

Briefing Note of:	Head of Economic Prosperity
Contact Officer:	Dean Piper
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Economic Recovery Scrutiny Committee
1 December 2021
Review of the Local Plan Consultation Process

1 Purpose of Briefing note

- 1.1 The purpose of this briefing note is to provide Members with details of the work carried out by the Scrutiny Review Group - Local Plan Consultation and to outline the Group's recommendations.

2 Key Issues

- 2.1 At the meeting of the Economic Recovery Scrutiny Committee held on 29th June 2021 Members agreed to a review of the consultation in respect of the Local Plan. Members acknowledged that due to the pandemic, it had not been possible to engage in traditional consultation methods therefore the review would look at what consultation methods had been used during the restrictions and consider how future consultations could be improved.
- 2.2 A separate smaller group of Members was established forming a Working Group to carry out the review. The Working Group met on 7th September 2021 and 11th November 2021.

3 Detail

- 3.1 A Working Group of six Members chaired by Councillor Tony Johnson was established to carry out a review into the Local Plan consultation methods. The Working Group would then bring its findings back to a future meeting of the Economic Recovery Scrutiny Committee.
- 3.2 The Working Group met on two formal occasions. Agendas, papers and minutes are included as appendices to this Briefing Note.
- 3.3 At the Working Group meeting held on 7th September, Members received a presentation on the Local Plan Consultation from the Planning Policy Manager and Principal Planning Officer. There was then an opportunity for Members to ask questions. Members were tasked with considering what could be done to increase and improve consultation in the future and to bring ideas back to the next meeting of the Working Group.

- 3.4 At the Working Group meeting held on 11th November 2021 Members were asked to feed back any further ideas to increase and improve consultation.
- 3.5 The Working Group determined that the following suggestions to improve consultation be recommended to the Economic Recovery Scrutiny Committee for consideration:
- (a) consideration be given to having a stand at public events such as the local farmers markets that take place throughout the District.
 - (b) consultation be directed to areas in the District where higher levels of development were taking place.
 - (c) make better use of social media by setting up a dedicated Facebook page for the Local Plan consultation; this could then be shared/promoted by all political groups.
 - (d) Councillors should be encouraged to liaise and engage with residents to seek their views, particularly in areas where significant development was taking place.
 - (e) Improve the communication between Officers and Ward Members in order to share knowledge of any development activities in a particular area.
 - (f) To look at using virtual consultation methods similar to those used for the Levelling Up Fund – build this into the next stage of the consultation process.
 - (g) That the non-technical document be circulated to Members of the Group for them to review and feedback any comments to officers.
 - (h) To look at how the Council publish the information in respect of the Local Plan – do something different to capture the interest of the public when consultation was launched.
 - (i) The need for better engagement with Parish Councils – suggest Officer attendance at Parish Council meetings to outline the consultation process and advise how the public can get involved.
 - (j) The need for the provision for gypsy/traveller families in the Local Plan – although this was a key theme in the Local Plan it was considered this could be highlighted better in the consultation process.

4 Implications (if applicable)

- 4.1 Not applicable.

5 Appendices

Appendix 1: Local Plan Scrutiny Review Working Group Full Papers - 7 September 2021.

Appendix 2: Local Plan Scrutiny Review Working Group Full Papers - 11 November 2021.

Appendix 3: Minutes of the Local Plan Scrutiny Review Working Group - 11 November 2021.

Agenda



Local Plan Scrutiny Review Working Group

Appendix 1

Time: 4:00pm

Date: Tuesday 7 September, 2021

Venue: Remote meeting via zoom

1. Appointment of Chairman

2. Apologies

3. Declarations of Interest from Members

To declare any personal, pecuniary or disclosable pecuniary interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

4. Review of Local Plan consultation

The Group will receive a presentation from the Planning Policy Manager and Principal Planning Officer - Enclosed

Councillors:

Johnson, T.
McCall, M.
Startin, P.
Sutton, Mrs. H.
Thompson, Mrs. S.
Witton, P.

