
TITLE: Local Plan Review Update and Statement of Community Involvement

Committee: Full Council

Date: 22 October 2015

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[Q91]

1.0 ISSUE

1.1 For Council to agree a set of principles for the preparation of the review of the Local Plan, including agreeing a new Statement of Community Involvement, so that officers can prepare a plan with the confidence that it meets Members expectations. Agreeing the setting up of a Member Working Group to help steer the preparation of the Local Plan.

2.0 RECOMMENDATION(S)

2.1 That Council:

- (A) Agrees a set of principles, as attached at Appendix A, for preparing the review of the Local Plan; and
- (B) Adopts an updated Statement of Community Involvement (SCI), as attached at Appendix B; and
- (C) Agrees to the setting up of a non-decision making Working Group to assist Member involvement and understanding of the preparation of the Local Plan, together with agreeing Terms of Reference for such a Group as set out at Appendix C; and
- (D) Subject to (C), agree the Members to sit on the Working Group (nominations are given at 3.26 of this report).

3.0 BACKGROUND/OPTIONS

Introduction

3.1 At your meeting of 16 July 2015, it was agreed that a new Local Plan be prepared. It was further agreed that the first consultation round would be February - March 2016.

3.2 The purpose of this report is to:

- ensure Members are kept fully informed on progress with the preparation of the **Local Plan**;
- agree a set of **Local Plan ‘principles’**, so we are clear how the new Local Plan will look and be prepared;

- agree a new '**Statement of Community Involvement**' (SCI), a statutory document which sets out the 'how' we will consult on planning matters;
- agree whether or not a **Member Working Group** should be set up, to help steer the preparation of the Local Plan between the formal meetings of Full Council.

3.3 This report takes each of the above four items in turn.

Local Plan Update

3.4 Work on the Plan is progressing well, and we remain on track for Full Council to receive a Preliminary Draft Local Plan at your meeting on 7 January 2016, which in turn will enable the planned consultation in February – March 2016 to take place.

3.5 There has been considerable staffing changes in the team. Indeed, the Strategic Planning Team has a completely new set of staff compared with the team which prepared the bulk of the April 2015 Adopted Local Plan, with staffing (2.5FTE) predominantly provided by an SLA agreement with Peterborough City Council, as agreed at Corporate Governance & Finance Committee on 28 September 2015. The new team has bedded in, with clear roles and responsibilities.

3.6 The first statutory stage of preparing the new Local Plan was completed at your July 2015 meeting (adoption of a Local Development Scheme, which set out a timetable for plan production).

3.7 The second statutory stage, namely consultation on a Sustainability Appraisal Scoping Report, is underway and completes on 23 October 2015. The Scoping Report is a technical document which sets out background environmental and other sustainability related information, and seeks to agree a set of 'sustainability objectives' against which the Local Plan will be tested. Whilst anyone can comment on the Scoping Report (it is available on our website), its main audience is a select few organisations which have a duty to consider Scoping Reports (eg Natural England).

3.8 The third statutory stage is the aforementioned consultation on an emerging Local Plan, which is scheduled for February – March 2016. Further updates on this matter will be raised with Members in due course.

Local Plan Principles

3.9 Whilst there is no requirement to undertake this task, experience has shown that agreeing a set of 'principles' at a very early stage in the preparation of a Local Plan can prove extremely helpful. Agreeing such principles give confidence to all involved, including our communities, as to what the broad approach and scope of the new Local Plan will be.

3.10 The principles need to be established with some key objectives in mind:

- Ensuring a plan can be adopted by early 2018, within the resources available at our disposal.
- Ensuring the plan maximises its chances of success at Examination.
- Ensuring the plan is accessible to all, whether someone works as a professional in the industry or is simply an interested member of a community.

3.11 Members are asked to consider the recommended set of principles, which are set out in Appendix A. As can be seen, Appendix A also includes 'rejected' alternative option(s).

Statement of Community Involvement (SCI)

3.12 Planning is a high profile and potentially contentious subject, whether that be plan-making or determining planning applications. It is therefore essential that a local planning authority sets out a clear approach on all planning matters.

3.13 It is also a statutory requirement (see Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended)) for the Council to set out how it will consult the public on planning matters, in a document entitled 'Statement of Community Involvement' (SCI).

3.14 As such, an SCI seeks to ensure that:

- The public has full and up to date knowledge of the planning process and know exactly how and when to get involved;
- Officers prepare plans and deal with planning applications, in the knowledge that they are being prepared in accordance with Members wishes with respect to public engagement and consultation; and
- Members have confidence that a robust, fair and consistent process is in place.

