

From: **Matthew Balfour – Cabinet Member for Environment & Transport**

**Barbara Cooper, Corporate Director for Growth, Environment and Transport**

To: **Environment and Transport Cabinet Committee - 17 November 2016**

Subject: **Statement of Community Involvement for Kent Minerals and Waste Local Plan and Planning Applications determined by the County Council**

Key Decision: 16/00124

Classification: **Unrestricted**

Past Pathway of Paper: **N/A**

Future Pathway of Paper: **Cabinet Member Decision**

**Electoral Division:** Kent wide

**Summary:** The current Statement of Community Involvement (SCI) requires minor revision following the adoption of the Kent Minerals and Waste Local Plan (Kent MWLP) and the new focus on the Mineral and Waste Sites Plans work, amendments to planning application processes and a shift towards greater electronic engagement.

The revised SCI will continue to provide opportunities for community involvement in planning matters and enable public consultation to be carried out in an efficient and effective manner.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Environment & Transport on the proposed decision to:

(i) endorse the revised Statement of Community Involvement (SCI) at **Appendix B** for public consultation; and

(ii) authorise the Corporate Director for Growth, Environment and Transport to publish the Statement of Community Involvement for public consultation

**1. Introduction**

1.1 Kent County Council is statutorily required to have in place a Statement of Community Involvement (SCI) setting out how the community can inform and shape planning application decisions for mineral and waste management

development and community projects determined by the County Council as well as its work in preparing the Mineral and Waste Sites Plan and any future Plan reviews. The Sites Plans are part of the Kent MWLP which was adopted by the County Council in July 2016.

- 1.2 The work associated with the Minerals and Waste Sites Plans and planning applications has potential implications for residents, businesses and interest groups within Kent. It is therefore important that the SCI is kept up to date and tailored to suit the needs of Kent's communities.
- 1.3 A SCI for the plan making and planning application functions of the County Council was first produced in 2006 and was replaced in 2011. Addendum documents partially refreshed the document in 2013 and 2014 to reflect legislation and Kent MWLP timescale changes. With the adoption of the Kent MWLP and the new focus on the Mineral and Waste Sites Plans work, revisions to planning application processes and a shift towards greater electronic engagement, a further minor refresh of the SCI is required. The revised SCI will continue to provide opportunities for community involvement in planning matters and enable public consultation to be carried out in an efficient and effective manner.
- 1.4 The draft document at **Appendix B** has been informed by an Informal Members Group for the Kent MWLP appointed by the Cabinet Member.

## 2 **The Revised SCI**

- 2.1 The revised SCI continues to recognise the valuable contribution that local knowledge can bring to the planning application and plan making processes. These principles have long been established in the Council's working practices and the revisions in the emerging SCI build upon these principles and customer expectations. The SCI continues to be guided by a number of key principles underpinned by the Kent Partner's Compact which sets the framework for effective consultation, representation and partnership working within Kent. These principles relate to accessibility, responsiveness, proportionality, timeliness, clarity and relevance. The SCI also reflects the principles of community involvement in plan making and development management as set out in the National Planning Policy Framework.
- 2.2 The revised SCI seeks to ensure that community engagement reflects local need and continues to propose public consultation in excess of statutory requirements on planning matters. For example, the Council undertakes neighbour notification in addition to site and press notices in determining planning applications. It also invites public speaking to its Planning Applications Committee and associated site visits. No changes are proposed to these principles. Section 4 of the proposed SCI sets out how the community can be engaged with the planning application process.
- 2.3 There has however been a technological shift away from traditional paper correspondence towards more email and electronic engagement in recent years and an expectation that more correspondence is undertaken online. The revised SCI recognises this shift and proposes changes to meet this need, whilst acknowledging that different approaches will suit different people.

- 2.4 The revised SCI includes an introduction summarising the role and purpose of community involvement, our principles of community involvement, opportunities for engagement in the Kent Minerals and Waste Local Plan including future reviews and Site Plans work, engagement in planning applications determined by the County Council and sources of advice on planning matters. It also includes a range of useful appendices. These include a list of consultees for the plan making and development management functions and at Appendix D for the SCI, the arrangements for Speaking to the Planning Applications Committee. The latter has been revised to encourage timely representations to the planning officers on planning applications so that they can be considered in the planning officer's reports and to reduce extensive new material being presented to Committee Members on the day of Committee.
- 2.5 As a result of the adoption of the Kent MWLP, the SCI has been revised to reflect the adoption and refers to the next stage of the Plan Making process - the Sites Plans. Section 3 of the SCI outlines the process for the Sites Plans work and how and when the community can become involved. The SCI also makes provision for community engagement for any future reviews of the Kent MWLP.

### **3. Corporate Policy Implications**

- 3.1 The revised SCI will ensure that the County Council engages, involves and consults with its communities to support the evidence base for delivering sound planning decisions, the Kent MWLP Site Plans work and any future reviews of the Kent MWLP.
- 3.2 These activities support the County Council's Strategic Statement across all objectives, but particularly Strategic Outcome 2 – Kent Communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life.

### **4. Financial Implications**

- 4.1 The costs of preparing the Kent MWLP Mineral and Waste Sites Plans are included in the Environment Planning and Enforcement Division's budget. There is an expectation by Government (DCLG) that all planning authorities have an up to date local plan in place. Without an adopted Plan, there is a risk that DCLG will step in as the plan making authority, reducing local accountability.

### **.5. Legal Implications**

- 5.1 The Planning and Compulsory Purchase Act 2004 (s18) requires the County Council to produce a SCI.

### **6. Equalities Implications**

- 6.1 The SCI seeks to ensure that all sectors of the community are able to engage with the planning application and plan making processes on mineral and waste management matters undertaken by the County Council. An Equalities

Impact Assessment (EQIA) has been undertaken to support the SCI work. The initial screening concluded that the emerging SCI is unlikely to have any specific adverse or positive impacts upon the identified ten characteristics. This conclusion will be reviewed following the proposed public consultation. Further details are set out in Appendix C

## 7. Conclusions

7.1 The purpose of this report is to inform the Environment & Transport Cabinet Committee of minor changes to the Statement of Community Involvement which sets out how the community can be involved in planning application and plan making decisions taken by the County Council. The changes are proposed to reflect the adoption of the Kent Mineral and Waste Local Plan, minor changes to planning application processes and a greater customer expectation of electronic engagement. The revised draft attached at **Appendix B** is to be the subject of public consultation.

## 8. Recommendation(s)

### Recommendation(s):

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Environment & Transport on the proposed decision to:

- (i) endorse the revised Statement of Community Involvement (SCI) at **Appendix B** for public consultation; and
- (ii) authorise the Corporate Director for Growth, Environment and Transport to publish the Statement of Community Involvement for public consultation

## 9. Background and Appended Documents

9.1 Appendices to this report are:

- Proposed Record of Decision – Appendix A
- Statement of Community Involvement Draft 2016 – **Appendix B**
- Equality Impact Assessment – Appendix C

## 10 Contact details

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