

**Name of meeting:** Cabinet  
**Date:** 22<sup>nd</sup> September 2015

**Title of report:** Statement of Community Involvement

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Is it in the <a href="#">Council's Forward Plan</a> ?	Yes
Is it eligible for "call in" by <a href="#">Scrutiny</a> ?	Yes
Date signed off by <u>Director</u> & name	Jacqui Gedman - 11/09/15
Is it signed off by the Director of Resources?	David Smith - 04/09/15
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	Julie Muscroft - 10/09/15
Cabinet member <a href="#">portfolio</a>	Cllr P McBride - Transportation, Skills, Jobs and Regional Affairs

Electoral [wards](#) affected: All

Ward councillors consulted: No

Public or private: Public

## 1. Purpose of report

The purpose of the report is to advise Cabinet of the responses received during the consultation period (attached at appendix 1) on the draft Statement of Community Involvement (SCI) and to seek Cabinet approval for adoption of the SCI (attached at appendix 2). The SCI sets out how the council will consult and work with communities and stakeholders to develop planning policy documents such as the Kirklees Local Plan or guidance on specific issues.

## **2. Key points**

### **2.1 Background**

The production of a SCI is a government requirement and the council adopted its first SCI in September 2006. A review of the SCI has been undertaken in the light of:

- changes to planning legislation and regulations;
- changes to the way the council operates and the impact on services; and
- advances in technology and the use of digital technology for communication.

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 Town and Country Planning (England) Neighbourhood Planning (General) Regulations 2012.

The SCI has been written in the context of the Kirklees Involving Communities Framework which sets out a common partnership approach to involving communities in Kirklees. To put the SCI in context, the purpose of the SCI is to set out the range of methods to be considered when undertaking consultation and the range of groups to be consulted. The details of how this will be undertaken will be published prior to the specific consultation event to ensure effective engagement. The purpose of the SCI is to provide a framework for consultation on planning policy and the way comments received will be used to inform documents. The council's specific programme of planning policy documents will be set out later in the Local Development Scheme.

For the avoidance of doubt, it is the role of the Local Plan which will be subject to public consultation which sets out the council's approach to its spatial strategy; and it is the Development Management Charter which refers to planning application procedures.

Cabinet, at its meeting on 16<sup>th</sup> June 2015 resolved that the Director of Place be authorised to commence the consultation exercise on the Draft SCI. Further, that officers be authorised to analyse and review the document in the light of the representations received and to produce a revised SCI to be reported to Cabinet as an Executive function and Council adoption, if appropriate.

The draft SCI was consulted on for a four week period from July 1<sup>st</sup> to 30<sup>th</sup> July 2015.

### **2.1 Key Changes**

The responses to the public consultation are attached at appendix 1 together with an officer response and any proposed changes to the SCI. The revised and updated SCI is attached at appendix 2 for approval for adoption. The changes

have been identified on the revised SCI by (i) including the 14 Recommendations) and (ii) where text has a strike through this is to delete reference to the consultation draft and to update the tense of the document.

### **3. Implications for the Council**

#### **Benefit**

The benefit of having a revised, up to date SCI is that it will give clarity and transparency on how the community and stakeholders will be involved in the Local Plan process.

When the Local Plan is tested at examination it will be subject to Legal Compliance tests (Stage 1, Activity 2 and 3 together test how community engagement has been undertaken as part of the preparation of the development plan document). Having an up to date SCI will be a key piece of evidence demonstrating that the council has addressed its commitment to engagement and involved the community in its preparation through consultation.

#### **Risks**

The risk of not having an up to date SCI is the potential for increased representation at development plan examinations on the basis that the council has not set out its position on engagement. It may also lead to disengagement from the process.

#### **Costs**

The cost of all contacts on the local plan database being consulted and invited to make comments on the SCI was met from the existing Local Plan Budget. Following adoption of the document, there will be a small extra cost for printing to ensure that paper copies are available to view at Huddersfield Civic Centre 3 and Dewsbury Service Centre.

#### **Equalities**

A stage 2 Equality Impact Assessment was undertaken for the draft SCI which is attached at appendix 3. This has been reviewed in the light of the proposed changes and no adverse equalities impacts have been identified.

### **4. Consultees and their opinions**

All contacts on the Local Plan database were notified of the consultation on the SCI and invited to comment. This included both statutory consultees and the public. Responses are outlined in Appendix 1.

## **5. Next steps**

Subject to a Cabinet resolution to adopt the SCI, the SCI will be placed on the council's website and all contacts on the Local Plan database will be notified of its adoption.

## **6. Officer recommendations and reasons**

That Cabinet adopts the SCI as outlined at appendix 2 with delegated authority to the Director of Place to agree minor amendments (such as paragraph renumbering, formatting and removal of recommendation references) and that it is placed on the council's website and all contacts on the Local Plan database are notified of its adoption.

## **7. Cabinet portfolio holder recommendation**

The portfolio holder, Cllr P McBride, agrees with the officer recommendations and for the report to proceed to Cabinet.

## **8. Contact officer and relevant papers**

Richard Hollinson  
Policy Group Leader  
01484 221000  
richard.hollinson@kirklees.gov.uk

Jo Scrutton  
Principal Planning Officer  
01484 221000  
johanna.scrutton@kirklees.gov.uk

**Background Papers** – Statement of Community Involvement – Adopted 2006, Localism Act 2011, National Planning Policy Framework (NPPF) 2012, Town and Country Planning Local Planning (England) Regulations 2012; and Town and Country Planning (England) Neighbourhood Planning (General) Regulations 2012.