3.15 The Council's current SCI was adopted on 22 May 2012. However, it is considered important to prepare a refreshed SCI due to:

- (a) a number of legislative and policy changes nationally; and
- (b) the commencement of a new Local Plan

3.16 The legislation and national guidance behind an SCI has been dramatically reduced over the years (the early ones had to go through formal consultation, examination and Inspector's Reports, etc). In short, a local planning authority can update and adopt an SCI as and when it sees fit.

3.17 However, the important point to remember is that once adopted, the local planning authority must follow what it says in the SCI. If it did not do so (whether that be for plan making or determining planning applications), it would be open to legal challenge. It is essential, therefore, that we get it right, neither committing ourselves to do too much (and not being able to meet such commitments) or too little (and not meet Member / public expectations of involvement).

- 3.18 The starting point for the commitments to be made in an SCI are the minimum legal requirements for consultation, as set out in various Acts and Regulations. Thereafter, local planning authorities have the freedom to set whatever commitments it likes in terms of going beyond the legal minimum.
- 3.19 However, it is recommended by officers to keep the refreshed SCI as simple as possible by:
- Committing ourselves legally via the SCI to undertake broadly the legal requirements as set by legislation for plan making and planning applications, but highlight that the Council might go beyond such minimum commitments during the process of preparing a plan or when consulting on a planning application i.e. the commitments made are seen as a 'floor' as to the extent of consultation to be undertaken, rather than a 'ceiling'.
 - Not consult on a draft SCI, but instead adopt it and refresh it again whenever it is seen appropriate to do so.
- 3.20 By following the above approach will have the benefit of:
- Minimising the risk of legal challenge on plan making and planning applications;
 - Minimising resources spent on preparing the SCI, enabling the team to focus on plan making; and
 - Enable flexibility for the Council to go beyond the commitments set out in the SCI for any particular type, scale or location of planning applications.
- 3.21 Members are therefore asked to endorse and adopt the attached SCI. It should be noted, however, that should Members seek to reduce the commitments set out in the SCI as presented, then there is a significant risk that such a reduction would push our commitments below the minimum legal requirements. This, of course, will need to be avoided. Officers will be able to advise on such matters if need be.
- 3.22 Should Members wish to commit to greater consultation than set out in the attached SCI, then it has the freedom to do so, though of course Members should be mindful of the commentary set out in this agenda report.

Member Working Group

- 3.23 The Council's constitution confirms that decisions on the Local Plan is a matter for Full Council. There is no recommendation to amend this approach.
- 3.24 However, in order for greater Member involvement and awareness of the Local Plan as it progresses between formal meetings of Full Council, it is proposed that a Working Group be set up.
- 3.25 Should Members approve the creation of such a Working Group, then Appendix C sets out the proposed principles for the Working Group together

draft terms of reference for such a Group, which Members are asked to endorse.

3.26 In terms of nominations to the Working Group, following consultation with the Leader and the Member Champion for Strategic Planning, the following Members are nominated for inclusion on the Working Group:

- Cllr Coralie Green (Conservative) (Strategic Planning Member Champion)
- Cllr David Brown (Conservative)
- Cllr Ian Bovingdon (Conservative)
- Cllr Steve Cheetham (Conservative)
- Cllr Julia Huffer (Conservative)
- Cllr Josh Schumann (Conservative)
- Cllr Derrick Beckett (Independent)
- (TBC) (Liberal Democrat)

3.27 Members are asked to approve or otherwise the list of nominations above.

3.28 Separate to the Working Group, the intention is that all Members will be kept informed of progress on the Local Plan, through means as appropriate to addressing the issues at that point in time. The Member Champion for Strategic Planning (Cllr Coralie Green) is also a key avenue for Members to raise issues and suggestions, which can then be fed into the Local Plan preparation process.

4.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

4.1 Directly, there is very limited financial implications with the recommendations of this report, and such costs can be met within agreed budgets.

4.2 Equality Impact Assessment (INRA) completed – Appendix D

5.0 APPENDICES

Appendix A – Local Plan Principles

Appendix B – Statement of Community Involvement

Appendix C – Local Plan Working Group – Proposed terms of reference

Appendix D - Equality Impact Assessment

Background Documents

None

Location

Room12A
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Ely

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Appendix A: Local Plan Principles

