

Title of meeting: Cabinet Member for Planning, Regeneration and Economic Development
Date of meeting: June 21st 2017
Subject: Statement of Community Involvement - Consultation
Report by: Claire Upton-Brown - Assistant Director of Culture and City Development
Wards affected: All
Key decision: No
Full Council decision: No

1. Purpose of report

1.1 To provide feedback on the public consultation on the Statement of Community Involvement.

2. Recommendations

1 To note the consultation findings and agree the publication of the Statement of Community Involvement on the Council website

3 Background

3.1 Portsmouth City Council's Statement of Community Involvement (SCI) was subject to a four week consultation period which concluded on 13 March.

3.2 In accordance with what is set out in the SCI, the following consultation measures were undertaken -

- All members were advised via the Member Information Service;
- An advert was placed in the Portsmouth News on 10 February 2017, summarising the purpose of the SCI and giving details of the consultations;
- Copies of the draft SCI, along with response forms and covering memo were sent to all libraries and community centres in the city, as well as the civic offices, along with an A4 flyer for display;
- Full details were placed on the Council's website, including the draft SCI document and the response form. A link was also placed on the 'Current Consultations' section of the council's website; and

- All statutory consultees, such as the Environment Agency and Highways England, and 24 community groups and organisations were emailed directly on 9 February 2017 to inform them of the consultation. If we did not hold an email address for the organisation, they were written to.

4 Results

- 4.1 During the consultation period a resident emailed us that one of the links in the draft document did not work and this was addressed straight away. No other parties commented on this issue and it was considered that no party had their ability to respond impacted by this issue.
- 4.2 During the consultation period, ten responses were received. Five were received from statutory consultees and organisations, three from residents and two from residents associations.
- 4.3 Appendix 1 summarises the responses received and the proposed response. The key additions to the SCI following the consultation are:-
- i. A reference has been added to how and when the Local Development Scheme will be updated.
 - ii. The time period to be covered by the new Local Plan has been added
 - iii. An explanation of 'amenity' has been added
 - iv. Text has been added to clarify that consultation on Neighbourhood Plans will be carried out by a Neighbourhood Forum.
- 4.4 Following agreement of the SCI document, a copy will be placed on the council website and respondents to the consultation will be notified. A copy of the final Statement of Community Involvement is set out in Appendix 2.

5. Equality impact assessment

- 5.1 Drafts of the document were sent to the Access and Equality Advisor and her suggestions incorporated into the report.

6. Legal implications

- 6.1 The Localism Act 2011 removed the requirement for Local Planning Authorities (LPAs) to submit the SCI to the Secretary of State. The LPA can now adopt the SCI itself, following public consultation.
- 6.2 Once adopted, the LPA must demonstrate how it has used and complied with the consultation requirements set out in the SCI at the various stages of LDD

preparation and prior to making decisions on planning applications (section 19(3), *Planning and Compulsory Purchase Act 2004*).

7. Director of Finance's comments

7.1 There are no financial implications arising from the approval of the recommendations in this report

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Signed by:

Appendices:

Appendix 1: Table summarising consultation
Appendix 2: Statement of Community Involvement

The recommendation(s) set out above were approved/ approved as amended/ deferred/rejected by on

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Signed by:

Appendix 1

Statement of Community Involvement (SCI) consultation comments, officer response and proposed amendments

Name / Organisation	Consultation comments	Officer response	Proposed amendment to SCI
Southern Water	<p>Page 5</p> <p>As a 'specific consultation body' under Regulation 19 (b) of the Town and Country Planning (Local Planning) (England) Regulations 2012, Southern Water would expect to be notified in writing of any formal consultation on a Local Plan, either by post or email.</p> <p>We therefore suggest the following addition after the last bullet point</p> <ul style="list-style-type: none"> • <i>Statutory consultees will be notified in writing.</i> 	<p>It is accepted that specific consultation bodies such as Southern Water would be contacted directly to inform them of a formal Local Plan consultation.</p> <p>Including a note in the SCI that specific consultation bodies will be contacted directly will provide clarity and certainty for those bodies.</p>	<p>Add fourth bullet point to list at bottom of page 5 -</p> <ul style="list-style-type: none"> • <i>Statutory consultees will be contacted directly to notify them of formal consultations.</i>
	<p>Page 11</p> <p>Whilst not a statutory consultee on planning applications, it is important that Southern Water is consulted on major</p>	<p>As it is not the case that we only consult statutory consultees, we could amend the wording to also refer to non-statutory consultees being consulted just to make this clear.</p> <p>https://www.gov.uk/guidance/consultation-</p>	<p>Add sentence to first paragraph on page 11 -</p> <p><i>In addition to the statutory consultees we will consider whether there are reasons to</i></p>

