

Kirklees the place to grow



Statement of Community Involvement

Adopted Version
September 2015

Section 1

1. Introduction

- 1.1 The purpose of the Statement of Community Involvement (SCI) is to set out how Kirklees Council will work with local communities and stakeholders to develop planning policy documents such as the Kirklees Local Plan or guidance on specific issues.
- 1.2 It sets out a series of guidelines on the scope of community involvement, how and when Kirklees will undertake consultation and engagement and how you can become involved.
- 1.3 This document was adopted by Kirklees Cabinet on 22nd September 2015.
- 1.4 National Planning Policy Framework paragraph 155 states:

“Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made”.
- 1.5 The document seeks to promote involvement in the plan at an early stage in order to work towards a consensus and thereby reduce the scope for delay at later stages. By getting involved and having your say you can help to shape the way your area looks.
- 1.6 There are also statutory requirements that the council must meet at each stage of plan preparation. The SCI sets out the range of engagement processes we will use to engage and consult on planning policy documents. These may vary according to the issue under consideration as it is important to retain a degree of flexibility. In this way, methods can be tailored to the specific planning policy document. Additionally, flexible engagement processes will allow us to respond to potential future changes in the regulations; changes to the way the council operates; and to respond to any new methods of communication and engagement which may become available over the life of the document.
- 1.7 In setting out clear guidance we aim to:
- increase public awareness of the planning process and how to get involved;
 - ensure a transparent process based on consideration of a range of options and local priorities and concerns;
 - provide an opportunity to help groups and individuals shape the local plan and make representations on its contents; and
 - help create a sense of ownership on planning issues.

- 1.8 Involvement in the planning application process is outlined in the Kirklees Development Management Charter.

Background and the need for review

- 1.9 The production of a Statement of Community Involvement (SCI) is a government requirement¹ and the council adopted its first SCI in September 2006. A review of the SCI was undertaken in the light of:
- changes to planning legislation and regulations;
 - changes to the way the council operates and the consequent impact on services;
 - advances in technology and the use of digital technology for communication; and
 - the council's Involving Communities Framework (available to view on the council's website).
- 1.10 Changes to planning legislation and regulations impacted on the plan process itself and placed an increased focus on early engagement and community involvement. The SCI is based on the current guidance as set out in:
- Localism Act 2011;
 - National Planning Policy Framework (NPPF) 2012;
 - Town and Country Planning (Local Planning) (England) Regulations 2012; and
 - Neighbourhood Planning (General) Regulations 2012.
- 1.11 We have prepared a new SCI to provide a community engagement framework which is up to date, flexible, deliverable and cost effective. The advances in technology and particularly the use of digital media provide a real opportunity to develop new ways of working.

Format of the document

- 1.12 Section 1 - Introduction
Section 2 - Community involvement in Planning Policy
- what documents we will consult on;
 - who we will consult with;
 - how we will consult and communicate;
 - the role of councillors in planning policy;
 - feedback; and
 - further information.

¹ Section 18 (Part 2) of the Planning and Compulsory Purchase Act 2004 as amended

Section 2

2 Community involvement in planning policy

What documents we will consult on

- 2.1 We will set out a timetable for producing planning policy documents. This timetable is known as the Local Development Scheme (LDS) and tells you when documents will be produced and when you can expect to get involved. A copy of the LDS is available to view on the council's website at: <http://www.kirklees.gov.uk/localPlan>
- 2.2 The LDS will contain the key planning policy documents to be consulted on and opportunities for early engagement. In developing the policy documents, we may also undertake some consultation which includes targeted workshops on key pieces of evidence. The scope of consultation will vary according to the issues to be debated.

The following documents are examples of planning policy documents which may be identified in the Local Development Scheme for consultation.

Local Plan

A Local Plan sets out a vision and a framework for the future development of the area. It will address needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment, adapting to climate change and securing good design. It is a critical tool in guiding decisions about individual development proposals, since Local Plans (together with any neighbourhood plans that have been made) are the starting point for considering whether applications can be approved. It is important for us to put an up to date plan in place to positively guide development decisions.