## **9. Assistant director responsible**

Paul Kemp  
Assistant Director (Acting)  
Place - Investment and Regeneration  
01484 221000  
paul.kemp@kirklees.gov.uk

## Appendix 1 - Responses received on the consultation on the draft Statement of Community Involvement

Para No:	Respondent and Organisation (if applicable)	Main issues from consultation	Council response
All	Individual	The document should be written in plain English.	The proposed recommendations in the report seeks to resolve this comment.
All	Individual	<p>The revised draft Statement of Community Involvement says all the right things but not how this will be achieved. In particular, the Equality Impact Assessment states the need to consult with all those covered by the Equality Act with protected characteristics but fails to cover this adequately. Fostering good relations is essential with disabled people.</p> <p>Ensuring consultation of disabled people is a complex, time consuming and costly process but is an essential part of consultation.</p>	<p>The purpose of the SCI is to set out the range of methods to be considered when undertaking consultation and the range of groups to be consulted. The details of how this will be undertaken will be published prior to the specific consultation event and will be based on a proper consideration of the most appropriate methods and consultees to ensure effective engagement including engagement with disabled people.</p> <p>The details of the consultation will be made available prior to the start of the consultation by a range of mechanisms including writing to everyone on the database, press releases, social media and use of the council's website. This is set out in sections 2.12 -2.14.</p> <p>The Local Development Scheme outlines broad timescales when this will be delivered. The LDS is the document which defines the documents and timetable to be consulted on</p> <p>The details for specific events are not detailed in the SCI as this will vary according to the scope and nature of the consultation.</p>

Para No:	Respondent and Organisation (if applicable)	Main issues from consultation	Council response
			<p>Consultees will be informed of the details in advance of the start of a consultation event. This can be further clarified in the SCI.</p> <p><b>Reference: See Recommendation 3: (below)</b> Amend paragraph 2.13 to read: <i><u>“Consultees will be informed of the nature and scope of the consultation and any additional consultation documents prior to the start of the consultation period/event to raise public awareness. Details will also be available on the council’s website”.</u></i></p> <p>No change proposed.</p>
All	Individual	How are you planning on engaging with young people in this process? They are unlikely to be gathered if you only view them as residents. There must be a way of engaging them through schools/youth parliament/etc.	<p>The methods for engaging with young people will depend on the type of consultation and the issues to be consulted on. Working directly with schools/youth parliaments is one way that this can be achieved and will be considered when planning specific events.</p> <p><b>Recommendation 1:</b> <i><u>Amend 2.4 to make reference to marginalised groups which includes young people, disabled people, religious group, ethnic groups.</u></i></p> <p><b>Recommendation 2:</b> <i><u>Amend 2.15 to make reference to schools/youth parliaments as an example of communication.</u></i></p>
All	Individual	For clarity, the community involvement on any matter outlined within the SCI should	There is no statutory requirement to undertake a vote for all adults and the cost would be

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		<p>be submitted to a vote for all adults (18+).</p> <p>There should be well advertised public meetings prior to this for clarification and transparency. The outcome of which should be made public and subject to appeal with valid reason.</p>	<p>prohibitive to do this for every consultation event.</p> <p>Paragraph 2.15 makes reference to the use of workshops, discussion groups, exhibitions, road shows and unmanned displays as a potential method of communication.</p> <p>Paragraph 2.13 makes reference to consultees being informed of consultation locations prior to the start of the consultation. Whenever possible, the council will seek to feedback on the issues raised and the outcomes as a result of consultation. This is addressed at 2.17.</p> <p>To register on the Local Plan database, individuals should ring/write to/e-mail the Policy and Strategy Team. Details are/will be included on the website and consultation material. This is outlined at paragraph 2.6</p> <p>No change proposed.</p>
All	Individual	It is incomprehensible.	The proposed recommendations set out in the report seek to resolve this comment.
All	Individual	There is no consideration to Birdledge or similar villages who are in the green belt who need development to thrive. Need to consider rural community needs such as provision for employment, affordable housing, social needs. Stop overcrowding areas of North Kirklees and release land in	<p>This comment was submitted on the SCI. However, it is not the purpose of the SCI to deal with the council's spatial strategy. This will be dealt with as part of the Local Plan.</p> <p>The draft Local plan will be subject to consultation in November 2015 and provides</p>

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		south Kirklees such as Birdsedge, Highflatts to enable people and families to enjoy village life.	the opportunity to comment on the council's proposed development strategy.  No change proposed.
All	Individual	Will Kirklees Planners speak at community meetings to help answer questions.	Paragraph 2.15 makes reference to the use of workshops, discussion groups, exhibitions, road shows and unmanned displays as a potential method of communication.  No change proposed.
All	Individual	The Development Management Charter needs to be placed on the website.  The link to the Local Development Scheme on the website is not working.	The Development Management Charter was endorsed by cabinet on 28 <sup>th</sup> July 2015 and is now on the website. The link to LDS has been resolved.  No change proposed.
All	Individual	Consultations with residents in areas affected must be meaningful and not just an exercise in public relations. People must be able to feel that their views will be listened to and taken into account. This has not been one of Kirklees strengths in the past and 'must try harder'.	Noted. The purpose of the SCI is to provide a framework for consultation to increase transparency. Reference is made in paragraph 2.17 to ensure transparency of the process.  No change proposed.
All	Individual	Consultation is a waste of time due to cost for tax payer and decisions are already made. The process is merely a tick box exercise to comply with statutory duties.  Do not consider the document to be truthful as it does not contain all the facts about how processes will be carried out.	Noted. The purpose of the SCI is to provide a framework for consultation to increase transparency.  The Local Development Scheme outlines broad timescales when this will be delivered.  The details for specific events are not detailed



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			<p>in the SCI as this will vary according to the scope and nature of the consultation. Consultees will be informed of the details in advance of the start of a consultation event. This can be further clarified in the SCI.</p> <p><b>Recommendation 3:</b> Amend paragraph 2.13 to read: <i><u>“Consultees will be informed of the nature and scope of the consultation and any additional consultation documents prior to the start of the consultation period/event to raise public awareness. Details will also be available on the council’s website”.</u></i></p> <p>To register on the Local Plan database, individuals should ring/write to/e-mail the Policy and Strategy Team. Details are/will be included on the website and consultation material. This is outlined at paragraph 2.6</p>
All	Individual	The SCI will not stop Kirklees pushing through development of green belt and farm land, instead of using existing brown field sites and disused buildings. In areas affected by development, there should be more input from local residents in any proposed affected areas.	<p>This comment was submitted on the SCI. However, it is not the purpose of the SCI to deal with the council’s spatial strategy. This will be dealt with as part of the Local Plan.</p> <p>The draft Local plan will be subject to consultation in November 2015 and provides the opportunity to comment on the council’s proposed development strategy.</p>

