

Getting Involved:

Report on the Statement of Community Involvement Scoping Consultation

APRIL 2010

Development Planning with
Kent County Council

Getting involved

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1 Purpose of consultation	1
2 The Scoping Consultation	2
2.1 Consultees	2
3 Scoping Consultation Responses	4
3.1 Statement of Community Involvement	5
3.2 Minerals & Waste Development Framework	5
3.3 Development Management	6
4 Our Response	8

Contents

1.0.1 The Town & Country Planning Regulations⁽¹⁾ require planning authorities to prepare a Statement of Community Involvement to set out how they intend to engage the community in development planning activities (both the preparation of development plans and development management).

1.0.2 An initial SCI was adopted by Kent County Council in 2006 but an intention to review the SCI was signalled in the 2009 Minerals and Waste Development Scheme. The need to review the SCI stems from a number of considerations:

- Changes in the planning regulations since the commencement of the 2004 Planning Act which provide more discretion for authorities in the approach to plan preparation and community involvement.
- A new timetable and programme for the preparation of the Kent Minerals and Waste Development Framework.
- Widening opportunities for engaging with stakeholders and the wider community as a result of developments in technology and progress towards 'e government.'
- Introduction of a statutory 'Duty to Involve' upon local authorities from April 2009.⁽²⁾

1.0.3 Regulation 26 of the Regulations⁽³⁾ requires that before preparing a Statement of Community Involvement, a planning authority must:

- notify specified bodies and persons of their intention to do so, and invite each of those bodies and persons to make representations about what the contents of the statement might be;
- consider whether it is appropriate to also invite representations from residents or persons carrying on business in their area;
- make appropriate arrangements to obtain views if it decides that it is appropriate to invite such representations; and
- take into account representations received at this initial scoping stage in preparing its SCI.

1.0.4 The County Council has adopted a wide and inclusive approach to consultation on the scoping of its SCI in the knowledge that its plan preparation and development management activities have a county wide remit and that mineral working and developments for waste management may have potentially wide effects on local communities and environments. Close involvement with the minerals and waste industries is also central to the effective delivery of plans.

1 The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 No. 1371.

2 Under the Local Government and Public Involvement in Health Act 2007.

3 Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.

2.0.1 The initial scoping consultation (*Development Planning with Kent County Council: Getting Involved*) took place over an eight week period from 5th June to 31st July 2009.

2.0.2 Posters were produced and displayed in buildings used by members of the public to draw attention to the consultation.



2.0.3 Explanatory leaflets, outlining the role of the SCI, and a questionnaire were:

- Placed within public buildings across Kent (county and district council main offices, libraries, Gateways), at visitor centres in country parks and in major supermarkets in Kent.
- Available online through the Council's consultation portal and via the Minerals and Waste Development Framework website.⁽⁴⁾ The consultation was given a high profile on KCC's website, with a link to it appearing for several weeks on the site's home page.
- A news release was distributed to the local press.

2.1 Consultees

2.1.1 There were two broad categories of consultees:

- Targeted key stakeholders: including landowners, minerals and waste industry operators and interests, local authorities within Kent and neighbouring areas, parish and town councils, transport authorities and environmental and community interest groups. These organisations were all contacted directly and sent a copy of the explanatory leaflet and the questionnaire seeking views on what they would like the SCI to contain.

- The wider community: informed by way of the publicity material, the web site and information placed in public access points.

3.0.1 Responses were received with by the large majority (80 or 90%) emanating from the group of targeted consultees (representing a response rate among this group of 10%). Measures to reach the wider community have not significantly extended the response beyond those bodies who might be expected to respond to consultations of this nature. Nonetheless there was value in providing information given that community engagement embraces a spectrum of involvement extending from the simple receipt of information to active dialogue.