PRINCIPLE	WHAT THIS MEANS IN PRACTICE	Rejected Alternatives
<p>Principle 1: A single Local Plan with an end date of 2036</p>	<p>A single Local Plan will contain all the development plan policies for East Cambridgeshire. The plan will include policies and proposals to 2036 so that infrastructure providers can plan with certainty.</p>	<p>Legally, the Council could decide to prepare a set of Local Plans, rather than a single plan. However, this is costly, time consuming and can lead to confusion. It is also not 'best practice'.</p>
<p>Principle 2: A short, readable Plan</p>	<p>The structure of the plan will be constructed to tell the 'story' of what the plan is trying to achieve. The number of policies will be kept to a minimum (aim: 30 or less) and to only those which are necessary.</p> <p>The policy and supporting text will be brief, clear, plain English and reserved for essential information only. It will focus on planning issues – it will not be diluted by wider non-planning corporate objectives and initiatives.</p> <p>Max length of plan 100 pages (main element) plus 100 pages (settlements section)</p>	<p>The April 2015 Local Plan is a more comprehensive, detailed, technical plan, of 350 pages. Some have commented that it is too detailed and unclear as to what the key priorities and policies are. It is therefore not proposed to repeat that approach in the new Local Plan.</p>
<p>Principle 3: A Plan headlined by Growth and Prosperity</p>	<p>The plan will headline and highlight the importance placed on growth and prosperity for all, but not growth for growth's sake as the other principles confirm.</p>	<p>Growth and prosperity could be rejected in favour of plan more concerned on 'conserving' what we have, such as the built environment. Strict controls on new building would be put in place.</p> <p>This approach, however, does not match the corporate or national priorities, and through a 'growth and prosperity' approach, enhancement to our built and natural</p>

		environment can take place.
Principle 4: A Plan structured around the Corporate Plan 2015-2019	<p>On 16 July 2015, the Council adopted a new Corporate Plan for 2015-19. The Local Plan offers an opportunity to deliver on that Corporate Plan, and thus structuring the Local Plan in a similar way to reflect the Corporate Plan would appear sensible.</p> <p>The Local Plan would thus be structured as follows:</p> <ol style="list-style-type: none"> 1. A Growing East Cambridgeshire 2. Delivering Jobs and Homes 3. Improving Local Transport and Infrastructure 4. A Fantastic Plan to Live 5. Settlement Specific policies 	<p>An alternative approach could be to follow a traditional thematic based Local Plan structure, such as a chapter on housing, then a chapter on employment, etc.</p> <p>However, this approach fails to link to the Corporate Plan and fails to tell the 'story' as to what we want to achieve in East Cambs.</p>
Principle 5: A positive plan	The Plan will be written in a positive and flexible manner, encouraging and facilitating development to take place, albeit with safeguards to protect important assets.	The current plan is written more prescriptively, and often sets considerable and inflexible demands on developers. This can put off development, or lead to delays and frustration in the planning process.
Principle 6: Subject to Sustainability Appraisal, a fresh look at the distribution of growth, informed by a settlement hierarchy approach, with all but the smallest settlements taking some growth, but the quantum of growth for each settlement based on the level of services and	<p>Whilst the growth targets are to be re-established, and sustainability appraisal will need to be undertaken, in principle growth will be steered to our major settlements where infrastructure is better (or could be made better), but with proportionate growth also directed at our medium and smaller settlements.</p> <p>Consultation will take place with individual communities, but in principle, settlements with facilities and services will not be permitted to say 'no' to growth, unless there are clear and insurmountable</p>	The current Local Plan did not take a settlement hierarchy approach. Instead, it was predominantly a 'bottom-up' approach, with individual areas determining what level of growth they wanted to see. Whilst it remains important to engage and consult with our communities, this previous approach did lead to some anomalies, with some of our medium sized settlements

facilities it contains (or can access nearby).	constraints preventing any growth (such as flood risk)	receiving very limited (if any) growth, despite having services and facilities capable of supporting growth.
Principle 7: Allocation of sites of 10 homes or more / 0.25 ha	If a site is deemed appropriate and needed to meet our growth aspirations, it will be allocated, provided it would deliver 10 homes or more or requires more than 0.25 hectare. Sites below these thresholds will not be allocated. Instead, these small sites can come forward using more generic criteria based policies This principle will lead to a relative high number of specific sites allocated in the plan, with many villages identified for at least one specific development site.	The Local Plan could set the threshold for allocating sites lower (say 5) or much higher (eg Fenland sets it at 250). At 5, this would be resource intensive, and considered unnecessarily detailed. At, say, 20 (or more), this would mean less certainty in the planning system, and likely lead to greater challenges in proving our 'five year land supply'.
Principle 8: Retain settlement boundaries	The Plan will retain settlement boundaries (albeit reappraise the detail) around all but the smallest settlements, thereby giving a clear position as to where development is acceptable. Community-led development will also be promoted, facilitating development outside settlement boundaries.	Some authorities are moving away from having settlement boundaries (eg Fenland). Whilst this would give greater flexibility, it does lead to less certainty. It would also lead to greater 'hope' value for land outside settlements, which in turn would reduce the opportunity for reasonably priced land available to CLTs and other community-led development.
Principal 9: Viable and Deliverable.	The Plan will be prepared in a way which means its proposals are both viable and deliverable, with difficult decisions taken when not all priorities can be afforded in full (for example: high levels of affordable homes; super eco-friendly buildings; high quality open	It is not an option to prepare a 'non-viable' plan, but it is important to make it clear to all that in preparing a plan, difficult choices have to be made, informed by development viability.

	space and leisure facilities; new schools; new road infrastructure; etc)	
Principle 10: clear, simple and effective consultation at agreed set times;	Successful communication is key to a successful Plan. The Statement of Community Involvement sets out the details of how we will consult and is based on clear, simple and effective consultation, with consultation focussed at key stages in the plan process.	The previous Local Plan was prepared in a resource intensive manner, with 'continuous' engagement with parishes and other bodies. This leads to a lengthy and costly process, and can confuse and overload communities. In addition, a lot of the information gathered from the previous exercises remains valid now, so repeating it again would not be beneficial.