Officers:

D. Piper	Head of Economic Prosperity
S. Birdi	Planning Policy Manager
H. Hollins	Principal Planner
W. Rowe	Senior Committee Officer

Date Despatched: 1 September 2021

Local Plan Scrutiny Review Working Group

Local Plan Consultation

7th September 2021

Context

- Public participation and consultation lie at the heart of the statutory planning process

Background

- Planning and Compulsory Purchase Act 2004

- Statement of Community Involvement

- Section 18 of the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”). Section 18(2) provides:

“The statement of community involvement is a statement of the authority's policy as to the involvement in the exercise of the authority's functions under sections 19, 26 and 28 of this Act and Part 3 of the principal Act of persons who appear to the authority to have an interest in matters relating to development in their area.”

How the Local Authority intends to promote community involvement in the preparation of Local Development Documents.

- Town and Country Planning (Local Planning) (England) Regulations 2012
- Neighbourhood Planning (General) Regulations 2012 (as amended)
- National Planning Policy Framework (NPPF) 2012, 2018, 2019, 2021 (as amended)
- National Planning Policy Guidance (NPPG) (as amended).

Statement of Community Involvement



- The aim of an SCI is to make the planning system accessible to a wide range of people, leading to communities being well informed about how and when they are able to take part in the planning process.
- This is intended to result in greater participation and a more efficient and inclusive decision making process.
- Clearly, the scale of community involvement in the planning system has to reflect the resources the Council has available.
- To ensure the most efficient use of resources the approaches used have sought to make use of existing established networks wherever possible.

Harder to reach groups

- the elderly, • young people, • people with learning difficulties, • the blind, • the deaf, • ethnic minority groups, which are relatively small, • the disabled and those who have long term limiting illnesses.
- These groups may be found concentrated in certain areas within local communities, particularly in the more deprived areas within the District.
- Appropriate and more intensive methods of communication will be required to ensure that ‘hard to reach’ groups are involved in planning processes.
- Recent experience in progressing the Local Plan for the District has indicated that the elderly and young people are potentially less hard to reach than some of the other groups by using methods of engagement such as workshops in schools or appropriate community events.
- Other groups remained harder to target.

S.C.I. Requirements

- Place relevant documents on the Council website together with any supporting information needed to enable people to understand what they are being asked to comment on and state where and when documentation can be inspected.
- Make available all relevant material for inspection at the Council Civic Centre in Cannock for the period during which comments are being sought. Additionally libraries and other public venues within the District will be used where appropriate.
- Contact specific, general and other consultees who may have an interest in the document and invite to make representations, advising where and when the relevant material can be inspected, how copies can be obtained, the closing date for representations and where to send any representations.

- Issue adverts and/or press releases to local newspapers circulating in the area, as appropriate, advising where and when the relevant material can be inspected, how copies can be obtained, the closing date for representations and where to send any representations, and use the Council's website, Chase Matters magazine and social media channels to raise awareness of consultation events.
- Make available Plain English summary documents and/or leaflets as appropriate.
- Provide appropriate advice and information to the public as requested.
- Produce a report summarising consultation methods, representations made and Council responses (whether requiring a change to the plan or not) and make available on the Council's website before proceeding with a subsequent version of the plan and/or further consultation.

Local Plan Stages



- Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 is a public consultation at an early stage of the plan.
- A local authority will consult on the initial Issues and Options that will define their draft plan going forward. This will have followed extensive gathering and review of data, evidence and information on key issues.
- It requires that various bodies and stakeholders be notified that the council is preparing a plan. It invites them to comment about what that plan ought to contain.
- Para 31 of the NPPF states that the preparation and review of all policies in a Local Plan should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate to support and justify the policies concerned.