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			No change proposed.
Section 1	Individual	<p>Searching the Kirklees website to find the SCI was not clear.</p> <p>Also, you indicate that you would have preferred my response to be via the website - but I was not confident the portal would give me space or could be edited before it was seen by appropriate Kirklees officers, so I emailed my response.</p> <p>In the <u>Introduction in Section 1</u>, it was clear that you realise communication is a weakness across the whole of Kirklees. This view is based on the experience of the Clayton Fields Action Group. So, with respect to the revised proposals within this SCI, it is clear that there has been little improvement in the communication for the setting up of the Planning Inspectors hearing for the Appeal by the Clayton Fields developer regarding Kirklees Non-determination of their revised Planning Application. Further detailed comments submitted on the notification process and attendance at the appeal.</p> <p>The <u>Introduction</u> further mentions the need for 'the transparency.....of the</p>	<p>Amendments have been made to website format to address concerns.</p> <p>The SCI refers to the Planning Policy consultation system. The intention is that in the future, consultation responses can be made via this system, allowing editing and sufficient space. This also allows respondents to see their response and the responses made by others.</p> <p>The SCI deals with consultation on planning policy matters and not the development management process. These comments have been forwarded to development management for consideration as part of the Development Management Charter.</p>

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		<p>process' - it was only the Planning Inspector (in answer to the question) who indicated that he would be responding to the Appeal in 5 weeks (next week) - not the end of the day as we were advised, <b>nor</b> the end of the week the developers were apparently expecting.</p> <p>In the <u>Background and the need for review</u>, it is clear that Kirklees accepts that its processes need to change, particularly as it states they already conflict with government requirements, since September 2006, when the last SCI regulations and planning regulations were changed - notwithstanding the subsequent changes over the last 9 years.</p> <p>In <u>Section 2</u>, you detail the <u>Community involvement in planning policy</u>, in which you indicate what documents you will consult on. The Local Development Scheme (LDS) is the timetable you will work to - which is on your website. It is a very broad brush programme approach, and is already out of date. My thought is that you should notify all parties when it is updated, which it inevitably will be, to ensure your consultees are able to respond within the revised timetable. You also indicate you are going to produce</p>	<p>The council has consulted on a draft SCI in order to update its adopted document.</p> <p>The update of the Local Development Scheme is currently in progress and will be placed on the council's website and all contacts on the Local Plan database notified of the revised document. To register on the Local Plan database, individuals should ring/write to/e-mail the Policy and Strategy Team. Details are/ will be included on the website and consultation material. This is outlined at paragraph 2.6</p>

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		<p>a Local Plan, but there is no indication on its scope. If you were to consider Edgerton, would it be the area covered by the Edgerton Conservation Area, or would it cover a larger neighbourhood including say the Birkby Conservation Area, or would it be wider still, to include Lindley, Marsh and Paddock? You also indicate there will be Area Action Plans (AAPs). You suggest they would be more appropriate for town centre areas - would there also be a need for a Marsh Area and a Lindley Area Action Plan? These townships are in need of an overall strategy plan, but who would you consult with for these developments involving commercial interests as well as residential interests?</p> <p>How does the current (out of date) UDP and the replacement LDF (withdrawn at 1st Draft) documents and associated documentation compare in style to the latest Short/Mid/Long term planning proposals, presumably still in Draft versions?</p> <p>Would these 'special interest' areas be covered by <u>Supplementary Planning Documents</u>? You indicate these would 'focus on specific topics in greater detail'</p>	<p>The scope of the Local Plan was consulted on as part of the Early Engagement on the Local Plan and information on this is outlined on the council's website.</p> <p>There is further opportunity to comment on the scope and content of the Local Plan when a draft is consulted on in November 2015.</p> <p>There is currently no agreed programme to produce Area Action Plans within the Local Development Scheme. The SCI refers to Area Action Plans as an example of a planning policy document that the council could produce.</p> <p>It is proposed to consult on the draft Local Plan in November 2015.</p>

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		<p>You also indicate there would be a <u>Development Plan Document (DPD)</u> which would be part of an <u>Area Action Plan (AAP)</u>, but there is no description of the hierarchy of each of these plans. There is a reference to all these plans being part of the 'statutory procedural stages' which are included in the Town and Country Planning (Local Planning) (England) Regulations 2012. If you are asking me to comment on the revised SCI document, surely you should provide me as a 'consultee' with a better description of how you intend to go forward with your Planning Policy?</p> <p>Even further down on your list are <u>Strategic Master Plans, Sustainability Assessment</u> - and the funding mechanism of the <u>Community Infrastructure Levy (CIL)</u> - which leads into the <u>Neighbourhood Plans</u>. These apparently will be developed by the 'Community' - but obviously must follow agreed statutory policies - which you have not described, but will be decided by the <u>Neighbourhood Planning Body</u>.</p>	<p>There is currently no agreed programme to produce SPDs within the Local Development Scheme.</p> <p>The SCI refers to examples of Supplementary Planning Documents (SPDs) as examples of planning policy documents that the council could produce.</p> <p><b>Recommendation 4:</b> <u>To include a diagram showing the hierarchy of Planning policy documents and their relationship at section 2.2.</u></p> <p>See Recommendation 4 (above) which clarifies the body responsible for producing the plan.</p> <p><b>Recommendation 5:</b> <u>To amend section 2.2 to include the following text:</u> <u>“Community Infrastructure Levy is produced by</u></p>

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		<p>You indicate you have a list of 6500 individuals and organisations <u>Who you will consult</u> (I presume I am one of them. There is no way Kirklees can monitor the performance of their consultees without giving them appropriate training, guidance and support.</p> <p>Where do the councillors fit into this</p>	<p><i>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”.</i></p> <p><b>Recommendation 6:</b> <i>To amend the Neighbourhood Plan text to make reference to the role of Parish/Town Councils and designated Neighbourhood Planning Bodies.</i></p> <p>All contacts on the Local Plan database will be consulted on all planning policy documents.</p> <p>Paragraph 2.15 sets out methods for consulting and supporting people to enable comment, which includes setting out the scope of the consultation, feedback methods, preparation of questionnaires, leaflets, exhibitions, road shows or drop in sessions. Reference is also made to summary information and the preparation of frequently asked questions as an additional way to support individuals and</p>

