

DUDLEY METROPOLITAN BOROUGH COUNCIL

CABINET MEETING – 2ND NOVEMBER 2005

REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT

**DRAFT STATEMENT OF COMMUNITY INVOLVEMENT FOR PLANNING –
APPROVAL FOR PUBLIC CONSULTATION AND PARTICIPATION.**

Purpose

- 1 To seek Cabinet approval for the Draft Statement of Community Involvement (SCI) for public consultation and participation as part of the new Development Plan process.

Background

- 1 The Planning and Compulsory Purchase Act 2004 came into force on 28th September 2004. The Act sets out the requirements of the new development plan system advocating the production of a series of local development documents on a rolling basis which goes to make up the Local Development Framework.
- 2 Under the new Act, each Local Planning Authority is required to produce a Statement of Community Involvement to set out the standards to be achieved by the Authority in involving the community in the preparation, alteration and continuing review of all local development documents which go to make up the Local Development Framework. It should also identify how community involvement will take place in respect of planning applications. The SCI document only deals with community involvement in relation to the planning system but will be closely linked to Dudley Borough Challenge Consultation mechanism of the Local Strategic Partnership and the Authority's wider commitment to involving all sections of the community in making its decisions.
- 3 The draft SCI identifies how, when and which community groups need to be involved and the techniques required to effectively involve them in the planning process both informally and formally. It also shows how the process of involvement is to be resourced and managed effectively, and how the results will feed into the preparation of local development documents.
- 4 This draft of the SCI has been prepared in consultation with Dudley Community Partnership, DOSTI and members of the Dudley Borough Local Compact Group, as well as various Council Directorates. Once approved, the draft SCI will be available for a statutory 6 week public consultation period as set out in the Planning and Compulsory Purchase Act for any comments or suggested improvements. A copy of the Draft SCI is available in the Member's

Library or can be viewed electronically by clicking on the following link: [Draft SCI](#). The document will be accompanied by a short questionnaire for people or organisations to comment and make suggested changes or improvements. This questionnaire is attached to the SCI document in the Member's Library or can be viewed by clicking on the link [SCI response form](#).

- 5 Any representations following this consultation period will be incorporated, if appropriate, into a final version of the document which will be presented to the Cabinet in March 2006 prior to submission to the Secretary of State. An examination in public by an independent planning inspector will then follow which will result in the production of a binding report by the inspector before the SCI is finally adopted. The SCI will then be reviewed and updated periodically as part of the regular monitoring of all local development documents as part of the new Planning and Compulsory Purchase Act.
- 6 Following its approval and adoption, local planning authorities must comply with the SCI when preparing all local development documents in the future. When testing such documents, planning inspectors will determine whether the Authority has complied with the SCI.

Finance

- 7 The Draft SCI seeks to show how the process of involvement can be resourced and managed effectively in accordance with the resources available within the local planning authority. As part of the new planning system, local planning authorities are required to produce an annual monitoring report which will identify shortfalls and requirements in putting together the Local Development Framework. This will help to identify future resource and financial needs to carry out the necessary community involvement and preparation for the various local development documents as and when they are required.

Law

- 8 The production of the Statement of Community Involvement is a requirement of the Planning and Compulsory Purchase Act 2004 and is detailed in Planning Policy Statement 12 (PPS12). Planning Policy Statements set out the Government's national policies on different aspects of planning.

Equality impact

- 9 The revisions to the national planning system under the Planning and Compulsory Purchase Act 2004 are intended to make the system more flexible and easier to use and understand. In this respect, the SCI is fundamental in seeking to ensure the inclusion and involvement of all sections of the community, and to facilitate the fair and equitable operation of the planning system at a regional and sub-regional level. The new Act also requires the planning system to be even more closely tied with the Council's Community Strategy.
- 10 One of the purposes of the SCI is to ensure that local planning authorities, in preparing local development documents, comply with the general duty in the

Race Relations Act 2000. Community involvement in planning will need to address the involvement of different racial groups. Local planning authorities must also comply with the Disability Discrimination Act 1995 which places a duty on all those responsible for providing a service to the public not to discriminate against disabled people by providing a lower standard of service.

Recommendation

- 11 Cabinet Members are asked to approve the draft Statement of Community Involvement for publication for a statutory public consultation period of six weeks.

Background documents

- 12 Dudley MBC Draft Statement of Community Involvement for Planning (2005). Available in Members Library or on the link [Draft SCI](#)

Planning Policy Statement 12: Local Development Frameworks (ODPM 2004)

www.odpm.gov.uk/stellent/groups/odpm_planning/documents/downloadable/odpm_plan_030922.pdf



.....
.....
J. B. MILLAR – DIRECTOR OF THE URBAN ENVIRONMENT

Contact Officer: Martin Dando, Planning Policy Team, Directorate of the Urban Environment
Ext: 7214