Issues and Options Consultation



- Consultation took the form of meetings, consultation events, social media campaigns and targeted letters and emails.
- Community consultation took place throughout the consultation period at a number of community venues including evening events to maximise participation.
- Venues chosen were at nil cost and easily accessible and distributed across the District.
- Letters and emails were sent to @**1,000** people/organisations registered on the extensive Local Plan consultation database, as well as harder to reach groups that are not recorded on the database. (Support Staffordshire).
- Separate meetings were held with Parish Councils, Duty to Co-operate partners and the voluntary sector.
- The Council website hosted banners on the front page and press releases were issued at the start and halfway through the consultation.
- A social media campaign advertised the consultation and specific consultation events. Data indicates that the campaign reached **46,300** people, however very few linked through to the actual consultation pages.

- In total, 25 individual meetings were held during this period for consultation with Duty to Co-operate partners, Parish Councils, voluntary sector and community events.
- Meetings took place across the District and were held at different times of the day at various venues to reach as many people as possible and staff were in attendance to record comments.
- Of the 19 community events, 192 people attended which ranged from 0 people to 36 people at any one event.
- The 4 Parish Council meetings attracted 53 people.
- In total 107 representations were received, which when broken down into the corresponding Issues and Options questions provided 684 individual responses, plus another 16 separate representations on the Habitats Regulations Assessment and Sustainability Appraisal.

Interest Groups	Number of Responders
Resident or Individual	48
Developers/Landowners/Land Promoter	24
Duty to Cooperate	2
Local Authority (Inc. councillors, Parish Council)	11
Public Service Provider e.g. education	1
Public Body/Agency/Organisation	2
Infrastructure Provider	7
Statutory Consultee	3
Community or other Organisation	4
Charity	4
Land & Property Agent or Surveyor	1
Total	107

MHCLG Planning Update Newsletter – March 2020

Plan-making

- We understand that local planning authorities may also be concerned about the implications of COVID-19 on their capacity to prepare and progress local plans and support neighbourhood planning. We encourage all local planning authorities to continue, as much as possible, to work proactively with their community and other stakeholders to progress plans, even if some adjustments to timetables are necessary.

The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020

- Local Authorities were also advised to review their Statement of Community Involvement and incorporate temporary changes that would control the spread of the virus and protect the health of communities and Local Authority officers but allow the process of plan making to continue and maintain the Council's decision making processes

SCI Addendum

December 2020



- The Council will temporarily suspend the practice of making available all relevant material for inspection at the Council Civic Centre in Cannock or at libraries and other public venues.
- The Council's website will be the primary source for consultation documents and an email address and phone number for the Planning Policy Team will be provided for visitors to the website to obtain further information or assistance.
- The Council will endeavour to provide alternative methods of engagement including (where appropriate technology is available), virtual presentations and telephone appointments and video conferencing with individuals. In addition, where social distancing is observed, meetings with organisations can be arranged where each individual participant is in a secure, safe and Covid19 compliant location.



Preferred Option Consultation

- A non-statutory stage falling under Regulation 18 and part of the evidence gathering and early stage of plan making.
 - Seek consensus in emerging planning policy position via discussion with partners and in existing forums/groups and in events and/or workshops.
 - Arrange events and/or workshops to discuss issues and proposals, as appropriate.
 - Organise ‘face-to-face’ discussions if requested and appropriate
- In total 518 individual responses received
- Twitter reach 42,642, Facebook 5,222
- TOTAL 47,864 (46,300)

Interest Groups	Number of Responders	Issues & Options
Resident or Individual	34	48
Business	0	8
Developer or Investor	11	
Landowner	5	
Planning Agent or Consultant	14	24
Land & Property or Surveyor	0	1
Community or other Organisation	3	4
Local Authority	7	11
Public service provider e.g. education, health etc.	3	1
Public/agency organisation	2	2
Statutory Consultee	6	3
Charity	4	4
Duty to co-operate	4	2
Other (inc. Cllrs)	6	In LA
Total	99	107

Regulation 19 Local Plan Pre-submission



- **Consultation scheduled Winter 2021/22**
- Send a statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and the times at which they can be inspected to all of the consultees that were invited to comment in earlier plan making stages.
- Publish for a minimum six weeks consultation period.
- Seek views on whether the document is legally compliant and sound.
- Discuss outstanding issues with partners and existing forums/groups.
- Organise 'face-to-face' discussions if requested and appropriate.