Appendix B – Proposed Statement of Community Involvement

DRAFT FOR FULL COUNCIL – 22 OCTOBER 2015



East Cambridgeshire District Council

Statement of Community Involvement (SCI)

*A guide as to how we will consult you on
Planning Applications and
emerging Planning Policy*

Please note that this SCI was written based on national legislation that existed as at October 2015. Should national legislation change, there may be elements in this SCI which no longer apply. The Council will endeavour to update this SCI as soon as possible after national legislation change.

October 2015

Part 1: Introduction

Introduction

This Statement of Community Involvement (SCI) sets out how East Cambridgeshire District Council will involve and consult with the public and wider stakeholders when planning for the future of the district. Whilst government sets out minimum requirements for public consultation on planning matters, this SCI sets out the district council's local commitments to consultation.

This SCI covers both:

- Consultation arrangement in respect of Planning Applications
- Consultation arrangements in respect of planning policy matters (such as a new Local Plan)

The commitments set out in this document are binding on the Council.

What is planning?

Most new buildings, certain changes to existing buildings (including their use) or significant changes to the local environment need consent – known as planning permission.

East Cambridgeshire District Council, as your local planning authority, is responsible for deciding whether a development - anything from an extension on a house to a new shopping centre – should go ahead. In determining planning applications, regard must be had to the planning policies which have been adopted for the area (for example, a Local Plan, a Neighbourhood Plan or a Supplementary Planning Document).

How to get involved

There are a number of ways that you can get involved in the planning decisions affecting you and your community. The main ways that you can get involved are:

- Having your say during public consultation periods for planning policy documents (such as a Local Plan);
- Having your say on planning applications affecting your community;
- Reporting planning control breaches (such as a neighbour building a large extension to their home without planning consent);
- Commenting on appeals relating to applications that have been refused by the Council; and
- Preparing your own plans and policies for your local area under the Neighbourhood Planning rules.

If you would like to be kept informed about the emerging East Cambridgeshire Local Plan you can register your contact details with the Strategic Planning Team on 01353 665555 or email planningpolicy@eastcamb.gov.uk .

Part 2:

Overarching Consultation Principles

East Cambridgeshire District Council's 'Consultation Policy'

The Council is committed to seeking the views of local people and other partners to find out what stakeholders think of its services and how they can be improved, and to help in the development of new services and policies.

In 2009, the Council adopted a Consultation Policy which sets out the principles on which the Council will consult with local people and groups about its policies and services (including, but not just, planning matters).

The key principle aim of that policy is to improve the services and operations of the Council by understanding the needs of customers and others who are affected by its decisions.

The policy has six key objectives:

- To maximise stakeholder engagement
- To develop the Council's services to meet the range of needs of our different customers
- To co-ordinate consultation across departments and partners
- To develop the Council's ability to make effective use of consultation techniques
- To maximise equality of consultation
- To exploit consultation opportunities arising from daily customer contact

The full Policy is available on the Council's Website, and has been referred to in the preparation of this SCI.

Please note, however, that the 2009 Consultation Policy is due for a refresh soon, so please do look out for an updated version.

Part 3

Consultation Commitments on Planning Applications

Step 1: The Pre-Application Stage

What needs planning permission?

Most kinds of development require planning permission; however, there are a number of circumstances where certain types of development are automatically permitted. The Town and Country Planning (General Permitted Development) Order 2015 contains a number of 'blanket permissions' for a variety of different works.

If your proposed development falls within what is termed 'permitted development' you will not need to apply for formal planning permission to carry out the works. Permitted development rights are often subject to compliance with standard conditions. It is the owner/developer's responsibility to check and comply with these conditions.

Some developments are subject to a system of 'prior approval' of details. Prior approval means that the proposed development is 'in principle' permitted development. The Council can consider whether prior approval of certain details is required in advance of a formal decision being issued. Following an application, if no information is requested by the Council within fixed timescales, the application is approved. For certain types of prior approval, the Council will notify occupiers of neighbouring properties and allow them to submit comments.