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		<p>planning hierarchy?</p> <p>The Duty to Cooperate, covered by the Localism Act (2011), appears to require Kirklees to consult with adjoining councils and public bodies to make the aspirations of the 'community' as effective as possible. For example, links to the M62 require improvement for business purposes, to get vehicles into Huddersfield (in particular) efficiently. This will require road improvements to Bradford Road (the new Rastrick link), New Hey Road (East bound exit), Halifax Road (Ainley Top alternatives) and Brighouse Road (Cooper Bridge improvements/diversions). Also improvements links to the M1 (Wakefield Road improvements to Lepton/Flockton/Clayton West) and Barnsley Road (improvements through Shelley), also Sheffield Road (improvements through Holmfirth) - for starters. For Huddersfield to be the place to Grow, transport links have to be improved - and trains have to go direct to London and link to Leeds/Manchester/Wakefield/Sheffield - for starters.</p> <p>I cannot see in this SCI document how and</p>	<p>organisations make comments.</p> <p>No change proposed.</p> <p><b>Recommendation 7:</b>  <u>To amend the SCI to include a new section on the role of councillors and planning policy.</u></p> <p>This comment was submitted on the SCI. However, it is not the purpose of the SCI to deal with the council's spatial strategy. This will be dealt with as part of the Local Plan.</p> <p>The draft Local plan will be subject to consultation in November 2015 and provides the opportunity to comment on the council's proposed development strategy.</p> <p>No change proposed.</p>

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		<p>at what level the community will be involved in this consultation exercise.</p> <p>The <u>Methods</u> you have described have no depth or substance. People do not have the spare time to spend on the matters discussed above, but what has been described in this consultation document indicates that the existing councillors will have little else remaining to administer if these planning and development issues are dealt with by local consultees - so fewer councillors would be required.</p> <p>My concern is that the consultation with the community by the Kirklees officers would be lop-sided. The consultees would be part-time contributors to the full-time officers workload - but the time Kirklees officers would spend with the developers would increase. The power I have seen that the developers currently exert over the officers is considerable - would the consultees within the community be able to ensure the community gets what it wants, or would there be further local frustration in being unable to influence the long term future of its communities' needs?</p>	<p>Paragraph 2.1 refers to the Local Development Scheme which sets out the programme for commenting on identified planning policy documents. All consultees on the Local Plan database will be contacted on the consultation on the draft Local Plan.</p> <p>See Recommendation 7 on the role of councillors <b>Recommendation 7:</b> <u>To amend the SCI to include a new section on the role of councillors and planning policy</u></p> <p>The SCI sets out a commitment at paragraph 2.4 to consult with a range of groups who live or work in the district including residents and developers and landowners.</p>



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			<p>To register on the Local Plan database, individuals should ring/write to/e-mail the Policy and Strategy Team. Details are/will be included on the website and consultation material. This is outlined at paragraph 2.6</p> <p>No change proposed.</p>
All	Natural England	Supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters both in terms of shaping policy and participation of determining planning applications.	<p>Noted.</p> <p>The SCI does not deal with consultation on planning applications. This is dealt with in the Development Management Charter.</p>
All	Mr J Taylor Parish Councillor and Shepley Village Association	<p>Support the revised draft Statement of Community Involvement.</p> <p>Just build on what is documented. More information should be made available in Library and Information Centres (those which will continue under the current review). Use the schools to contact hard to contact families and distribute information via the school bags.</p>	<p>Noted.</p> <p>Paragraph 2.13 states that hard copies of documents will be made available at Huddersfield Civic Centre 3, Dewsbury Service Centre at Dewsbury Town Hall and other public buildings subject to the nature and scope of the consultation. Consultees will be informed of any additional locations prior to the start of the consultation period/event. This provides the council with the flexibility of changing or adding further locations subject to the nature and scope of consultation.</p> <p>See Recommendation 2 with regard to schools. <b>Recommendation 2:</b></p>

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		<p>Welcome the comments around the use of social media but there are also a number of local community websites which could be used, providing links to consultation documents which may be more effective than the Kirklees website or use of the local press.</p>	<p><u>Amend 2.15 to make reference to schools/youth parliaments as an example of communication</u> Paragraph 2.15 makes reference to maximising the use of networks or communication channels used by other services where required in order to target consultation more effectively and/or to reach “marginalised groups or communities”. This could be amended to make reference to local community websites where known.</p> <p><b>Recommendation 8:</b> <u>Amend paragraph 2.15 to read:</u> <u>“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.</u></p>
All	Individual	<p>Whilst the document covers procedure and timescales many problems arise because many people fail to read the information that is issued. Greater effort should be made to convey information through the local press and make the notices bolder. Efforts should be made to encourage the public to understand the process.</p> <p>Make it mandatory that written notices to adjoining owners etc. are included in all</p>	<p>Reference is made to the use of local media and press releases within the SCI. Comments about format noted.</p> <p>The SCI only deals with planning policy. The Development Management Charter refers to</p>

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		applications, without them, applications are not considered.	the planning application procedures.
2.15	Individual	<p>Reference is made to key individuals and groups and that includes developers and landowners but no direct contact has been made from the LPA or an invitation to discuss the site with the LPA or the local community.</p> <p>From paragraph 2.15 it is clear that the council intends to publicise various stages of the local plan preparation widely and using a range of media. It appears that some workshops and or discussion groups with “key stakeholders” has already taken place at the early engagement stage of the Local Plan. Question which stakeholders are key and would suggest that landowners and developers are key to delivery of new development and must be actively engaged going forward.</p> <p>The SCI should be amended to include reference to direct meetings with interested landowners and their representatives.</p> <p>Local community meetings and meetings involving landowners and the council are vital and important in the context of the soundness of the Plan.</p>	<p>Comments on a specific site proposed for inclusion in the Local Plan have been addressed as part of the preparation of the draft Local Plan and are not reported within this report.</p> <p>A targeted workshop was held as part of the early engagement on the Local Plan. Invitees were invited across all groups of consultees including landowners and developers to ensure that views were representative of all groups.</p> <p>The key stakeholders will depend on the nature and scope of consultation.</p> <p>Paragraph 2.4 already makes reference to developers and landowners.</p> <p>Section 2.15 includes a variety of indirect and direct methods of consultation for all groups and the methods chosen will depend on the nature and scope of the consultation. It is therefore, not considered appropriate to include reference to direct meetings just in respect of landowners and developers. Additionally, any of the groups listed at paragraph 2.4 can request a meeting with the council.</p>