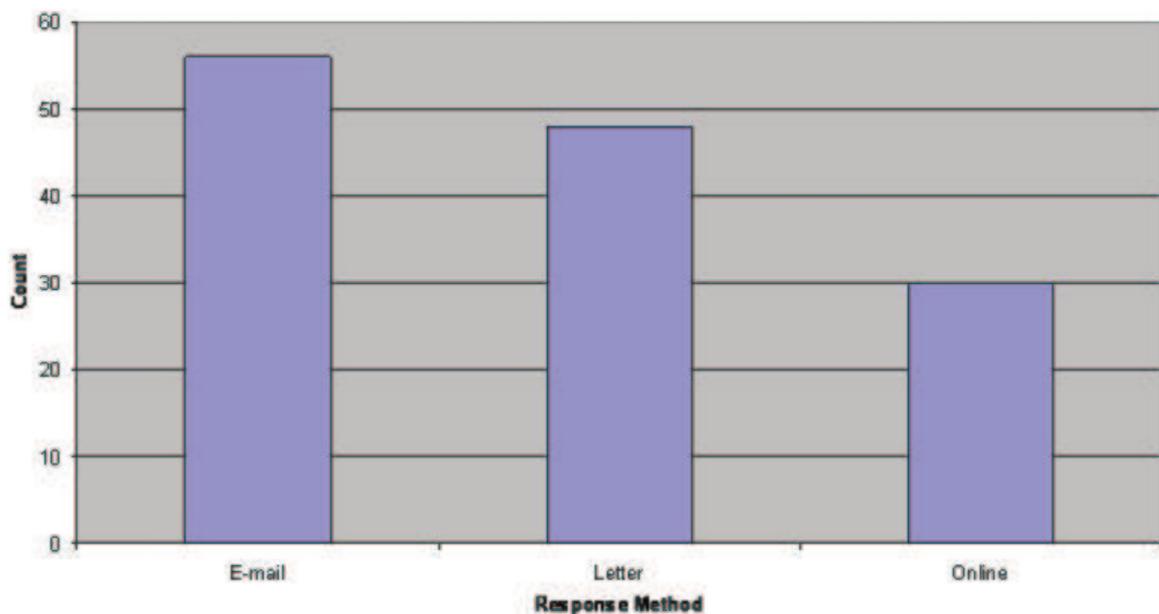
3.0.2 The largest number of responses (52 or 58%) came from parish and town councils. There was also a significant response from the minerals and waste industry (including the major players in Kent), environmental organisations (including statutory consultees) and community groups.

3.0.3 Most respondents (72, 81%) expressed interest in all aspects of KCC's planning work (Minerals & Waste Development Framework, development management and the Statement of Community Involvement itself).

Means of submitting views

3.0.4 The majority of respondents (56, 63%) expressed a preference for using email (see Figure 1) but a significant number (48, 54%) stated a preference for making contact by letter, though many appeared content with either option. Only a third of respondents (30, 34%) favoured online responses via the County Council's website and this underlines the importance of maintaining diversity in the routes of communication available.

Figure 1: Preferred Method of Response



3.0.5 However the routes chosen for responding to the SCI scoping consultation reveal a different picture, with 62% responding by letter and/or hard copy questionnaire returns, 36% via the web site and only 2% by email.

3.1 Statement of Community Involvement

3.1.1 Most respondents (85, 96%) agreed with the proposed scope of the SCI. The handful of suggestions for other matters that the SCI should address were not so much proposals for new topics as highlighting a need to draw out particular aspects of community involvement (e.g. the need to use plain English, be community friendly, interface with district councils, clarify criteria for decisions). We have endeavoured to address these issues in drafting the SCI.