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	<p>applications that may impact on the provision of water and wastewater services to existing customers, for example, if the proposed development affects access to Southern Water's operational assets, including underground mains and sewers. Accordingly, it is suggested that reference to those that will be notified of applications is widened to include '<i>other interested parties such as relevant service providers</i>'.</p>	<p>and-pre-decision-matters is the government guidance and the wording from this page could be used.</p>	<p><i>consult other parties such as relevant service providers (e.g. Southern Water) who - although not designated in law – are likely to have an interest in a proposed development</i></p>
Historic England	<p>Page 6 Historic England suggests that the SCI set out the Statutory Consultees (which includes Historic England) and the list of local organisations that the City Council will consult on local plans.</p>	<p>It is not thought necessary for the document to set out a full list of statutory consultees, not all of whom have a particular interest in planning in Portsmouth. In addition, non-statutory and local organisations are likely to change over time as the plan progresses.</p>	None.
Environment Agency	Content with the document	No proposed change	None.
Marine	No specific comment on	No proposed change.	None.

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Management Organisation	this document.		
Natural England	No specific comment on this document.	No proposed change	None.
Ian Clark	Link in draft SCI document does not work.	Link was fixed during consultation. All links now work.	None.
Hazel Taylor	Registering an interest in planning matters	No proposed change	None.
Jan Dodd (PATCH)	Some sentences could be split into two sentences to aid readability	Overall it is considered the document strikes a reasonable balance between being easy to read and containing the necessary technical information.	None.
	It would be helpful; to explain the role and interface between licensing and planning.	Licensing is a separate department to Planning and whilst there is an element of interaction through consultation, this is no more than as with other departments in the Council. Licensing matters are not considered as part of a planning application and as such no action is required on this point.	None.
Clare Seek	Page7 It mentions that the Inspectors indicative timetable will be available on the council's website, but it doesn't state where. Within the planning portal? Or main portsmouth.gov.uk	When the plan is submitted a new webpage on the Council's website will be set up giving the details of the public Examination, including the Inspector's timetable. The SCI makes it clear that this will be on the council's website - not the planning portal.	None.

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	website?		
	<p>Page 8 Penultimate paragraph. It mentions that the new Local Plan will replace the existing Portsmouth Plan. Will the new Local Plan cover up to 2027, as per the existing plan, or further?</p>	<p>The current intention is for the Portsmouth Plan to cover the period up to 2034.</p>	<p>Add sentence to penultimate paragraph on page 8 -</p> <p><i>The current intention is for the new Plan to run to 2034, though this will be kept under review as the Plan progresses.</i></p>
	<p>Page 8 final paragraph When will the Local Development Scheme document be published? And where?</p>	<p>The Local Development Scheme will be updated as and when necessary as the Plan progresses. It would aid clarity to make this point clear in the SCI.</p>	<p>Amend the final paragraph of page 8 to read (new text <u>underlined</u>) -</p> <p><i>A Local Development Scheme document will also be published <u>on the council's website setting out the timetable for the new Portsmouth Local Plan. It will be updated as and when necessary.</u></i></p>
	<p>Page 10 There is no definition as to what a 'advertisement', 'site notice' and 'neighbourhood notification</p>	<p>All of the information is in the draft SCI but it is accepted that the definitions could usefully come before the table</p>	<p>Move the five paragraphs starting with "Site notices are posted near" from the bottom of page 11 to the start of the "How Will We Consult"</p>