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		Have all reasonable alternatives been considered and assessed.	The consideration of reasonable alternatives is not the purpose of the SCI. The process of considering reasonable alternatives will be outlined in the Sustainability Appraisal document which supports the Local Plan. Both documents will be available at the time of the draft Local Plan consultation. No change proposed.
1.10	Individual	I am mindful of the dire failings of the council concerning the previous public involvement which fills me with trepidation for the future. It is important to achieve the widest public awareness of the local Plan consultation and to ensure that the intentions of the LDF are presented to the public in the clearest possible manner.	Noted. The draft Local Plan consultation arrangements will be published in advance of the publication of the consultation draft in order to raise public awareness. These arrangements will be outlined on the council's website, be subject to press releases and social media and all contacts on the Local Plan database will be notified.  No change proposed.
All	Individual	The document is hugely improved from previous version.  The main point I would make is that somehow you have to reassure people about the value of their views and that the Council will actually listen and take account of public opinion. It is important that the Council is very clear about what it will do with the comments made in any consultation process and how those views will be used in the decision making	Paragraph 2.17 sets out the council's approach to feedback. Feedback documents will be available to view on the council's website.  <b>Recommendation 9:</b> <u>To amend paragraph 2.17 to make reference to information will be made available on the council's website</u>  In addition see Recommendation 7 about new text on the role of the councillors and planning policy <b>Recommendation 7:</b>

Para No:	Respondent and Organisation (if applicable)	Main issues from consultation	Council response
		<p>process.</p> <p>Your document is good on the way in which the consultation process will be conducted but weak on what happens afterwards. It would be useful to describe how the views will be collated and analysed, who will do this work, who will see the results of the consultation and how the views expressed be used alongside other decision making criteria.</p> <p>Is there a decision making framework, are there clear criteria set out and if so where have these come from? This sort of transparency will help to give comfort to those who care but doubt the Council's sincerity.</p>	<p><u>To amend the SCI to include a new section on the role of councillors and planning policy</u></p> <p>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 plan.</p> <p><b>Recommendation 10</b> <u>To amend 2.17 to refer to the Local Plan and soundness testing.</u></p>
All	Mobile Operators Association	<p>We request that the mobile operators and Mono Consultants Limited continue to be informed of Planning policy consultations. Agree that e-mails informing interested parties of consultations are the most effective method of communication.</p> <p>Agree that consultation documents should be available to view on the council's website.</p>	<p>Noted and agreed.</p> <p>Noted.</p>
All	Individual	Support the revised draft Statement of Community Involvement.	Noted.

Para No:	Respondent and Organisation (if applicable)	Main issues from consultation	Council response
All	Individual	The revised draft SCI seems a typical document, confusing and without actually saying anything. More information required on what the council will do for consultation rather than might do.	<p>The Local Development Scheme outlines broad timescales when this will be delivered. The LDS is the document which defines the documents and timetable to be consulted on</p> <p>The details for specific events are not detailed in the SCI as this will vary according to the scope and nature of the consultation. Consultees will be informed of the details in advance of the start of a consultation event. This can be further clarified in the SCI.</p> <p><b>Reference: See Recommendation 3:</b> Amend paragraph 2.13 to read: <i><u>“Consultees will be informed of the nature and scope of the consultation and any additional consultation documents prior to the start of the consultation period/event to raise public awareness. Details will also be available on the council’s website”.</u></i></p>
All	Individual	Detailed comments submitted on the SCI regarding plans to build more houses on the fields between Grange Road and Soothill Lane.	<p>This comment was submitted on the SCI but is more appropriate to be included as feedback on the Local Plan Early engagement and will be automatically incorporated into that process.</p> <p>The draft Local plan will be subject to consultation in November 2015 and provides a further opportunity to comment on the council’s proposed development strategy</p>
2.15	Individual	There is no reference to using district	<b>Recommendation 11:</b>

Para No:	Respondent and Organisation (if applicable)	Main issues from consultation	Council response
		committees to inform people about consultations happening.	<i>To include reference to the use of District Committees in paragraph 2.15.</i>
All	Individual	Building more houses in Fixby is a recipe for disaster. Houses mean people who require the services of schools, roads, shops, GPs, hospitals, recreation areas. The present plans of the council are inadequate and the area will lose its character.	This comment was submitted on the SCI but is more appropriate to be included as feedback on the Local Plan Early engagement.  The draft Local plan will be subject to consultation in November 2015 and provides an opportunity to comment on the council's proposed development strategy.
	Meltham Town Council	Although the document covers all the various points of community involvement it is not presented in a user friendly way. Using jargon, acronyms and terminology will not entice people to get involved. A more straightforward, plain English version should be used to attract comments and involvement from all parts of our community.	<b>Recommendation 12:</b> <i>Amend document to include a glossary.</i>
	Canal and River Trust	It is noted that the SCI deals only with planning policy and not the planning application process which is addressed in the Kirklees Development Management Charter. The Trust would wish to be consulted on all future policy documents to consider any potential future impact on its assets.  The Trust has no specific comments to make on the details set out in the draft	Noted. The Canal and River Trust is on the Local Plan database and will continue to be consulted on all planning policy documents.  Noted.