Regulation 22



SUBMISSION OF LOCAL PLAN FOR EXAMINATION

Scheduled Summer 2022

- Submit the document and relevant supporting information to the Secretary of State for independent examination.
- Notify specific and general consultation bodies that the documents are available for inspection at the above locations.
- Notify others who have requested to be informed when the document is submitted.

Consultation Outcome

- Legally compliant – YES
- Fair and met expectation:
 - Did not comply with adopted SCI but Complied with SCI Addendum
 - Overall – Fair and met expectation
- Electronic communication – effective?

Critique

- Representations - meaningful
- Interest
- Breadth of documents and evidence base
- Technical detail
- Timescales
- Methods of engagement
- Reach
- Cost
- Staff resources

Risk

- SCI Legal Challenge
- Retain flexibility
- Reduce risk to Local Plan
- Scrutiny role
- Cabinet role
- Revision to SCI

AGENDA



Local Plan Consultation Scrutiny Review Working Group

Appendix 2

Time: 4:00pm

Date: 11 November, 2021

Venue: Remote meeting via zoom

1. APOLOGIES

2. DECLARATIONS OF INTERESTS FROM MEMBERS

To declare any personal, pecuniary or disclosable pecuniary interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992

3. MINUTES

To note the minutes of the meeting held on 7 September 2021 (attached).

4. LOCAL PLAN CONSULTATION REVIEW

- To receive any additional ideas and suggestions from Members to improve consultation in relation to the Local Plan
- To consider the next stage of the review
- To determine any recommendations to the Economic Recovery Scrutiny Committee on 1 December 2021.

Councillors:

Johnson, T. (Chairman)
McCall, M.
Startin, P.
Sutton, Mrs. H.
Thompson, Mrs. S.
Witton, P.

Officers:

D. Piper	Head of Economic Prosperity
S. Birdi	Interim Planning Services Manager
H. Hollins	Principal Planner
W. Rowe	Senior Committee Officer

Date Despatched: 3 November 2021

CANNOCK CHASE COUNCIL
NOTES OF THE
SCRUTINY REVIEW WORKING GROUP - LOCAL PLAN CONSULTATION
TUESDAY 7 SEPTEMBER 2021 AT 4.00 P.M.
REMOTE MEETING VIA ZOOM

Present:

Councillor T. Johnson (Chairman)
Councillor P. Startin
Councillor Mrs. H. Sutton
Councillor Mrs. S. Thompson
Councillor P. Witton

Officers: D. Piper, Head of Economic Prosperity
S. Birdi, Interim Planning Services Manager
H. Hollins, Principal Planner
W. Rowe, Senior Committee Officer

1. Appointment of Chairman

It was agreed that Councillor T. Johnson would be Chairman of the Working Group.

2. Apologies

No apologies were received.

3. Declarations of Interests from Members

Nothing declared.

4. Local Plan Scrutiny Review

Sushil Birdi, Interim Planning Services Manager, provided Members with a presentation in relation to the Local Plan consultation. The presentation covered the areas as outlined in the slides that were attached to the agenda. Members were afforded the opportunity to ask questions in respect of the presentation.

A Member asked whether consideration could be given to having a stand at public events, such as the local farmers markets that take place throughout the District. She suggested that the consultation could be directed to areas in the District where higher levels of development were taking place. She also considered that a dedicated Facebook page for the Local Plan consultation could be set up; this would be non-political and each of the Groups could promote/share it via their own Facebook pages.

The Chair acknowledged and supported the need to contact hard to reach groups and the use of Plain English. Consultation had been carried out as best it could have given the circumstances surrounding the pandemic.

Members noted the need for social housing and asked if the Working Group could do anything about this. The Interim Planning Services Manager advised that the matter was being considered through the Local Plan and an update of the viability evidence. An update could be provided on this issue outside of the Working Group.