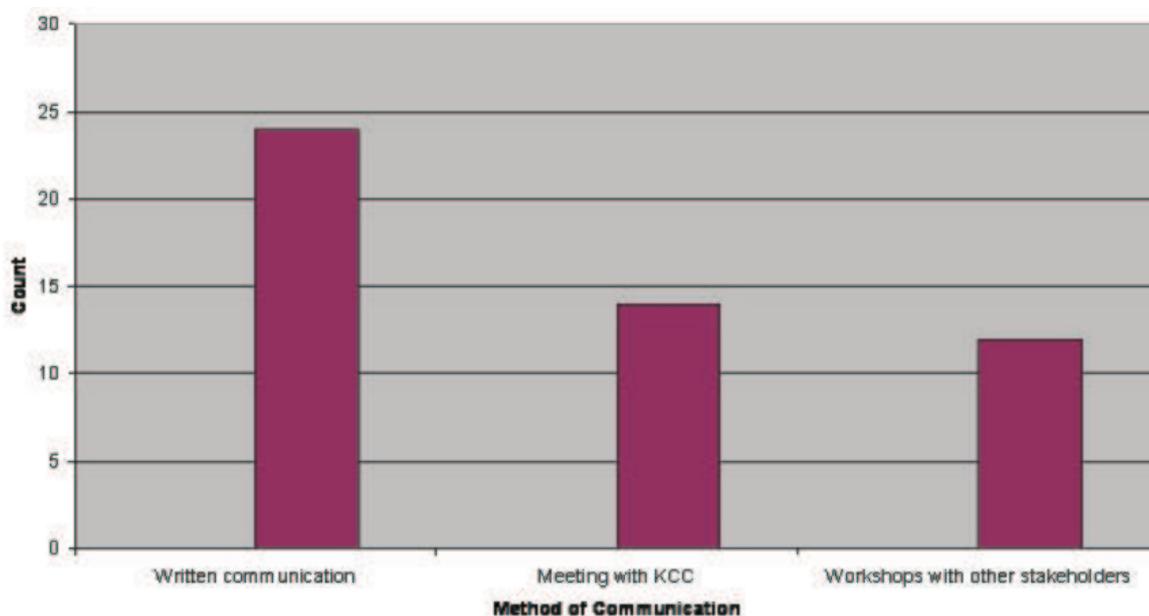
3.1.2 92% of respondents wished to be notified when the draft SCI is published and 71% would like the opportunity to comment at that stage. A consultation draft of the SCI will be published in 2010.

3.2 Minerals & Waste Development Framework

3.2.1 Respondents expressed an interest in both minerals and waste planning matters; 20 solely in waste related issues, and 1 in minerals. While most of the respondents expressed a wish to receive information and develop their awareness of the MWDF (76%), or contribute views in response to consultations (also 76%), significantly fewer respondents (33%) want to actively participate in identifying needs and priorities. As the latter group includes representatives from the minerals and waste industries who are likely to bring expertise to the table, and some parish councils with local experience of minerals and waste matters, it would be helpful in preparing minerals and waste development documents to invite these bodies to participate in the consideration of needs and priorities early in the process.

3.2.2 On evidence gathering for the MWDF Core Strategy, 38 respondents stated their willingness to help identify the issues and options the document should address and 16 indicated specific information or proposals they would wish to contribute. The preferred method of communication is by written submissions, while 14 would prefer a meeting with KCC, and 12 would like a workshop with other stakeholders.

Figure 2: Preferred Method of Identifying Issues & Options



3.2.3 In view of this varied response, flexible arrangements will be required to recognise that while some stakeholders are happy to share their proposals, for others a bilateral meeting may be more appropriate in the initial stages. Issues and areas of information that participants could contribute reflected the remit and activity of each organisation.

3.2.4 There was a slightly higher level of interest expressed in participating in the subsequent stage of Core Strategy preparation. 50 respondents (56%) said that they would like to comment on the proposed directions for policy and proposals in the MWDF. Again, the most popular method (38/43% of respondents commenting on this) was written submission. 18 respondents preferred a workshop format and 10 a meeting with KCC. Again these responses stress the need for flexibility by the County Council in the range and character of opportunities made available to contribute to establishing directions for policy and proposals.

3.2.5 The 'Publication' or 'Pre-Submission' stage of the MWDF generated yet more interest with 62 respondents (70%) requesting an opportunity to comment on the Pre-Submission Core Strategy and 53 (60%) wanting to comment on other Pre-Submission MWDF documents.

3.2.6 Respondents may not have appreciated that the emphasis in Development Framework preparation is on 'front loading' of community and stakeholder engagement⁽⁵⁾ and at the Pre-Submission stage the expectation is that plans and proposals are fully developed with scope for comment and representations focused on matters of 'soundness.'

3.2.7 It will be important for the SCI to encourage early engagement, emphasising the greater opportunity provided at the formative stages to influence the approach and direction to be taken by plans.

3.2.8 A Sustainability Appraisal (SA) has to be undertaken in parallel with plan preparation. 44 respondents wished to comment on the proposed scope of the Sustainability Appraisal. 69 wished to be informed of the findings of the SA, 51 sought the opportunity to comment on its findings, while 38 would like to see additional opportunities for involvement with the SA.

3.2.9 The technical nature of much of the SA work means that its preparation is unlikely to attract widespread interest. However, the specialist input of some organisations will be invaluable to the process and engagement should be secured at appropriate times. The outcome of the SA will potentially have wide-reaching implications for both the plan and the community at large so it is important that its findings, and their influence on the development document itself, are widely publicised.