Para No:	Respondent and Organisation (if applicable)	Main issues from consultation	Council response
		<p>SCI, the nature of documents to be consulted upon or methods of communication, all of which seem reasonable and welcome commitment to, where possible, exceeding minimum standards for community involvement.</p> <p>It would be useful to see appendices detailing specific groups or interests whom you would generally consult and information on how such groups could ensure that they are on your list of potential consultees for particular documents.</p>	<p>It is considered a list of consultees could make the document easily out of date but agree clarification is required and therefore propose that examples of specific and general consultees are defined. Any group who wish to check they are on the list or wish to be added can contact the Policy and Strategy Team.</p> <p><b>Recommendation 13:</b>  <u>To include a definition of what constitutes a specific or general consultee as defined by the Town and Country Planning (Local Planning) (England) Regulations 2012 under paragraph 2.4.</u></p>
	Individual	<p>Whilst we appreciate that there will be some housing development, we feel that 400 houses would have a negative impact on the Fixby area.</p>	<p>This comment was submitted on the SCI but is more appropriate to be included as feedback on the Local Plan.</p> <p>The draft Local plan will be subject to consultation in November 2015 and provides an opportunity to comment on the council's proposed development strategy.</p>



Para No:	Respondent and Organisation (if applicable)	Main issues from consultation	Council response
All	Individual	The whole document is incoherent in its attempt to define the consultation process.	The proposed recommendations seek to address this comment.
Intro	Individual	Who decides on the degree of flexibility on the consultation processes	Cabinet- the Local Plan consultation plan will be presented to Cabinet for agreement.  No changes proposed.
Background	Individual	The reference to the SCI no longer having the same status as previously infers that Kirklees wants flexibility over delivery	Legislation, and not the council, dictates the status accorded to SCI. However, despite the SCI no longer having development plan status, the council is still required to adopt a SCI. Additionally, National Planning Policy Framework and statutory requirements require the council to have early and meaningful engagement with neighbourhoods, local organisations and businesses and to adhere to minimum legal requirements for consultation. The production of an SCI demonstrates clarity and transparency over consultation methods and the way comments will be used to inform development plan documents.  No changes proposed.
Section 2	Individual	Unclear as to which documents and consultees will be consulted on	The LDS is the document which defines the other documents and timetable to be consulted on and add <b>Recommendation 14:</b> <i><u>Amend paragraph 2.2 to make it clear that the documents listed are examples of the types of document to be consulted on and that the Local Development Scheme will set out the council's agreed programme of documents.</u></i>

Para No:	Respondent and Organisation (if applicable)	Main issues from consultation	Council response
2.1	Individual	<p>Is the LDS the document which defines the documents and timetable to be consulted on?</p> <p>When the LDS is produced, it should instigate a clear means of initiating consultation and feedback.</p>	<p>Yes. This is set out on paragraph 2.1.</p> <p>The LDS contains timelines for consultation on planning policy documents. Feedback processes are outlined in paragraph 2.17 of the SCI. No further changes proposed.</p>
2.15	Individual	<p>The general public not focussed groups need involving through normal means of communication. Newspapers, flyers. Kirklees Together should be an excellent means of generating interest. Dedicated, specialised websites will not interest or involve the general public.</p>	<p>Paragraph 2.15 outlines methods of consultation which apply equally to the general public and focus groups. There may be times that a focus group is used for consultation in order to test out a concept prior to wider consultation or because the consultation relates to a specialist or specific topic. This will be outlined in the scope of the consultation.</p> <p><b>Reference: See Recommendation 3:</b> Amend paragraph 2.13 to read: <i><u>“Consultees will be informed of the nature and scope of the consultation and any additional consultation documents prior to the start of the consultation period/event to raise public awareness. Details will also be available on the council’s website”.</u></i></p>
	Individual	<p>The draft SCI details many variables in the consultation process without any coherent logical relationships. It must be simple, logical with clear documents, consultation method and feedback processes.</p>	<p>See Recommendation 4 regarding hierarchy of planning policy documents.</p> <p><b>Recommendation 4:</b> <i><u>To include a diagram showing the hierarchy of Planning policy documents and their relationship at section 2.2.</u></i></p>

Para No:	Respondent and Organisation (if applicable)	Main issues from consultation	Council response
			<p>See recommendation 9 on feedback.</p> <p><b>Recommendation 9:</b>  <i>To amend paragraph 2.17 to make reference to <u>Information will be made available on the council's website</u></i></p>
1.6, 1.9 and 1.10	Individual	<p>The government are giving Council's more power to defend local communities regarding inconsiderate planning. This should mean</p> <ul style="list-style-type: none"> <li>• more consideration of options and local priorities and concerns (1.6);</li> <li>• the needs of the community for early engagement and more involvement (1.9);</li> <li>• council's no longer have to submit SCI to Government for independent examination, therefore communities should have a bigger voice (1.10)</li> </ul>	Noted. These points are already addressed in paragraphs 1.6, 1.9 and 1.10. No change proposed.
2.2	Individual	<p>More Local Planning. Communities should be heard on issues such as local needs, housing including affordable housing, local economy, community infrastructure and facilities and safeguarding the environment</p>	<p>Agree. The list of documents set out at 2.2 demonstrates how individuals and local communities can contribute to the debate on these issues. The emerging Local Plan provides a key opportunity to comment on such issues.</p> <p>No change proposed.</p>
2.4	Individual	<p>The council should seek the views of those who already live in the area.</p>	<p>Agree. Reference is made in 2.4 to residents.</p> <p>No change proposed.</p>

Para No:	Respondent and Organisation (if applicable)	Main issues from consultation	Council response
2.10	Individual	<p>Local aspirations – too many meetings have been biased. Views are not listened to. The worries of overcrowded schools, doctors, roads and wildlife are important. Before building on Green belt, the brownfield sites should be built on first. Many are derelict sites. Also there are thousands of homes for sale in Kirklees so no need to build anyway.</p>	<p>It is not the purpose of the SCI to set out the council’s approach to its spatial strategy or proposed development. This is the role of the Local Plan which will be subject to public consultation. Additionally, Paragraph 2.10 refers to the council’s duty to co-operate requirements. The council has a statutory duty to work with defined bodies on strategic cross boundary matters, one of the purposes of which is to ensure that infrastructure is properly considered and consideration given to how this will be delivered to support proposed development. Local views are considered through consultation and the Local plan consultation provides an opportunity to comment on these issues.</p>
	Castle Hill Civic Associates	<p>Confirmation that the on-line planning consultation system of 6,500 will in the future be the one used to identify potential consultees on planning policies.</p> <p>Are Castle Hill Civic Associates included on the register?</p> <p>What categories/areas of planning policy will the Castle Hill Civic Associates be</p>	<p>All individuals and organisations listed on the current database will continue to be consulted on planning policy documents until such time as they request to be removed for it. Equally, the council will continue to accept new requests in the usual way (see immediately below) contacting the council and requesting your details to be added to the database) to be placed on the database to be consulted.</p> <p>Yes.</p>

