



## AGENDA

### CABINET MEETING

Date: Wednesday, 7 March 2018

Time: 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Membership:

Councillors Bowles (Chairman), Mike Cosgrove, Duncan Dewar-Whalley, Alan Horton, Gerry Lewin (Vice-Chairman), Ken Pugh and David Simmons.

Quorum = 3

#### RECORDING NOTICE

Please note: this meeting may be recorded.

At the start of the meeting the Chairman will confirm if all or part of the meeting is being audio recorded. The whole of the meeting will be recorded, except where there are confidential or exempt items.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this recording will be retained in accordance with the Council's data retention policy.

Therefore by entering the Chamber and speaking at Committee you are consenting to being recorded and to the possible use of those sound recordings for training purposes.

If you have any queries regarding this please contact Democratic Services.

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	Pages
1. Minutes	
To approve the Minutes of the Meeting held on 7 February 2018 (Minute Nos. 469 - 483) as a correct record.	
2. Emergency Evacuation Procedure	
The Chairman will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.	
The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing	

bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park. Nobody must leave the assembly point until everybody can be accounted for and nobody must return to the building until the Chairman has informed them that it is safe to do so; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chairman is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

3. Apologies for Absence

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the room while that item is considered.

**Advice to Members:** If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as

early as possible, and in advance of the Meeting.

### **Part A Report for recommendation to Council**

5. Adoption of the Statement of Community Involvement 1 - 90

### **Part B Reports for Decision by Cabinet**

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### **Issued on Monday, 26 February 2018**

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of the Cabinet, please visit [www.swale.gov.uk](http://www.swale.gov.uk)

**Chief Executive, Swale Borough Council,  
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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<b>Cabinet</b>	<b>Agenda Item: 5</b>
<b>Meeting Date</b>	7 <sup>th</sup> March 2018
<b>Report Title</b>	Statement of Community Involvement - Results of Consultation and route to adoption
<b>Cabinet Member</b>	Cllr Gerry Lewin, Cabinet Member for Planning
<b>SMT Lead</b>	Emma Wiggins
<b>Head of Service</b>	James Freeman
<b>Lead Officer</b>	Gill Harris
<b>Key Decision</b>	No
<b>Classification</b>	Open
<b>Forward Plan</b>	<b>Reference number: 7</b>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. Members endorse the Council’s draft responses to the consultation in Appendix I; and</li> <li>2. Members endorse the SCI for adoption, noting that the Local Authorities (Functions and Responsibilities) Statutory Regulations require a Full Council resolution to adopt the SCI.</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 This report outlines the consultation representations received on the Statement of Community Involvement (SCI) and the draft responses and proposed changes arising. Cabinet are recommended to endorse the Council’s draft responses to the consultation in Appendix I and endorse the SCI for adoption. A report was taken to LDF Panel on 8<sup>th</sup> February 2018 for noting.

## 2 Background

- 2.1 As you may recall from the LDF Panel report from June 2017 an SCI sets out how, when and where the Council will consult with local and statutory stakeholders both during the production of development plan documents and within the development management process. The Council is required to produce an SCI and, once adopted, the provisions which relate to plan-making become binding. The Council’s current SCI was adopted in 2008. The Council have checked with DCLG about future proposed regulations on SCI’s and specifically asked if there will be further regulations in early 2018 about engagement and consultation at the evidence gathering stage of plan making. We have received a response and are confident that the SCI as drafted covers everything necessary but suggested to LDF Panel that a further paragraph be added to Section 5 of the SCI to read:

*“5.8 - Engagement will be carried out with all of our stakeholders and the general public prior to any consultation at the issues and options stage of plan making. It will look to gather ideas on the issues, opportunities and challenges facing Swale. The engagement methods used will be chosen from Appendix I.”*

