

**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 2013 – ADOPTION**

1.1 Key Issue for Decision

1.1.1 To consider the responses and proposed changes to the Statement of Community Involvement Consultation Draft 2012 (attached at Appendix A), and to adopt the document attached at Appendix B to this report.

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

1.2.1 That, subject to the views of the Spatial Planning Strategy Advisory Group, the Cabinet Member for Planning, Transport and Development:

- i. considers the responses and proposed changes to the Statement of Community Involvement Consultation Draft 2012 (attached at Appendix A); and
- ii. adopts the Statement of Community Involvement 2013 (attached at Appendix B).

1.3 Reasons for Recommendation

1.3.1 Following approval from the Cabinet Member for Planning, Transport and Development, the Statement of Community Involvement Consultation Draft 2012 underwent a five week consultation, from 7 December 2012 to 11 January 2013. Whilst there is no longer a duty to consult the public on the statement of community involvement (SCI), it is considered good practice to do so.

1.3.2 A public notice was placed in the Kent Messenger on Friday 7 December 2012, the document was published on the council's website, and copies were placed in The Gateway and in local libraries. In addition to statutory consultees, residents, businesses and parish councils were notified that they have the opportunity to comment on

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the document through the circulation of the council's Planning Viewpoint newsletter which went out to all contacts on the Spatial Policy consultation database. Representations were received via the online consultation portal, by email and by letter.

1.3.3 A total of 18 organisations and individuals responded to the consultation, submitting 28 comments. Out of these the majority were observations (14) and comments of support (13) with one objection to the document.

### 1.3.4 Key Issues arising from the Consultation Responses

1.3.5 There are four key issues arising from the consultation responses. These issues are highlighted below, with the proposed changes and additional minor amendments set out in Appendix A. The changes have been incorporated into the amended Statement of Community Involvement 2013 attached at Appendix B.

**Statutory consultees for planning applications** – whilst Appendix 1 of the SCI lists the statutory consultees the council consults during the preparation and development of its local planning policy documents, some respondents felt that the list of statutory consultees the council consults on planning applications was missing. It is therefore proposed to include this list of statutory consultees in Appendix 2.

**Methods of consultation for applications for works to protected trees and trees in a conservation area** – whilst the tables in Chapter 4 of the SCI list the consultation processes for major, householder and other planning applications, one respondent raised the issue that the consultation process for dealing with applications for works to protected trees and trees in a conservation area had not been addressed. It is therefore proposed to include an additional table listing the consultation process for these types of applications.

**Involvement of local ward members in pre-application discussions** – community involvement and consultation at the pre-application stage is set out in detail in Chapter 4 of the SCI. However, one respondent seeks guidance on how local ward members can get involved in pre-application discussions, particularly if they are members of Planning Committee. It is therefore proposed to include an additional sentence stating that, when involved in pre-application discussions, local ward members should adhere to the Maidstone Borough Council Planning Code of Conduct.

**Clarification of terms** – some respondents seek clarification of the terms used throughout the document. It is therefore proposed to include additional terms in the glossary.

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In addition, it was suggested by the Head of Legal Services to complete an Equality Impact Assessment (EqIA) for the SCI. Attached at Appendix C, the EqIA ensures that the SCI does not discriminate against any disadvantaged or vulnerable people.

### 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 meets the council's objectives of corporate and customer excellence, and supports the council's Corporate Equality Policy.

### 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 as it does not accord with current practices.

### 1.7 Other Implications

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

1.7.1 There are no specific implications arising from the revisions to the SCI other than a requirement to undertake an equality impact assessment (attached at Appendix C). The SCI is a procedural document, focusing on how the council engages with the local community.

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### 1.8 Relevant Documents

#### 1.8.1 Appendices

Appendix A – Proposed changes to the Statement of Community Involvement Consultation Draft 2012

Appendix B – Statement of Community Involvement 2013

Appendix C – Equality Impact Assessment

#### 1.8.2 Background Documents

1.8.3 None.

#### **IS THIS A KEY DECISION REPORT?**

Yes

No

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

5 March 2013

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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