Para No:	Respondent and Organisation (if applicable)	Main issues from consultation	Council response
		<p>consulted on?</p> <p>How does anyone go about being included on the register?</p>	<p>The Castle Hill Civic Associates will be consulted on all planning policy documents listed in the Local Development Scheme.</p> <p>To register on the Local Plan database, individuals should ring/write to/e-mail the Policy and Strategy Team. Details will be included on the website and consultation material. This is outlined at paragraph 2.6</p> <p>No change proposed.</p>
All	Individual	Support the revised draft Statement of Community Involvement.	Noted.
All	NHS North Kirklees Clinical Commissioning Group	Support the revised draft Statement of Community Involvement.	Noted.
All	Individual	Support the revised draft Statement of Community Involvement.	Noted.
All	Individual	Support the revised draft Statement of Community Involvement.	Noted.
All	Individual	Support the revised draft Statement of Community Involvement.	Noted.
All	West Yorkshire Archaeology Advisory Service	Support the revised draft Statement of Community Involvement.	Noted.
All	Individual	Support the revised draft Statement of Community Involvement.	Noted.
All	Huddersfield Ramblers Association	Support the revised draft Statement of Community Involvement.	Noted.

<b>Para No:</b>	<b>Respondent and Organisation (if applicable)</b>	<b>Main issues from consultation</b>	<b>Council response</b>
All	Hade Edge Action for Residents	Support the revised draft Statement of Community Involvement.	Noted.
All	Historic England	At this stage we have no comments to make regarding the SCI.	Noted.
All	Oldham Council	No comments to make on the SCI consultation.	Noted.
All	Planning Advisor Sustainable Places Team (Yorkshire)	No comments.	Noted.
All	Individual	Support the revised draft Statement of Community Involvement.	Noted.
All	Individual	Support the revised draft Statement of Community Involvement.	Noted.
All	Individual	Support the revised draft Statement of Community Involvement.	Noted.
All	Wakefield Council	Support the revised draft Statement of Community Involvement.	Noted.

## Appendix 2 – Proposed Final Statement of Community Involvement for Adoption

### 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 ~~will form~~ 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 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”.
- 1.4 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.
- 1.5 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 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 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.
- 1.6 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.
- 1.7 Involvement in the planning application process is outlined in the Kirklees Development Management Charter.

*This document was adopted by Cabinet on 22<sup>nd</sup> September 2015.*

## **Background and the need for review**

- 1.8 The production of a Statement of Community Involvement (SCI) is a government requirement<sup>1</sup> and the council adopted its first SCI in September 2006. A review of the SCI ~~has been~~ 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).
- 1.9 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.
- 1.10 ~~The minimum legal requirements for consultation on local plans (and other Local Development Documents) has been amended to produce a more efficient plan making process. This means that the previously adopted SCI does not reflect the new stages of plan preparation. Additionally, the SCI no longer has the same status and is no longer considered to be a development plan document. The council is therefore, able to adopt its own SCI without the need to submit it to the Secretary of State for independent examination.~~
- 1.11 ~~The council's decision to undertake a radical review of the way it operates, the services it will provide and the implications for the resources and practices makes it timely to consider our approaches to community engagement. 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.~~

## **~~How to comment~~**

~~1.12 The council is undertaking public consultation on this draft Statement of Community Involvement prior to its adoption.~~

~~1.13 This draft SCI will be available for consultation for a four week period from 4<sup>th</sup> July – 30<sup>th</sup> July 2105.~~

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



~~1.14 Comments should be made via the council's on-line response form or e-mailed to [local.development@kirklees.gov.uk](mailto:local.development@kirklees.gov.uk) or sent to:~~

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

~~1.15 All comments received will be assessed and the SCI reviewed in the light of these comments prior to a final version being adopted by the council.~~

## **Format of the document**

- 1.16 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.

## **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/pdf/kirkleesPlaceToGrow.pdf>
- 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)*  
**(Recommendation 14).**

#### **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.

### **Strategic 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*

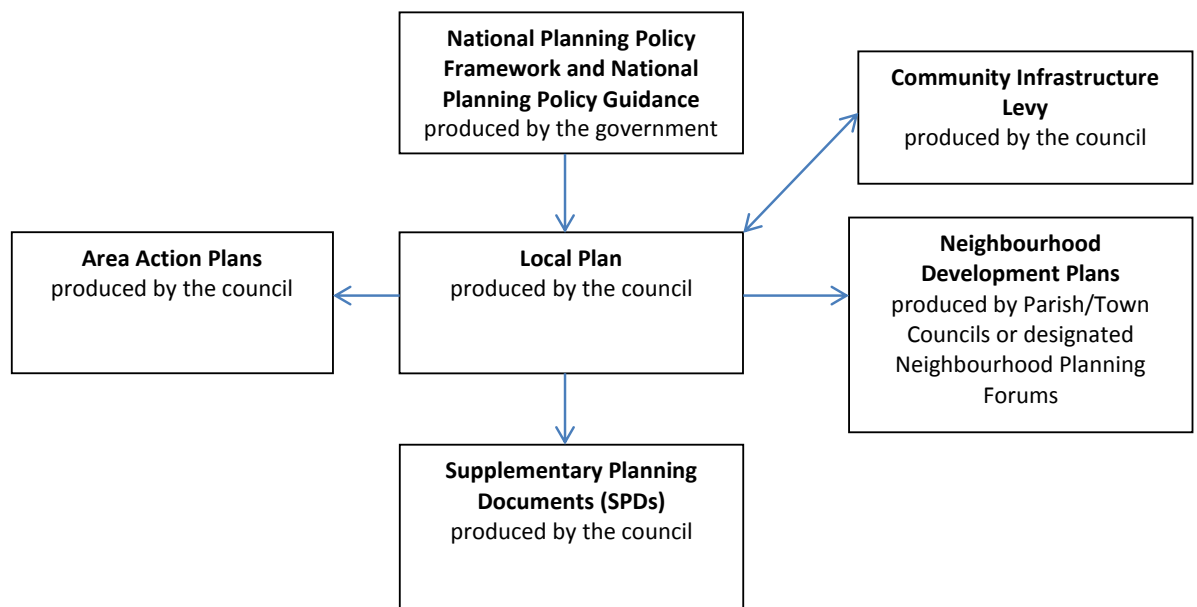
the consent of local people in a referendum will benefit from 25% of the levy revenues arising from development taking place in their area.  
**(Recommendation 5).**