The Council's pre-application advice service

Pre-application is the phase before a developer formally submits a planning application. Discussions with the district council at this stage are recommended as they can ensure that future development enhances the built and natural environment whilst potentially speeding up the formal planning application process. Further information relating to the pre-application stage is available on the district council website: <http://www.eastcambs.gov.uk/planning/pre-application-advice> .

Developer pre-application consultation with the community

Section 122 of the Localism Act 2011 introduced a duty for developers to consult local communities before submitting planning applications for certain types of developments, with such types of development to be defined by Government. However, to date, Government has stated that the only type of development where this is a requirement is for proposals for wind turbine developments that involve the installation of more than two turbines, or where the hub height of any turbine exceeds 15m. Government may introduce other types of development under Section 122 but until it does, the requirement to undertake pre-application consultation is not yet compulsory.

However, even if not compulsory, pre application consultation will enable communities to raise issues with and make suggestions to the developer. This might reduce local opposition, increase the chances of a timely and positive decision from the planning authority and improve the resulting quality of development.

Step 2: Planning Application Process

Community consultation on planning applications

The Planning and Compulsory Purchase Act 2004 requires that at any time before a decision is made on a planning application, stakeholders and the local community should have the opportunity to comment on any aspect of the proposal. The level and extent of consultation will vary depending on the size, scale, location and nature of the proposed development.

Consultation on planning applications will take place with both statutory and non-statutory consultees. Who is consulted on each individual application will depend on the nature of the proposal and its location. All consultees have 21 days from the issue of the consultation notice to make comments on the application. However, some bodies such as Natural England will be allowed a longer period of time to comment where this is prescribed by legislation. The minimum statutory requirements are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

How the Council consults on planning applications is set out below:

Development type/size	East Cambridgeshire District Council consultation commitments
<ul style="list-style-type: none"> • Major developments (residential sites of either 10 dwellings or more, or 0.5 hectares or more, or commercial developments of 1000 sq. meters or more in floor space or one hectare or more). • Work affecting listed buildings or conservation areas 	Newspaper notice, site notice and neighbour letters
<ul style="list-style-type: none"> • All other developments 	Neighbour letters and sometimes site notice where neighbours cannot all be identified

Planning applications can be viewed online using the district council’s Public Access system, available on our website. Using the system, it is possible to search for, view

and comment on planning applications. It is also possible to track the progress of an application using the system.

Once a valid application has been received, we aim to provide a decision within 13 weeks if it is a major planning application or within 8 weeks if it is an application for minor or other development. Applications for development subject to an Environmental Impact Assessment have a longer time within which we aim to provide a decision at 16 weeks. We will determine planning applications as soon as is possible after the 21 day consultation period has ended.

All comments on planning applications must be submitted in writing (letters, faxes and emails) to the Council within the specified 21 day consultation period. All such communications received are placed on the planning file which is available for public inspection. They cannot be treated as confidential.

Consultation on amended planning applications

Sometimes the applicant will make a change to the development proposal to overcome particular issues. As a guide, we will consult on these changes as set out below:

Level of change	Re-consultation
Where the change is insignificant and would not impact on neighbours	No re-consultation will be undertaken
Where the change addresses (or attempts to address) the concerns of/impacts on specific neighbours only	Notification letter sent giving between 7 and 14 days to comment
Where the change significantly alters the appearance or layout of the proposal and would be of interest to neighbours/ community groups	Notification letter sent giving a minimum 14 days for comment

Occasionally developers may wish to make amendments to a development that has already been granted planning permission. Where the proposed change is minor and classed as a 'non-material amendment', no consultation will be undertaken. Where the amendments are more significant and are classed as a 'material amendment', a notification letter will be sent giving between 7 and 14 days to comment. Applications to delete or vary a condition attached to the permission will result in a notification letter being sent giving a minimum of 14 days for comment.

Who makes the decision on planning applications?

The Council receives many hundreds of planning and related applications a year (1,048 in 2014/15, for example). The decision on the majority of these applications is delegated to Officers in accordance with the details set out in the district council's Scheme of Delegation and its Standing Orders. Generally speaking, the more minor

a proposal, the more likely it is delegated to Officers to approve or refuse the application.

The Planning Committee is made up of councillors. The councillors have the task of considering planning applications against wider public interests and must make their decision purely on planning grounds. Generally speaking, the Committee determines applications for large developments or developments that do not accord with the Local Plan. In addition, the Committee will also consider smaller applications if requested by a parish council or district councillor. There are opportunities for objectors, applicants and others to speak at the Committee meeting before a decision is made.

The planning officer's report, setting out all the planning issues and representations made, is made available a week before the Committee meeting and in the vast majority of cases will make a recommendation to Planning Committee stating whether or not an application should be approved, having been considered against the Local Plan and any material considerations.