- 2.2 This was accepted by the LDF Panel.
- 2.3 The SCI went out for consultation from 20<sup>th</sup> October 2017 – 4<sup>th</sup> December 2017 via our consultation portal (Objective), with emails and letters to all statutory and non-statutory consultees, everyone on the consultation database and to all Members.
- 2.4 A total of 77 comments were received from 17 respondents. Appendix I shows all of the representations made, a summary of each representation and SBC’s draft response. An ‘About You’ optional question was included to allow analysis of the profile of respondents. Eleven of the respondents answered these questions with ‘no response’ which might reflect the fact that a lot of the representations were made by individuals on behalf of organisations who couldn’t answer these questions. Of those respondents who did answer they were mostly male, English, aged 45 – 74, with no disability, with English as their main language, and were from either the ME9 or ME10. Appendix II shows the numerical results of the questions asked throughout the document. Mostly respondents either agreed with the question or gave no response.
- 2.5 The comments received fall into four main categories:
- A number of comments were requests to add more consultees to Tables 1 and 2 and the draft responses have accepted most of the suggested organisations but a few were too specific and they were recommended to sign up to the consultation database so that they would receive emails at the start of every consultation event;
  - Some comments were about the perceived lack of ‘plain English’ within the document and the draft response explains that planning terminology is often technical in nature and not always compatible with ‘plain English.’ However, there is a glossary in chapter 8 to try and help the reader understand the technical terms;
  - A few comments were regarding criticisms of past Swale consultations, both development management and plan making, with respondents saying that their comments weren’t taken into account in the final decision. The draft response explained that in plan making all comments are reported to the LDF Panel with responses from the Council, whilst in development management reports, summaries of the issues raised are included. It has been explained that planning decisions involve weighing up competing information and issues and views and that it is the role of the planning authority to make a balanced decision in line with national and local policy; and

- A few comments were made which did not relate to the SCI but were about general planning issues in Swale such as transport congestion.

2.6 A number of changes are proposed in response to the representations received and these can be seen in Appendix I.

### 3 Proposals

3.1 The proposal is for Cabinet to endorse the Council’s draft responses to the representation made in the consultation in Appendix I and endorse the SCI for adoption. Please note that the Local Authorities (Functions and Responsibilities) Statutory Regulations require a Full Council resolution to adopt the SCI.

### 4 Alternative Options

4.1 Cabinet could advise Full Council not to adopt the SCI or indicate that other changes could be made to it. However, new regulations come into force on 6<sup>th</sup> April 2018 which requires that Local Plans and SCIs are updated every five years so the review of the Local Plan could not progress without an update SCI.

4.2 The Council is required by Statutory Regulation to produce an SCI upon which local development documents should be prepared and planning applications must be considered based on representations received in accordance with it. As such, it is essential to adopt one.

### 5 Consultation Undertaken or Proposed

5.1 The draft SCI was consulted on for 6 weeks. The representations made, a summary of each representation and SBC’s draft response can be seen in Appendix I.

### 6 Implications

Issue	Implications
Corporate Plan	Supports the Council’s corporate priorities for a Borough and a community to be proud of.
Financial, Resource and Property	This will be undertaken within the Planning Policy teams existing workload and budget.
Legal and	Section 18 of the Planning and Compulsory Purchase Act 2004

Statutory	requires local planning authorities to produce a Statement of Community Involvement, which should explain how they will engage local communities and other interested parties in producing their Development Plan and determining planning applications. The Statement of Community Involvement should be published on the local planning authority's website.
Crime and Disorder	None identified at this stage.
Sustainability	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	The SCI itself ensures that all members of the community will be able to participate, if desired, in Swale's planning processes.

## 7 Appendices

Appendix I: Table showing the representations made, a summary of each representation and SBC's draft response.

Appendix II: Statistical results of the questions asked throughout the document.

Appendix III: Draft Statement of Community Involvement.

## 8 Background Papers

None



Table showing the representations made to the draft Statement of Community Involvement, a summary of each representation and SBC's draft response