Area Action Plans (AAP)

An Area Action Plan (AAP) is a Development Plan Document (DPD) that provides specific planning policy guidance for an area where significant regeneration or investment needs to be managed. A local authority can have a number of AAPs. They often relate to town centre areas and in all cases have a strong focus on delivery and implementation. There are statutory requirements for consultation but depending on the nature and scope of the AAP, we would seek to identify additional opportunities to engage with interested stakeholders in its preparation.

Supplementary Planning Documents (SPD)

These documents focus on specific topics in greater detail, providing policy guidance to support the Local Plan policies. Examples of potential SPDs are design, affordable housing, development standards.

The statutory procedural stages for making a Local Plan and Supplementary Planning Documents are different and are contained in: Town and Country Planning (Local Planning) (England) Regulations 2012.

Master Plans, Development Frameworks or Briefs

These documents relate to individual site allocations and set out the specific details required at a planning application stage. There is no statutory process for preparing these documents but we will consult and engage on them to increase awareness of planning issues and involve the community.

Sustainability Appraisal and Strategic Environmental Assessment

These are appraisal processes which evaluate the environmental, social and economic impacts of a plan, policy or programme and its reasonable alternatives. They take place alongside the Local Plan/DPDs and some SPDs. The first stage of the sustainability process is to produce a Scoping Report. There are three statutory consultees on Sustainability Appraisal: Environment Agency, Historic England and Natural England.

Community Infrastructure Levy (CIL)

This is a charge that is levied on new development floorspace and is intended to contribute towards the provision of infrastructure. There are two main stages of statutory consultation: preliminary draft charging schedule and the draft charging schedule.

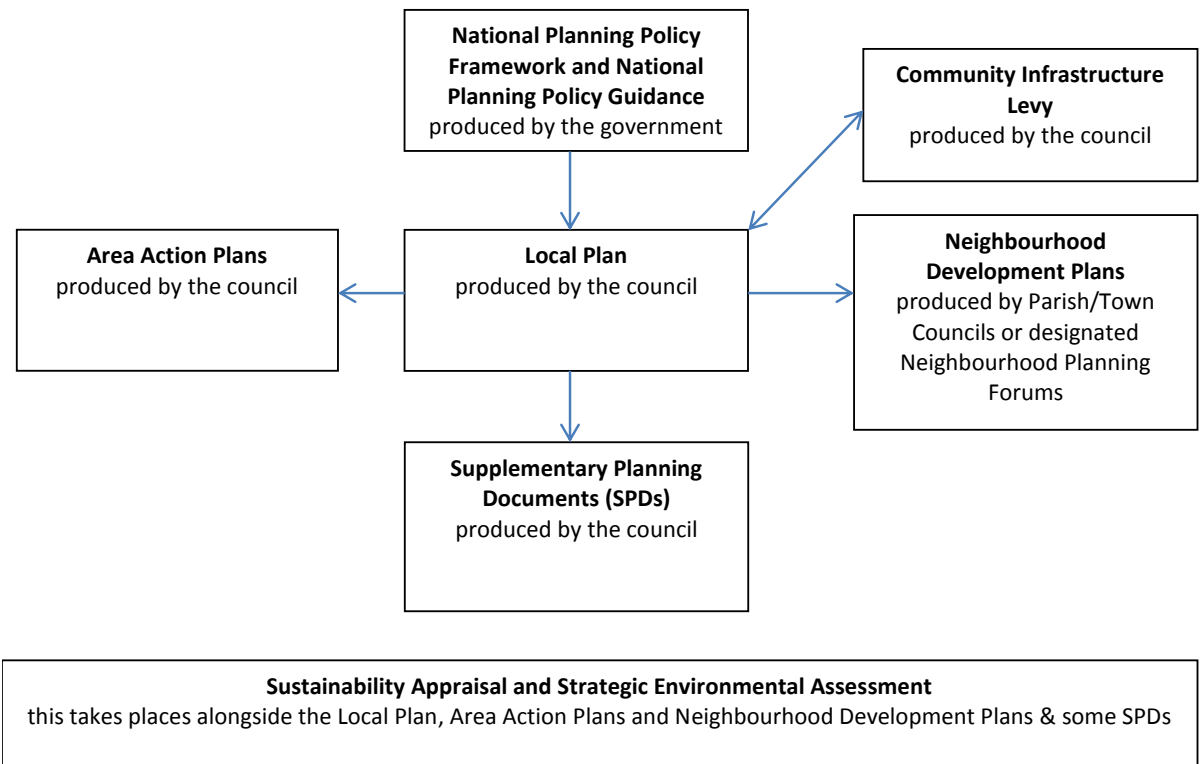
Community Infrastructure Levy is produced by the council. Local authorities must allocate at least 15% of levy receipts to spend on priorities that should be agreed with the local community in areas where development is taking place. This 15% will be administered by Parish and Town Councils. Communities which draw up a neighbourhood plan or neighbourhood development order and secure the consent of local people in a referendum will benefit from 25% of the levy revenues arising from development taking place in their area.