Reporting on decisions

The results of consultation on planning applications will be taken into account during the decision making process. Progress of planning applications, and the decisions made can be tracked on the 'Public Access' system on the planning pages on the Council's website.

Step 3: Appeals

Planning appeals

If the person who applied for planning permission does not like the decision that the Council has made on their application (e.g. planning permission refused, or onerous condition applied to a planning permission), they may lodge an appeal with the Planning Inspectorate. No one else has the right to appeal the decision (for example, you cannot appeal a decision if your neighbour gets approval for an extension you objected to).

When a decision has been appealed against, the Council informs all parties who objected during the application stage that an appeal has been lodged. All copies of letters and comments received during the original application stage are forwarded to the Planning Inspectorate.

If an application is then approved by the Planning Inspectorate, the only recourse available to third parties would be to apply for judicial review of the decision. This is an extremely rare event.

Step 4: Enforcement

Community involvement in planning enforcement

Planning Enforcement (also known as Planning Compliance) describes the processes involved in ensuring that people comply with planning law and the requirements of a planning permission. The process involves little public consultation, as many investigations are confidential. The majority of cases come about from referral by members of the public, councillors or planning officers. Whilst there is no public consultation on a compliance case, the Council will ensure that the complainant is informed of the outcome of our investigations.

A complaint can be made in respect of a development or advertisement that is occurring without planning permission; without complying with conditions that have been attached to a permission; or that is not in accordance with an approved plan. There is an electronic form for making complaints on the district council website, alternatively a complaint can be made to the Planning Enforcement Team on 01353 665555.

If, following investigation, it is necessary to serve a formal notice (e.g. Stop Notice, Enforcement Notice or Breach of Condition Notice) it will be placed on the enforcement register of notices. This register can be viewed on request.

The district council's Corporate Enforcement Protocol provides a full description of the enforcement services. The document can be viewed on the Enforcement page of the Council's website.

Part 4

Consultation Commitments on Planning Policy

Introduction to Planning Policy

The National Planning Policy Framework (NPPF) explains that the Local Plan is a plan for the future development of the local area, drawn up by the Local Planning Authority in consultation with the local community.

The primary purpose of a Local Plan is to:

- set the vision for how the local area will grow and change;
- set policies for use by developers when preparing their proposals; and
- be the key reference tool by decision makers when determining applications for planning permission.

The Local Plan deals with planning issues across the whole Council area, and makes the big decisions on the location of housing, employment and roads, for example.

East Cambridgeshire District Council has a good track record of keeping its Local Plan up to date, and at the time of writing, it's latest adopted Local Plan is dated April 2015 and it has already committed to keeping the policies up to date by adopting a new Local Plan by early 2018.

There are other planning policy related documents which the Council produces (or local communities, in the case of Neighbourhood Plans), as explained below:

- The **Local Development Scheme (LDS)** sets the timetable for the production of a new Local Plan.
- **Policies Map:** This is a map on an Ordnance Survey base for the whole of a local planning authority's area which shows where policies in the Local Plan apply. The Policies Map includes inset maps for particular areas to show information at a larger scale. The Policies Map is updated each time that a Local Plan (including a Minerals and Waste Plan produced by Cambridgeshire County Council) is adopted.
- **Supplementary Planning Documents (SPDs):** These can cover a wide range of issues on which the planning authority wishes to provide guidance to supplement the policies and proposals in its Local Plan. They do not form part of the statutory development plan and are not subject to independent examination. The district council can decide to produce an SPD on any appropriate subject whenever the need arises.
- **Neighbourhood Plans:** Local communities, including Parish and Town Councils, can now prepare Neighbourhood Plans (NPs) putting in place

policies to guide the future development of the area. Any NP must be in general conformity with 'strategic policies' in the Local Plan and with national policy. It is up to local communities to decide if it wants to produce a Neighbourhood Plan. Any NP, if adopted, has the same status as a DPD.

- **Statement of Community Involvement (SCI)**, i.e. this document.
- **Authority's Monitoring Report (AMR)**: This is a report which must be produced by the local planning authority (on an annual basis) to explain how the LDS is being implemented and the extent to which policies in the Local Plan are being achieved.

Who will we consult on an emerging Local Plan?

When producing a Local Plan there are a number of groups that the Council must consult with. These are identified as 'specific consultation bodies' and include:

- Parish Councils;
- Neighbouring authorities; and
- Relevant government agencies.

In addition, there are also a number of 'general consultation bodies' who the Council may consult with if it is considered relevant to the document that is being prepared. These include:

- Voluntary bodies, some or all of whose activities benefit any part of the district council's area;
- Voluntary bodies which represent the interests of :
 - Different racial, ethnic or national groups in the district council's area
 - Different religious groups in the district council's area
 - Disabled people in the district council's area
 - People carrying on business in the district council's area

There are also people and organisations that the Council considers it important to consult with, for example, community groups, land owners, businesses, planning consultants, solicitors etc. Where requests have been made we will also consult directly with these people and organisations.