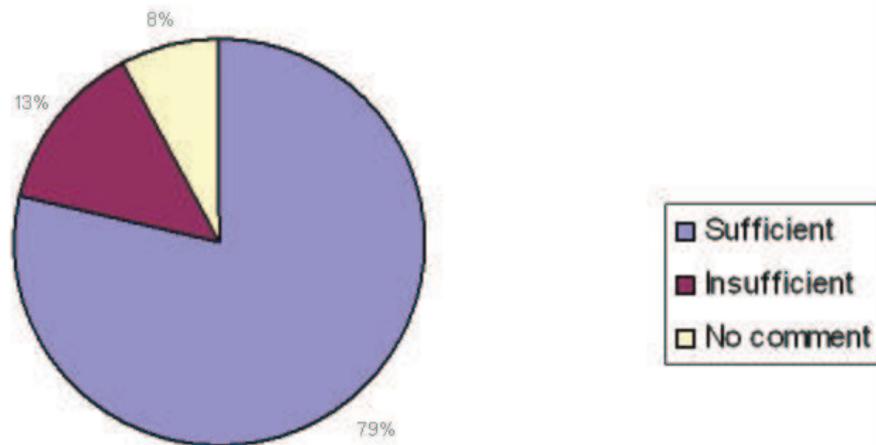
3.3 Development Management

3.3.1 Kent County Council deals with approximately 400 planning applications each year. Some 80% of these relate to its own development and 20% to minerals and waste proposals. These can range from modest extensions to school buildings to large scale proposals for mineral working, waste management facilities and new roads on the county highway network.

3.3.2 KCC is committed to new investment in e-planning to allow for greater communication by electronic means in connection with the submission and processing of planning applications. While many respondents indicated that they welcome such initiatives, a significant number pointed out that they do not have access to online facilities. There is clearly demand for both electronic and paper-based communications.

3.3.3 Questionnaire responses confirmed the County's Council's view that existing arrangements for community involvement in planning applications are generally working well (see Figure 3).

Figure 3: Views of Existing Publicity Arrangements for Planning Applications



- 70 respondents (79%) consider existing arrangements for publicity and consultation on applications sufficient and appropriate.
- 62 respondents (70%) consider existing arrangements for community involvement in the consideration of applications sufficient and appropriate.
- 64 consultees (72%) consider that arrangements for pre-application consultations are sufficient and appropriate.

3.3.4 Comments advocating change ranged from those who sought more time for consultations to those who felt that existing timescales are already too protracted. Performance Indicators for processing planning applications are set by the Audit Commission are an important influence on the time available for consultation.

4.0.1 Consultees responding via the County Council's consultation portal have received an email acknowledging their input and a message drawing attention to a facility to view all comments submitted.

4.0.2 Responses have been used to inform the consultation draft of the SCI published in 2010. This report on the scoping consultation will be published concurrently with the consultation draft of the Statement of Community Involvement⁽⁶⁾ on the council's consultation portal. The draft SCI itself will be subject to wide consultation.

4.0.3 The responses received have confirmed support for the scope of the Statement of Community Involvement as proposed. The scoping consultation has indicated interest in a variety of forms of engagement during development of the Minerals and Waste Development Framework and this will need to be mirrored in the opportunities offered.

4.0.4 The proportion of respondents expressing an interest in commenting at the pre Submission stage, in comparison with interest in the earlier stages in the evolution of plans, has emphasised the importance of encouraging and securing more 'front loaded' engagement in the formative stages of plan making consistent with the objectives for Development Framework preparation.

4.0.5 While e-planning initiatives for community involvement in planning applications handled by the County Council are widely welcomed there are also a number of stakeholders who are less willing or able to take advantage of the new technology. Involvement in consultation for both plan making and development management via electronic means will be the preferred route for the future and is encouraged as part of the wider thrust nationally, and within Kent, towards e-government. This transition will need to be managed sensitively and flexibly to secure the benefits of wider access and operational efficiency that online communication can provide whilst ensuring that participation by specific stakeholders or communities is not prejudiced by the arrangements that are in place.

*Integrated Strategy & Planning
Environment, Highways and Waste Directorate
April 2010*

6 <http://consult.kent.gov.uk/portal/sci/sci-draft>