### 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 **(Recommendation 6)** community 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 (Parish/Town Council or designated Neighbourhood Planning Body) **(Recommendation 6)** 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



**Sustainability Appraisal and Strategic Environmental Assessment**  
 this takes places alongside the Local Plan, Area Action Plans and Neighbourhood Development Plans & some SPDs

#### **(Recommendation 4)**

##### **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; (Recommendation 1)
  - 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. (Recommendation 13)
  - 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 ~~Centre Cash and Information Centre at Dewsbury Town Hall~~ 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 (Recommendation 3).
- 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 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 (Recommendation 8)*** 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 the council's main office and where practicable in other locations in the area with where 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 (Recommendation 11)* Parish and Town Council meetings, Residents' Associations, Business Groups, interest groups or neighbourhood plan groups, *schools/youth parliaments (Recommendation 2)*;
- **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 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 so as to ensure that all**

views are taken into account when determining how the council should proceed. (Recommendation 7).

## Feedback

- 2.17 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 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. (Recommendation 10). 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. (Recommendation 9).

## Further information

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

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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. **(Recommendation 12).**

## **Appendix 3 Equality Impact Assessment**

### **Background**

The Council has an existing Statement of Community involvement (SCI) that was adopted in 2006 following examination by an independent examiner. The purpose of this document is to set out how Kirklees Council will work with local communities and stakeholders to develop policy documents such as the Kirklees Local Plan or guidance on specific issues.

A review of the SCI has been undertaken in the light of:

- changes to planning legislation and regulations;
- changes to the way the council operates and the impact on services;
- advances in technology and the use of digital technology for communication; and
- the council's Involving Communities Framework.

The council now proposes to adopt an updated Statement of Community Involvement.

<b>In what way does your current service delivery help to:</b>	<b>How might your proposal affect your capacity to:</b>	<b>How will you mitigate any adverse effects?</b> <small>(You will need to review how effective these measures have been)</small>
<b>End Unlawful Discrimination?</b>	<b>End Unlawful Discrimination?</b>	
<p>The adopted SCI aims to ensure that all sections of the community have the opportunity to contribute to planning decisions made by the council. The Planning and Compulsory Purchase Act 2004 introduced significant changes to the planning system including the requirement to undertake effective consultation so that communities had an opportunity to be involved in the decisions that may affect them.</p>	<p>The SCI has been revised and a draft SCI produced for consultation. It is based on the current guidance as set out in:</p> <ul style="list-style-type: none"> <li>• Localism Act 2011;</li> <li>• National Planning Policy Framework (NPPF) 2012;</li> <li>• Town and Country Planning Local Planning (England) Regulations 2012; and</li> <li>• Town and Country Planning (England) Neighbourhood Planning (General) Regulations 2012.</li> </ul> <p>Regulations require the council to consult with the specific and general consultees on planning policy documents including the following:</p> <p style="margin-left: 40px;">(a) voluntary bodies some or all of whose activities benefit any part of the local planning authority's area</p>	<p>Review comments received in response to the consultation on the SCI.</p> <p>Monitor and, where appropriate, act on comments received from groups who have “protected characteristics” under the Equality Act 2010 and consultation activities for each planning policy activity. The SCI makes reference to the review of consultation in respect of the nature and the scope of the documents being consulted on.</p> <p>Monitor and review the Statement of Community Involvement through the Council’s Annual Monitoring Report and through consultation feedback processes.</p>

	<p>(b) bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area</p> <p>(c) bodies which represent the interests of different religious groups in the local planning authority's area</p> <p>(d) bodies which represent the interests of disabled persons in the local planning authority's area, (e) bodies which represent the interests of persons carrying on business in the local planning authority's area;</p> <p>The draft SCI contains consultation principles based on the above statutory requirements.</p>	
<p><b>Promote Equality of Opportunity?</b></p>	<p><b>Promote Equality of Opportunity?</b></p>	
<p>The SCI aims to ensure the active, meaningful and continuous involvement of local communities and stakeholders. It aims to ensure that we consider how to involve the community and benefit from its local knowledge and views.</p>	<p>The revised draft SCI has the same aims as the previously adopted version.</p> <p>The benefit of having a revised, up to date SCI is that it will give clarity and transparency on how the community and stakeholders will be involved in the Local Plan process.</p>	<p>Review comments received in response to the consultation on the SCI.</p> <p>Monitor and, where appropriate, act on comments received from groups who have "protected characteristics" under the Equality Act 2010 and consultation activities for each planning policy activity. The SCI makes</p>

	<p>It reflects revised statutory minimum levels of consultation and the increased focus on the use of technology to reach a wider audience.</p>	<p>reference to the review of consultation in respect of the nature and the scope of the documents being consulted on.</p> <p>Monitor and review the Statement of Community Involvement through the Council's Annual Monitoring Report and through consultation feedback processes.</p>
<p><b>Foster Good Relations Between People</b> As above.</p>	<p><b>Foster Good Relations Between People</b> Groups to be targeted included those listed above and:</p> <ul style="list-style-type: none"> <li>• residents</li> <li>• community, voluntary and specialist groups</li> <li>• businesses, developers, landowners and agents</li> <li>• statutory consultation organisations and government departments</li> <li>• adjoining local authorities</li> <li>• parish and town councils</li> </ul>	<p>Review comments received in response to the consultation on the SCI.</p> <p>Monitor and, where appropriate, act on comments received from groups who have "protected characteristics" under the Equality Act 2010 and consultation activities for each planning policy activity. The SCI makes reference to the review of consultation in respect of the nature and the scope of the documents being consulted on.</p> <p>Monitor and review the Statement of Community Involvement through the Council's Annual Monitoring Report and through consultation feedback processes.</p>