Although those identified above will be specifically contacted during the preparation of Local Plan documents, any individual, business, organisation or group is welcome to submit comments during consultation periods.

When we will consult

There are a number of stages in the plan preparation process where it is possible for the public, businesses and the consultation bodies identified above to become involved and make comments. The stages of preparation and consultation are set out below.

<p>Public participation (Regulation 18)</p>	<p>During the first stage of public involvement the Council will, as a minimum, contact the 'specific' and 'general' consultation bodies as appropriate to inform them of the commencement of the plan preparation process, and invite representations on the scope and content of the plan. There will be a minimum period of 6 weeks for comments to be made. Following this first stage of consultation, the Council may undertake a further 6 week consultation on either more detailed options for the content of the plan or on a revised draft of the Plan. This will inform later stages of the plan preparation.</p>
<p>Pre-submission publication (Regulation 19)</p>	<p>Following the consideration of all comments received at the above stage, a draft plan will be produced, known as the pre-submission document. On publication of this document, all of the specific and general consultation bodies and any members of the public, businesses, land owners etc who made comments at the previous stage of consultation will be notified that the pre-submission documents are available for inspection. A statement of representation procedure will be included alongside the notification of pre-submission documents. In addition, any individual, business or organisation can submit comments during the consultation period, even if they did not make comments at the earlier stage. All comments must be received within the stated consultation period, which will be a minimum of 6 weeks.</p>
<p>Submission (Regulation 22)</p>	<p>The Council submits the Local Plan to the Secretary of State together with the representations received at the Regulation 19 stage. This is not a stage for further public comments to be made.</p>
<p>Independent Examination Hearing</p>	<p>The submitted document, and the representations received at the 'Regulation 19' stage described above, will be considered by a Planning Inspector at an independent examination. Those individuals and organisations who have made representations may be invited by the inspector to submit a written statement during the examination. Individuals and organisations that made an objection to the document and have requested to speak at the examination will be contacted by the Inspector to be</p>

	informed of the procedure for being heard.
Inspector's Report	The Council will notify all those who have requested to be notified, as soon as reasonably practicable following the receipt of the Inspector's Report. The report will also be made available on the Council's website.
Adoption of the Local Plan	<p>Assuming that the Inspector concludes that the document is sound, either with or without modifications, the Council will consider whether to adopt the Local Plan. On adoption, the Council will prepare a statement setting out the date of adoption, the modifications (if any) and where and when the adopted documents can be inspected. The opportunity to apply for judicial review will also be explained.</p> <p>The adoption documents will be made available on the Council's website, and also at the locations where the submission documents were made available. The adoption statement will also be sent to any person who has requested to be notified, and all those who made representations on the submission document.</p>

How we will consult

At the commencement of consultation periods, the identified specific and general consultation bodies that we have to consult with, as well as any individuals, organisations or bodies who have requested to be notified or whom we think might be interested, will be contacted directly either in writing or via email.

All consultation and submission documents will be made available on our website (www.eastcambs.gov.uk) and paper copies will be available to view at the main Council office. If appropriate, additional paper copies of documents may be made available to view at other locations. In addition to this, we may, if appropriate and cost effective, use other methods of consultation such as press releases, community events and meetings.

During all consultations it will be possible to make comments in writing, or electronically via email or, if available, an online consultation portal. Verbal comments will not be recorded.

Consultation Arrangement for Supplementary Planning Documents

Supplementary Planning Documents (SPDs) can be produced to supplement and add further detail to policies within the Local Plan. They may provide further guidance for development on specific sites or issues such as design.

When preparing an SPD, any individual, business or organisation can take part in the public consultation stage(s). If the Council believes that there are specific individuals, businesses or organisations that will have a particular interest in an SPD, they will be invited to make comments.

We will invite comments on the draft version of any SPD that is produced. The consultation period will be a minimum of 4 weeks.

At the commencement of the consultation period, the draft SPD will be made available on the Council's website and at the Council main office. If appropriate, additional paper copies of documents may be made available to view at other locations.

During all consultations it will be possible to make comments in writing, or electronically via email.

Following its adoption, the SPD will be made available on our website and at the Council main office.