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	<p>letter' is until you read on to page 11. It would be useful to have the explanations before the table, as the table didn't mean much when you didn't know what these were.</p>		<p>section on page 9.</p>
	<p>Page 15 First section, final bullet <i>'Seek to manage breaches of planning control that cause noticeable harm to amenity'</i> What does amenity mean here? Not sure this is plain english</p>	<p>Amenity is a widely used planning term. The planning portal defines it as 'A positive element or elements that contribute to the overall character or enjoyment of an area'. A further explanation here would be useful.</p>	<p>Amend third bullet point on page 15 to read (new text underlined) -</p> <ul style="list-style-type: none"> • <i>Seek to manage breaches of planning control that cause noticeable harm to amenity (<u>the overall character or enjoyment of an area</u>).</i> •
	<p>Page 15 First sentence of complaints procedure This doesn't make sense. <i>'While we try to provide a good service, we know that sometimes things go wrong to improve the service we provide, and we need to learn from this.'</i></p>	<p>Accept wording does not make sense. Suggested wording an improvement but consider it more appropriate to use the same wording as the Council's website regarding complaints.</p>	<p>Amend first sentence of complaints procedure paragraph to read (new text <u>underlined</u> and deleted text struck through) -</p> <p><i>While we try to provide a good service, we know that sometimes things go wrong to</i></p>

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	Should it read: ' <i>While we try to provide a good service, we know that sometimes things go wrong. To improve the service we provide, we need to learn from these instances.</i> '		<i>improve the service we provide, and we need to learn from this. To do that <u>so</u> we have developed a complaints procedure for you to use if you feel that this is the case. The Portsmouth City Council adopted corporate complaints procedure can be viewed at:</i>
Residents Association of Port Solent (RAPS)	Page 5 The relationship of PUSH to and its implications for the Portsmouth Local Plan need to be explained. For instance, which body takes priority in the event of a rival interest occurring? Are the two bodies entirely separate or must they take account of each other's intentions?	Portsmouth City Council has the responsibility for preparing the new local plan and determining planning applications - not PUSH. The PUSH website is mentioned in this document as a source of evidence for the Plan. This document sets out how the council will consult on planning matters and it is not thought necessary to outline at length the relationship with PUSH. However, the point is noted and it is accepted that the forthcoming Issues and Options consultation on the local plan should make the relationship between the Portsmouth Local Plan and PUSH clear.	None.
	Page 7 The four elements of soundness cannot be conditional (i.e. "should	This section is setting out what the National Planning Policy Framework says. The National Planning Policy Framework uses "should be" so this wording needs to	None.

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	be”) if the overall requirement is imperative (i.e. “must be”). Please change all occurrences of “should be” in this section to “must be”.	remain the same.	
	Page 13 I accept that officers will not have time to reply to individual comments but they do deserve to be acknowledged if residents are to have confidence that their contributions are being taken seriously.	The point is acknowledged but we have to balance this against the costs involved. Last year we received more than 2000 individual comments on planning applications. We do not have the resource to acknowledge individual comments as standard but the key issues and comments will be addressed in the officer report as stated in the SCI. No amendment required.	None.
	Given the importance accorded to Neighbourhood Planning by the previous and present Government and the fact that one or more Neighbourhood Plans have been adopted in the Portsmouth area (our own in Port Solent remains in gestation) I was surprised to find no mention of Neighbourhood Plans or	It would be a useful clarification to this document to set out implications of neighbourhood planning.	Insert new paragraph under bullet point list on page 4 - <i>This document does not set out how Neighbourhood Plans will be consulted upon as these are prepared by neighbourhood forums and not the city council.</i>

Name / Organisation	Consultation comments	Officer response	Proposed amendment to SCI
	<p>Orders in the document. Locality have assured me that funding for Neighbourhood Planning is sustained until 2020. Can this omission be remedied, please?</p>		
Officer change	<p>Minor presentational changes required to prepare final document for publication.</p>		<p>Typographical changes to amend contact telephone number shown on final page and status and date of document on front cover.</p>