



AGENDA ITEM: 7(c)

CABINET:
14 June 2016

PLANNING COMMITTEE:
21 June 2016

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor J Hodson

Contact for further information: Mr S Benge extn. 5274
(Email Stephen.benge@westlancs.gov.uk)

SUBJECT: ADOPTION OF THE WEST LANCASHIRE STATEMENT OF COMMUNITY INVOLVEMENT

Wards affected: Borough Wide

1.0 PURPOSE OF THE REPORT

1.1 To seek Cabinet's approval for the adoption of the West Lancashire Statement of Community Involvement.

2.0 RECOMMENDATIONS TO CABINET

2.1 That, following consideration of the Consultation Report at Appendix B and the Adoption Statement at Appendix C, the West Lancashire Statement of Community Involvement ('SCI') at Appendix A be adopted subject to any amendments made by the Director of Development and Regeneration in consultation with the Portfolio Holder, following consideration of the SCI by Planning Committee, as per recommendation 2.2 below.

2.2 That the Director of Development and Regeneration be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the SCI in the light of agreed comments from Planning Committee, before the document is published.

3.0 RECOMMENDATIONS TO PLANNING COMMITTEE

3.1 That the content of this report, the SCI attached at Appendix A, and the Consultation Report at Appendix B be considered, and that agreed comments be referred to the Director of Development and Regeneration for consideration, in consultation with the Portfolio Holder.

4.0 BACKGROUND

- 4.1 Section 18 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce a Statement of Community Involvement (SCI), which should explain how they will engage local communities and other interested parties in producing their planning policy documents and determining planning applications.
- 4.2 The Borough Council first adopted an SCI in July 2007 in accordance with government regulations in force at the time. An addendum to the 2007 SCI was published in January 2009, reflecting updated government regulations. Since 2009, there have been further significant changes to planning legislation, to planning regulations, and to technology (for example the emergence of social media and the increased use of mobile telecommunications). As a result, an update to the SCI has become necessary.
- 4.3 A draft SCI update was produced and consulted upon from 4 February – 18 March 2016. This document reflected changes to legislation, regulations, technology, and covered a number of additional topics, such as neighbourhood planning, the Duty to Co-operate and the Community Infrastructure Levy.
- 4.4 Representations were received on the SCI from 13 different consultees. The Council has considered, and responded to, each point made by the 13 consultees. The representations, along with the Council's responses, are set out in the Consultation Report at Appendix B for Cabinet to take into account as they consider recommendation 2.1 above. The main points made were:
- The SCI, rather than simply adhering to the minimum requirements set by government Regulations should commit the Council to go beyond these minimum standards, for example with respect to postal notification of planning applications, or in consultation on draft planning policy documents;
 - There should be wider consultation of local residents and interest groups (i.e. beyond immediate neighbours) as part of the planning applications process;
 - Those who have commented upon a draft Planning Policy document are unable to see whether their comments have resulted in any amendments to the document in question before it is adopted; there should be a publication of the representations and the amended document before it is submitted to Cabinet / Council for adoption, in order that stakeholders can contact their elected representatives if necessary;
 - Links to the weekly list of planning applications and to planning policy documents should be more readily accessible on the Council's website (e.g. on, or one click away from, the Council homepage);
 - Members of the public or local groups should be consulted as part of the pre-application enquiry process;
 - The weekly list of planning applications should also include non-validated applications and pre-application enquiries;

- The wording of the text relating to pre-application advice should be amended to avoid implying that paying for such advice can lead to a ‘fast-track approval’;
- The rules for speaking at Planning Committee meetings should be amended to allow groups such as Residents Associations, or neighbouring Parish Councils, to comment on certain planning applications.

4.5 With respect to the representations that sought to commit the Council to exceeding minimum statutory standards for consultation, it is the Council’s view that, whilst it may frequently exceed minimum standards for consultation (for example where an issue is of particular significance, and / or when preparing certain planning policy documents), the view is taken that decisions relating to the level of consultation carried out by the Council should be taken on a case by case basis rather than being pre-determined by inclusion in the SCI, adherence to which is a legal requirement.

4.6 The main changes to the SCI in light of representations received are as follows:

- The list of types of planning applications the Directorate receives has been amended to reflect recent changes to Statutory Instruments and / or Permitted Development rights;
- The purpose of pre-application advice has been clarified;
- The SCI acknowledges the need to review the locations for deposit of hard copies of the weekly list of planning applications, and planning policy documents, should any libraries in the Borough close at some point in the future.

5.0 CURRENT POSITION

5.1 As stated above, a number of amendments have been made to the SCI in the light of the representations received during the public consultation undertaken in February and March 2016. The representations received, and the Council’s response to those representations, are summarised in the Consultation Report attached to this report at Appendix B. The amended (and final) SCI is at Appendix A to this report.

6.0 SUSTAINABILITY IMPLICATIONS / COMMUNITY STRATEGY

6.1 The principle of sustainable development is a ‘golden thread’ running through plan making and decision taking on planning matters. By setting out procedures and standards for community engagement in preparing planning documents and in determining planning applications, the SCI provides stakeholders with clarity on how they may make representations on sustainability (and other) matters, in order that these be taken into account as the Council carries out its planning function.

6.2 The SCI ties in with the 2007 Sustainable Community Strategy vision of West Lancashire being a place where everyone is valued and has the opportunity to

contribute, and with the key objective of developing community participation and pride in the Borough's neighbourhoods.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 There are no direct financial implications arising from this report. All public consultation in relation to planning documents, planning applications and other planning functions carried out by the Council is funded through the Development and Regeneration Directorate's revenue budget.

8.0 RISK ASSESSMENT

- 8.1 Preparing the new SCI to take into account changes to government legislation and associated regulations, and to society's increased use of electronic and mobile means of communication, will help to ensure that local communities and other interested parties can remain engaged with the Council as new planning policy documents emerge and as planning applications are determined. This will assist in ensuring that the Council continues to adopt sound planning policies and reach robust planning decisions.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as Appendix E to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

Appendix A – West Lancashire Statement of Community Involvement

Appendix B – Consultation Report

Appendix C – Adoption Statement

Appendix D – Equality Impact Assessment

Appendix E – Minutes of Cabinet, 14 June 2016 (for Planning Committee only- to follow)