Neighbourhood Plans

Neighbourhood plans are produced by the Parish/Town Council or a designated Neighbourhood Planning Forum (where a Parish/Town Council does not exist) to develop a shared vision for their neighbourhood and shape the development and growth within the local area. They are subject to a statutory process and must be in conformity with the strategic policies in the Local Plan and have regard to national planning policy. Following examination by an independent examiner and a favourable vote in a referendum they can be adopted by the council and form part of the development plan. As such they have significant weight in determining planning applications.

The council has statutory duties to publicise the neighbourhood plan at specified stages. However, it is the role of the neighbourhood plan responsible body to ensure that the plan is representative and shaped by consultation. How and when this is undertaken is decided by the neighbourhood planning body.

Hierarchy of planning policy documents



Who will we consult?

- 2.3 This depends on the type of document and the nature of the consultation. Regulations and government guidance specify the bodies and organisations that we must notify when preparing the Local Plan or Supplementary Planning Documents. The regulations do provide some discretion over whether to notify certain bodies particularly if that document or issue is not likely to be of interest or relevance to it.
- 2.4 We will aim to consult relevant groups where a proposal will directly affect them. Generally we will seek the views of those who live or work in the district relevant to the document being consulted on such as:
- residents;
 - marginalised groups which includes young people, elderly, disabled, religious groups, ethnic groups;
 - adjoining local authorities;
 - parish and town councils;
 - specific consultees bodies - organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 that are required to be consulted at key stages of plan production. They include neighbouring and parish councils, key service providers, Government departments and non-government organisations;
 - general consultees bodies - organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 that are required to be consulted at key stages of plan production. They include

bodies which represent the interests of different racial, ethnic, religious or national groups, disabled persons and business in the local planning authority's area;

- interest groups;
- voluntary organisations;
- businesses;
- developers and landowners.

- 2.5 Our Planning Policy on-line consultation system contains approximately 6,500 individuals or organisations. We will notify contacts on this system at the relevant statutory consultation stages for each type of document. Consultees will be encouraged to supply an e-mail contact as this is more time and cost efficient than sending letters and will be encouraged to submit comments electronically where they are able to do so.
- 2.6 Details on how to register will be outlined in our consultation material and on the Local Plan section of our website. The information saved on the system will be used in accordance with the Council's registration under the Data Protection Act 1998.
- 2.7 We will monitor registered contacts to identify areas or groups which are not represented or under-represented. We will then take action to encourage involvement from these groups.

Duty to co-operate

- 2.8 The Localism Act (2011) places a "duty to co-operate" on all local authorities and a number of public bodies which requires on-going, constructive and effective engagement on areas of plan making which may have strategic cross boundary implications. This does not apply to all planning policy documents.
- 2.9 The public bodies are set out in Town and Country Planning (Local Planning) (England) Regulations 2012 as amended by the National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013.
- 2.10 These bodies play a key role in delivering local aspirations, and cooperation between the bodies and local planning authorities is vital to make Local Plans as effective as possible on strategic cross boundary matters. The bodies should make proportionate responses in how they do this and tailor their degree of cooperation to maximise the effectiveness of plans.
- 2.11 The duty to co-operate is in addition to continuing to consult a number of statutory groups such as neighbouring authorities or local or national agencies.

