risk Management

1.6.1 There are no risks arising from the updated SCI. To retain the 2006 SCI could have legal implications.

1.7 Other Implications

1.7.1

1. Financial	X
2. Staffing	X
3. Legal	X
4. Equality Impact Needs Assessment	
5. Environmental/Sustainable Development	
6. Community Safety	
7. Human Rights Act	
8. Procurement	

9. Asset Management

1.7.2 The type of consultation undertaken may have financial and staffing implications. These are expected to be accommodated within existing budgets and the staffing structure. The Head of Legal Services supports the updating of the SCI, in particular to accord with current practices.

1.8 Relevant Documents

1.8.1 Appendices

1.8.2 Appendix A – Statement of Community Involvement Consultation Draft 2012.

1.8.3 Background Documents

1.8.4 None.

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, when did it first appear in the Forward Plan?

26 September 2012.

This is a Key Decision because: the SCI affects more than one ward.

Wards/Parishes affected: all wards and parishes.

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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