Members made reference to travellers and the need to provide appropriate sites for them within the District. Heidi Hollins, the Principal Planner confirmed that a paper was being prepared in this regard which would identify in the Local Plan how the needs of travellers could be met in the short and long term. The Group agreed that it was important that potential sites for travellers be identified in the District and these be included in the Local Plan.

Another Member suggested that, to increase participation in the consultation, the documents on the website should be simplified and more easily accessible. Many people who accessed the website gave up as the documents were too technical. It was important to ensure that anyone who visited the website to view the documents then actually contributed by responding to the consultation. It was suggested that the Communications Team could assist with this so that there was better engagement with the public on social media platforms. It was noted however, that the public only responded if something contentious was happening in a particular area.

Members acknowledged that they had a role to play in highlighting areas where significant development was taking place and they should be engaging with residents in these areas to seek their views.

Members discussed the design/style of new buildings and noted that there was a shortage of social housing and a shortage of land to develop. It was suggested that building higher buildings in the future may assist in this respect as this took up less land. However, it was noted that subsidence issues within the District may limit the height of buildings and that there may be some resistance to building higher than 3 storeys.

Dean Piper, Head of Economic Prosperity commented that, in addition to the information provided in the presentation, the Group should be mindful that changes to the Planning system were coming and the Group should have regard to the Government's reform of the Planning system. A White paper was published last year which looked to streamline the development of the Local Plan making it a quicker process. It also suggested improvements to the way the Council engaged with residents, in particular, young people, using better technology (website and social media platforms such as Facebook). It was expected that a Planning Bill would be published late this year/early next year.

The Interim Planning Services Manager added that any changes to enable better participation would rely on better technology and this would have a cost

implication. Investment should only be made if it resulted in a better outcome.

The Principal Planner commented that for the next consultation it was proposed that IT would provide a link for people to click on so they could find out what was happening in their area.

The Head of Economic Prosperity commented that Members had discussed the Local Plan in general during the meeting but the review topic for the Working Group was focused on consultation. Members had received a detailed presentation and had noted the consultation methods used so far which had achieved mixed results. He asked Members to consider what could be done better to increase consultation in the future and he sought suggestions and ideas from Members on how to engage better. Members could bring their ideas to the next meeting and these could be incorporated into the next stage of the consultation.

It was agreed:

(A) That the following suggestions to improve consultation put forward at today's meeting be noted:-

- (i) consideration be given to having a stand at public events such as the local farmers markets that take place throughout the District;
- (ii) consultation be directed to areas in the District where higher levels of development were taking place;
- (iii) make better use of social media by setting up a dedicated Facebook page for the Local Plan consultation; this could then be shared/promoted by all political groups.
- (iv) Councillors should be encouraged to liaise and engage with residents to seek their views, particularly in areas where significant development was taking place.

(B) That, in addition to (A) above, Members of the Working Group give consideration to any ideas or suggestions to improve consultation in relation to the Local Plan prior to the next meeting, and these be incorporated into the next stage of the consultation.

(C) That a date for a further meeting of the Working Group be arranged in consultation with the Chairman.

The meeting ended at 5.25pm.

CANNOCK CHASE COUNCIL
NOTES OF THE
SCRUTINY REVIEW WORKING GROUP - LOCAL PLAN CONSULTATION
THURSDAY 11 NOVEMBER 2021 AT 4.10 P.M.
REMOTE MEETING VIA ZOOM

Present:

Councillor T. Johnson (Chairman)
Councillor P. Startin (arrived at 4.15pm)
Councillor Mrs. H. Sutton
Councillor Mrs. S. Thompson

Officers: D. Piper, Head of Economic Prosperity
S. Birdi, Interim Planning Services Manager
H. Hollins, Principal Planner
W. Rowe, Senior Committee Officer

(The meeting started a little later to enable Members to join).

1. Apologies

No apologies were received.

2. Declarations of Interests from Members

Nothing declared.