How we will consult and communicate:

- 2.12 All consultation, engagement and feedback documents will be placed on the council's website.
- 2.13 Hard copies of the document will be made available at Huddersfield Civic Centre 3, Dewsbury Service Centre and other public buildings subject to the nature and scope of the consultation. Consultees will be informed of the nature and scope of the consultation any additional locations prior to the start of the consultation period/event in order to raise public awareness. Details will be available on the website.
- 2.14 The council will seek to maximise the use of its own Planning Policy on-line system by using it for consultation and for respondents making comments. This has time and cost savings as all the contacts for the Local Plan and associated documents are contained on the system and the use of the system for inputting and analysing comments makes it quicker and easier to run reports on comments made, especially when undertaking multiple rounds of consultation on a single policy document.

Methods

- 2.15 The following methods may be used for consultation and engagement. The methods chosen will be tailored to the specific stage and will be proportionate to the importance of the document.

- **we will work with our corporate communications team** to identify the most effective channels of communication including and the use of local media by preparing press releases to circulate to local newspapers and radio stations, or working with newspapers to prepare articles or advertisements to raise awareness and promote issues.

In the case of neighbourhood plans, there is a requirement to produce statutory notices when publicising a neighbourhood area boundary or a proposed neighbourhood forum. However, there is now no requirement to do this for the Local Plan.

- **share information internally and maximise the use of networks or communication channels used by other services** or local community websites where required in order to target consultation more effectively and/or to reach "marginalised groups or communities;
- **use of council publications** such as Kirklees Together (where timing allows) to include articles. Kirklees Together is currently distributed quarterly to households across the district;
- **use of social networking** sites in accordance with the council's policy on social media;
- **prepare questionnaires, leaflets** which summarise the key issues to be addressed or seek views on specific questions. They could also be used to direct interested parties to more detailed documents, evidence or details of events. The questionnaires and leaflets will be available to view on line

or paper copies will be made available at Huddersfield Civic Centre 3 and Dewsbury Service Centre and where practicable in other locations in the area where there is a high turnover of visitors. These locations may vary according to the nature and scope of the consultation and will be advertised on the council's website.

- **interactive workshops or discussion groups with key stakeholders.** This could involve the use of external facilitators. They have been used to great effect at the early engagement stage of the Local Plan with targeted organisations to debate specific elements of the plan process.
- **deliver presentations or hold question and answer sessions at meetings of existing groups where resources allow.** This could include District Committees, Parish and Town Council meetings, Residents' Associations, Business Groups, interest groups or neighbourhood plan groups and schools/youth parliaments;
- **posters, flyers or site notices** – these may be used to raise awareness of consultation events or meetings or to make residents aware of proposals that could affect their area. These could be displayed in public places or places where there is a high volume of people;
- **hold exhibitions or road shows with unmanned displays or staffed drop-in sessions.** Consideration will be given to the accessibility of locations and the timing of the event. We will produce summary information and frequently asked questions (FAQ's) to inform consultation stages and provide the scope of the event;
- **meetings with elected members** – members will be kept informed of progress and plans through briefings, workshops and e-mail.

Principles

2.16 We will:

- produce a Local Development Scheme which sets out the key documents to be produced, timescales and associated consultation stages. This will be made available to view via the council's website;
- meet and where practicably possible and necessary will exceed the minimum standards for community involvement as set out in legislation;
- make every effort to avoid consulting over holiday periods. However, where this is not possible due to the project timescales/funding etc. then the consultation will normally be no less than eight weeks.
- give guidance on the purpose, aims and scope of the consultation so respondents know what they can comment on and how their comments will be taken into account;
- wherever practicably possible, co-ordinate consultation internally using the council's corporate consultation systems in order to make cost efficiencies;
- where consultation is not subject to statutory timescales, give people sufficient time to respond to the consultation;
- make widespread use of electronic and modern media techniques wherever possible to make consultation more cost-effective, easier and quicker. The council's website will be used to advertise events/stages and host information;

- ensure that consultation is accessible to all to make it easy for groups or individuals with limited knowledge of the planning policy process to get involved;
- use consultation methods that are appropriate to the stage of plan making in order to maximise opportunities for involvement, while making sure the resources they require are proportionate and cost-effective;
- whenever possible, provide feedback to reflect how comments received have been incorporated into the process;
- where possible ensure that written information can be made available in alternative, accessible formats if requested, such as large print, Braille, audio or translated into another language;
- evaluate and monitor the effectiveness of consultation.

