

Time started: 5.10pm

Time ended: 5.16pm

Housing, Property and Regulatory Services Cabinet Member Meeting

15 August 2023

Present: Councillor Shanker

In Attendance: Andrew Waterhouse – Spatial Planning Group Manager
Nicky Bartley – Planning Policy Team Leader

01/23 Apologies

Apologies were received for Councillor S Khan.

02/23 Late Items

There were no late items.

03/23 Declarations of Interest

There were no declarations of interest.

04/23 Minutes of the meeting held on 23 March 2023

The minutes of the meeting held on 23 March 2023 were noted.

05/23 Statement of Community Involvement - Version 3

The Cabinet Member considered a report which stated that a key objective of the Planning and Compulsory Purchase Act 2004 was to encourage meaningful community involvement in the planning process. To ensure this, section 18 of the Act required Local Planning authorities to prepare a Statement of Community Involvement or SCI. It was noted that the SCI set out how the Council engaged with the local community, businesses and organisations in exercising its planning functions. This included both in preparing planning policy documents and determining planning applications.

It was reported that since the current version of the SCI was adopted by the Council in 2017, the Government had introduced, through amendments to the Town and Country Planning (Local Planning) (England) Regulations 2012, the need to review the SCI every five years. It was noted that this was to ensure that the SCI reflected the current legislative requirements, amendments to the Council's own consultation standards, new consultation techniques and the expansion of social media.

The Cabinet Member noted that the review, undertaken in 2022, found that while some references to paragraphs in the National Planning Policy Framework had changed and some terminology needed amending, the

fundamental consultation principles were still effective and relevant. Consequently, only factual changes or amendments to clarify the Council's approach to dealing with planning applications, specifically neighbour notifications, were being made to the SCI as a result of the review.

It was reported that a more fundamental change to the formatting of the SCI was being made to accord with the Council's accessibility standards. Previous versions of the SCI contained tables which set out the consultation methods used at each stage in the preparation of the Local Plan or Supplementary Planning Documents. It was noted that these had created difficulties for those that access documents using screen-reader technology. In the revised version, these tables had been replaced by a list of methods and text informing the reader that they would be used, where relevant, at each consultation stage. It was reported that this change addressed one of the recommendations in the Equalities Impact Assessment of the current SCI which concluded that, on request the document should also be made available in 'Easy Read' format.

It was noted that the revised SCI: Version 3 had been reviewed in the line with regulations and modest changes made to the text to ensure the SCI was factually up to date. The revised SCI had also been re-formatted to meet the Council's accessibility guidance. It was noted that once approved the SCI would be used to inform the Council's approach in both preparing planning policy documents and determining planning applications.

It was reported that the consultation arrangements for the Minerals and Waste Local Plans, which were produced jointly with Derbyshire County Council, were set out separately in the County Council's Statement of Community Involvement (SCI). It was reported that for the Joint Minerals and Waste Local Plans, the County Council would devise and undertake all public consultation and Derby City Council would be guided by their approach.

Resolved:

- 1. to approve the revised Statement of Community Involvement: Version 3 for use by the Council for the next five years.**
- 2. to authorise the Chief Planning Officer, in consultation with the Cabinet Member for Housing, Property and Regulatory Services, to agree any final changes to the SCI prior to publication.**

06/23 Local Development Scheme - Version 8

The Cabinet Member considered a report which stated that Section 15 of the Planning and Compulsory Purchase Act 2004 required the Council to prepare, maintain and bring into effect a Local Development Scheme (LDS). The Local Development Scheme (LDS) was a project plan which set out the details of the planning policy documents that the Council prepared, along with a timetable for their preparation. It was noted that Version 8 of the Derby LDS covered the preparation and review of statutory planning policy documents covering Derby.

It was reported that the LDS provided the starting point for the local community, businesses, developers and other interested parties to find out what planning policy documents were being prepared. It was noted that it also included 'milestones' to inform the public about opportunities to get involved with the plan making process and to let them know the likely dates for involvement.

It was noted that Version 8 of the Derby LDS set out the timetable for the next 3 years of plan making activities, including setting out the key milestones for the preparation of the new Local Plan for Derby (LPD). It was noted that, having commenced work on the new Local Plan during 2022, mainly in the form of gathering evidence on housing land capacity, housing and employment needs; and the City's natural capital, the LDS set out the following key milestones on plan preparation –

- Evidence Gathering / Engagement with key stakeholders – Sept 2022/ March 2024
- Draft Plan Consultation – May /June 2024
- Publication Plan Consultation – February/March 2025
- Submission for Independent Examination - June 2025
- Examination in Public formal hearings – Autumn 2025
- Adoption – May 2026

It was reported that as well as setting out the timetable for preparing the new Local Plan, the LDS also set out the governance arrangements for producing the Local Plan. It was noted that the LDS further outlined the staff resources available to prepare the Local Plan and set out a risk log of matters that might affect the ability to meet the key milestones and what mitigation was available to minimise these risks as far as possible.

It was reported that once brought into effect, the LDS would be published on the Council's website and progress towards the key milestones for Local Plan preparation would be reported annually in the Authority Monitoring Report (AMR).

It was noted that the timetable and plan preparation arrangements for the Minerals and Waste Local Plans, which were produced jointly with Derbyshire County Council, were set out separately in the Derby & Derbyshire Waste and Minerals Development Scheme (2009). It was reported that these were currently under review.

Resolved:

- 1. to approve Version 8 of the Derby Local Development Scheme (LDS), authorise its publication and resolve that it will come into effect from the date of this decision.**
- 2. to authorise the Chief Planning Officer, in consultation with the Cabinet Member for Housing, Property and Regulatory Services, to agree any final changes to the LDS prior to publication.**

MINUTES END