3. Local Plan Consultation Scrutiny Review

Members were asked whether they had any further suggestions or ideas to improve consultation in relation to the Local Plan in addition to the suggestions made at the previous meeting.

A Member raised concern that construction workers were present on the Taylor Wimpey development site at Wimblebury Road but residents had not been made aware of this. The Interim Planning Services Manager confirmed that notification had been received from Taylor Wimpey on Thursday/Friday that work was to commence on site on Monday. This meant it was very late to advise residents. He suggested that a news item could be posted on the Council's website to clarify the situation. The Principal Planner suggested that the Communications Team could be asked to post an update on the Council's social media platforms. The Head of Economic Prosperity commented that when Officers/Members became aware that developers were looking to survey sites there should be some form of communications to Members so that they could advise residents of any activities in their Wards. The Group agreed that better communication between Officers

and Ward Members would improve the situation going forwards.

A Member considered that many people did not understand what the Local Plan was and asked whether an easy-to-understand article could be posted on social media platforms to advise residents what the Local Plan was and how they could be involved. The Group agreed that when the consultation was launched it was necessary to do something different to capture the interest of the public.

The Head of Economic Prosperity confirmed that there was a lot of information on the Council's website but this information could be quite technical and difficult to understand by the general public. He suggested that Members may wish to take a look at the non-technical document that was produced by officers so that they could review it and feedback any suggestions to improve it.

He made reference to the successful bid as part of the Levelling up Fund and advised that a virtual consultation had been launched in respect of this. He asked the Group whether they considered this was a good way to engage the public and whether something similar could be used for the Local Plan. The Interim Planning Services Manager commented that using visuals was a good way to consult the public. However, the one used for the Levelling up Fund was quite costly. He could look at using a more interactive method of consultation for the next stage of the Local Plan consultation process and would liaise with Lichfield District Council who had used interactive methods.

The Group was pleased to note that an article was being placed in the Chase Matters magazine next month encouraging people to get involved in the Local Plan consultation process – this goes to all households in the District.

A Member referred to Parish Council meetings where misinformation could sometimes be discussed. Better engagement with Parish Councils in terms of the Local Plan consultation would be helpful and it was considered that Officers should attend Parish Council meetings to advise accordingly.

The Group noted the need for the provision for gypsy/traveller families in the Local Plan. Although this was a key theme in the Local Plan the focus was mainly on housing and employment land. It was considered that the provision for gypsy/traveller families could be highlighted better in the consultation process. The Interim Planning Services Manager advised that landowners were invited to put forward potential gypsy/traveller sites for inclusion in the Local Plan. The Group noted that this issue would be discussed further at the Local Plan Member meeting being held next week.

It was agreed:

That, after the two Working Group meetings, the following suggestions to improve consultation be recommended to the Economic Recovery Scrutiny Committee on 1 December for consideration:

- (a) consideration be given to having a stand at public events such as the local farmers markets that take place throughout the District.

- (b) consultation be directed to areas in the District where higher levels of development were taking place.
- (c) make better use of social media by setting up a dedicated Facebook page for the Local Plan consultation; this could then be shared/promoted by all political groups.
- (d) Councillors should be encouraged to liaise and engage with residents to seek their views, particularly in areas where significant development was taking place.
- (e) Improve the communication between Officers and Ward Members in order to share knowledge of any development activities in a particular area.
- (f) To look at using virtual consultation methods similar to those used for the Levelling Up Fund – build this into the next stage of the consultation process.
- (g) That the non-technical document be circulated to Members of the Group for them to review and feedback any comments to officers.
- (h) To look at how the Council publish the information in respect of the Local Plan – do something different to capture the interest of the public when consultation was launched.
- (i) The need for better engagement with Parish Councils – suggest Officer attendance at Parish Council meetings to outline the consultation process and advise how the public can get involved.
- (j) The need for the provision for gypsy/traveller families in the Local Plan – although this was a key theme in the Local Plan it was considered this could be highlighted better in the consultation process.

The meeting ended at 4.45pm.