The role of councillors in planning policy

- 2.17 Councillors have an extremely important role to play in the planning process, both as decision makers and as somebody who will represent the views of local people. For example, before the Local Plan can be submitted for independent examination it must be agreed by a meeting of all Councillors. Councillors will also help you to understand the planning process and assist you to respond to consultations on the Local Plan or planning policy documents. They will also communicate your views to officers and other councillors to ensure that all views are taken into account when determining how the council should proceed.

Feedback

- 2.18 A feedback report will usually be produced documenting the level and nature of comments made and how comments have been used to inform the next stage of the planning policy document or process. In the case of the Local Plan, as part of determining the soundness of the plan at Examination, the council will need to provide an audit trail of how views have shaped the document. In some cases, the council may identify specific modifications to a plan which may then be subject to further consultation. Information will be available on the council's website.

Further information

- 2.19 If you have any questions on the information contained in this document, please contact us at: E-mail local.development@kirklees.gov.uk or write to us at:

Planning Policy Group
 PO Box B93
 Civic Centre 3
 Off Market Street
 Huddersfield
 HD1 2JR

GLOSSARY

Adoption – The stage at which the development plan/Local Plan becomes the legal basis for all future planning decisions in the district?

Development Plan Documents (DPD) – Documents prepared by the local planning authority (including the Local Plan) setting out the main spatial strategy, policies and proposals for the area. These documents will be statutory documents and subject to an independent examination by an Inspector. They will undergo rigorous procedures of community involvement and consultation. DPDs must be consistent with and have regard to national planning policy.

Duty to Cooperate – Created by the Localism Act 2011. It places a legal duty on the Council to engage constructively, actively and on an ongoing basis with certain specified bodies to maximise the effectiveness of Local Plan preparation relating to strategic cross boundary matters.

Examination – The purpose of the Examination is to consider if the development plan is sound. The majority of representations made at Examination will usually be written representations. However, in some instances a Planning Inspector may allow representations to be examined by way of oral hearings, for example round table discussions, informal hearing sessions and formal hearing sessions.

General Consultation Bodies – Organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 that are required to be consulted at key stages of plan production. They include bodies which represent the interests of different racial, ethnic, religious or national groups, disabled persons and business in the local planning authority's area.

Local Development Document (LDD) – The collective term covering Development Plan Documents and Supplementary Planning Documents.

Local Development Scheme (LDS) – A three year project plan outlining the Councils programme for preparing the Local Plan.

Local Plan – Collective term for the Development Plan Documents that set out the spatial vision and strategy for the District including policies and proposals. The Local Plan is a key part of the development plan.

Marginalised groups – Groups of people or organisations within the community who the local planning authority have found more difficult to engage with in the planning system. They include older people, religious, disabled and ethnic minority groups.

National Planning Policy Framework (NPPF) – It sets out the government's national planning requirements, policies and objectives.

Neighbourhood Development Plan (NDP) – A plan for the neighbourhood area which is prepared by an authorised community group. The plan must be in general

agreement with the overall plan for the local authority area and can include general planning policies and allocations for new development.

Specific Consultation Bodies – Organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 that are required to be consulted at key stages of plan production. They include neighbouring and parish councils, key service providers, Government departments and non-government organisations.

Stakeholders – A person or organisation with an interest or concern in something.

Statement of Community Involvement (SCI) – Outlines the approach of the council to involving the community in preparing the Local Plan and planning policy documents.

Supplementary Planning Documents (SPD) – Documents that expand on policies and proposals in Development Plan Documents.

Sustainability Appraisal (SA) – An appraisal of the social, economic and environmental implications of a strategy, policies and proposals. The SA seeks to ensure that proposals contribute to the achievement of sustainable development. Tests of Soundness – The tests outlined in the National Planning Policy Framework that DPDs are judged against.