Appendix C – Local Plan Working Group – Proposed principles and terms of reference

Working Group Principles:

1. The overarching purpose for the Working Group is to aid greater understanding of the key issues which the Local Plan must consider, and the reasonable options that exist to address those issues.
2. Eight Members will sit on the Working Group, together with officer representation as appropriate.
3. The Working Group has no decision making powers: its purpose is to aid greater understanding of issues, desires and policy development.
4. The focus of the Working Group is on key issues for the Local Plan, not all detailed issues.
5. Meetings to be held on an 'as required' basis. This is expected to be approximately four per year.
6. Meetings are not open to the public, but brief minutes of the Working Group to be published on the website (once such Minutes are agreed by the Chair).
7. The Working Group must be mindful of the Key Principles for the new Local Plan as agreed by Full Council on 22 October 2015, as well as the proposed timing of the preparation of the Local Plan. The purpose of the Working Group is to help speed up plan making, not delay it.
8. At the first meeting of the Working Group, a Chair is to be agreed plus any detailed procedures matters (eg forthcoming meeting dates, length of meetings, time and location of meetings).
9. The first meeting of the Working Group will take place on 17 November 2015, at 6pm in the Council Chamber, unless otherwise advertised.
10. Agenda's for the meeting will be sent to attendees 5 days prior to each meeting of the Working Group.
11. Membership of the Working Group to be established at Full Council on 22 October 2015. Should a Member subsequently resign from the Working Group, then delegation is given to the Leader of the Council to nominate a replacement.
12. The Working Group will cease on adoption of the Local Plan (scheduled early 2018)

Working Group Terms of Reference:

LOCAL PLAN WORKING GROUP

1.0 CONSTITUTION

- 1.1 The Local Plan Working Group, appointed by full Council, shall comprise eight elected Members.
- 1.2 The Working Party will continue until the adoption of the Local Plan (scheduled early 2018).

2.0 OBJECTIVES

- 2.1 To assist in the development of the Local Plan.
- 2.2 To aid greater understanding of the key issues which the Local Plan must consider, and the reasonable options that exist to address those issues.

3.0 TERMS OF REFERENCE

To advise/recommend to full Council in relation to:

- 3.1 Progress towards an agreed Local Plan in accordance with the principles and timetable as set by full Council.
- 3.2 Recommendations related to key policy issues which fall within the scope of a Local Plan.
- 3.3 To assist the Director Commercial and Corporate Services and Strategic Planning Manager with the smooth implementation of the formulation of the draft Plan, specifically:
 - establishing public consultation arrangements at draft stages of the preparing the Local Plan;
 - establishing appropriate wider communication material, and the timing of such material;
 - other relevant issues as they arise during the formulation process;
 - progress reports to Councillors and full Council, where appropriate.

EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING TEMPLATE (IST)

Initial screening needs to take place for all new/revised Council policies. The word ‘policy’, in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision. This stage must be completed at the earliest opportunity to determine whether it is necessary to undertake an EIA for this activity.

Name of Policy:	Statement of Community Involvement
Lead Officer (responsible for assessment):	Richard Kay
Department:	Strategic Planning
Others Involved in the Assessment (i.e. peer review, external challenge):	Nil
Date Initial Screening Completed:	2.10.15

(a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

To set out to the public how and when we will consult on all planning related matters, whether developing planning policy or dealing with planning applications.

(b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

The whole community, as well as businesses and other organisations that have an interest in planning and development in the district

(c) **Is this assessment informed by any information or background data?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

Statutory Acts and Regulations, which set the minimum standards as to how the Council must consult on planning matters.

Previous versions of the SCI have generally been well received, with little if any complaint in terms of its content.

The proposed SCI reflects both of the above.

(d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics (please tick all that apply):

Ethnicity	<input type="checkbox"/> No	Age	<input type="checkbox"/> No
Gender	<input type="checkbox"/> No	Religion or Belief	<input type="checkbox"/> No
Disability	<input type="checkbox"/> No	Sexual Orientation	<input type="checkbox"/> No
Gender Reassignment	<input type="checkbox"/> No	Marriage & Civil Partnership	<input type="checkbox"/> No
Pregnancy & Maternity	<input type="checkbox"/> No	Caring Responsibilities	<input type="checkbox"/> No

Please explain any impact identified: i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

The SCI is designed so that all members of the community can be involve in the planning process, should they so wish to do so. It does not target any particular group in the community.

(e) Does the policy affect service users or the wider community?	/NO/
(f) Does the policy have a significant effect on how services are delivered?	/NO/
(g) Will it have a significant effect on how other organisations operate?	/NO/
(h) Does it involve a significant commitment of resources?	/NO/
(i) Does it relate to an area where there are known inequalities, e.g. disabled people's access to public transport etc?	/NO/

If you have answered **YES** to any of the questions above, then it is necessary to proceed with a full equality impact assessment (EIA). If the answer is **NO**, then this judgement and your response to the above questions will need to be countersigned by your Head of Service and then referred to the Council's Equal Opportunities Working Group (EOWG) for scrutiny and verification. Please forward completed and signed forms to the Principal HR Officer.

Signatures:

Completing Officer:	<u>Richard Kay</u>	Date: <u>1/10/15</u>
Head of Service:	<u>Emma Grima</u>	Date: <u>09/10/2015</u>