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
Caroline	Middleton		General Comments	<a href="#">SCI19</a>		<p>Great idea to have consultation....IF it is ever listened to and acted upon.</p> <p>The recent public response to new road and housing proposals has been totally ignored....so I see this as a pointless exercise as the local council will do exactly what they want regardless of public views.</p>	<p>1. Great idea to have consultation but the recent public response to new road and housing proposals has been totally ignored.</p> <p>2. This is a pointless exercise as the local council will do exactly what they want regardless of public views.</p>	<p>1. Consultation does not necessarily lead to the outcome sought by respondents. However, the SCI does ensure that stakeholders' views are taken into account alongside other relevant issues. No change proposed. See above.</p> <p>2. No change proposed.</p>
Trevor	Hall	Kent Police	General Comments	<a href="#">SCI29</a>		No Comment.	<p>1. No Comment.</p>	<p>1. Noted. No change proposed.</p>
S	Palmer		General Comments	<a href="#">SCI46</a>		<p>There is never any publication of why the council deem a person's objections as over ridden or how they arrive at a refusal or acceptance of an application. This gives the impression that the comments submitted have been ignored.</p>	<p>1. Never any publication of why the Council deem an objection as over ridden or how they arrive at a refusal or acceptance of an application. Gives the impression that comments have been ignored.</p>	<p>1. All planning applications are considered by Planning Officers and a number are also considered by planning Committee. Objections, supports and observations are summarised in the report on each planning application and the report will then go on to discuss the merits or otherwise of the proposal. It would be impractical to respond to every comment as this would be too resource intensive. No change</p>

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
								proposed.
Katie	Miller	Kent Downs AONB	General Comments	<a href="#">SCI48</a>		<p><u>Duty to Co-operate</u></p> <p>The AONB Unit would welcome the opportunity to be involved in Swale's Duty to Co-operate. The extent of the AONB means that this is a strategic cross boundary matter, with the AONB present in 10 District Councils in Kent as well as Medway Unitary Authority, including all the local authority areas that share a boundary with Swale. The AONB Unit would be well placed to advise on cross boundary impacts and our involvement would be consistent with guidance provided in the NPPG which advises that, among other matters, landscape areas may be a more appropriate basis on which to plan than individual local planning authority areas.</p> <p>As part of the Duty to co-operate process, it would be helpful to consider whether other local authorities should be asked to accommodate some of Swale's housing requirement due to environmental constraints in the Borough (i.e. AONB designation), in line with paragraphs 14 and 179 of the NPPF.</p> <p><u>Planning Application consultations</u></p> <p>The AONB Unit is not included as a consultee in Table 2 at para 4.16. While the AONB Unit is not a statutory consultee in respect of planning applications and would not wish to be consulted on all planning applications within the AONB (nor would we have the resources to be able to respond), the Unit would like to be consulted on any major proposals that lie</p>	<ol style="list-style-type: none"> <li>1. The AONB Unit would like to be involved in Swale's Duty to Co-operate as the extent of the AONB means that this is a strategic cross boundary matter. Our involvement would be consistent with guidance provided in the NPPG which advises that, among other matters, landscape areas may be a more appropriate basis on which to plan than individual local planning authority areas.</li> <li>2. It would be helpful to consider whether other local authorities should be asked to accommodate some of Swale's housing requirement due to environmental constraints in the Borough (i.e. AONB designation), in line with paragraphs 14 and 179 of the NPPF.</li> <li>3. The AONB Unit is not included as a consultee in Table 2 at para 4.16. We are not a statutory consultee in respect of planning applications, but would like to be consulted on any major proposals that lie either within the AONB or within its setting. This is in accordance with the planning protocol that has been agreed with all the local authorities within the AONB.</li> </ol>	<ol style="list-style-type: none"> <li>1. The AONB is an inherent part of our Duty to Co-operate through the JAC and will continue to do so and they will be consulted directly on specific matters as they arise. No change proposed.</li> <li>2. This will of course be a consideration once we have Swale's OAN figure after the Government's 'Planning for the Right Homes in the Right Places' is finalised after the recent consultation. No change proposed.</li> <li>3. The AONB unit will be added in the column titled 'Non-statutory consultees.' Change proposed.</li> </ol>

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						either within the AONB or within its setting. This is in accordance with the planning protocol that has been agreed with all the local authorities within the AONB. This states that the Unit will get involved in development management only in exceptional circumstances, for example in terms, of scale, precedence and cumulative effect. As specified in the protocol, the Unit will also provide advice on other planning applications at the request of a Planning Officer or Kent Downs AONB Joint Advisory Committee member.		
Alan	Byrne	Historic England	General Comments	<a href="#">SCI50</a>		<p>Thank you for your email of 20 October 2017 inviting comments on the above document. The consultation process detailed in the SCI should be adequate in meeting the requirements of the Local Development Regulations 2004.</p> <p>It will be important to ensure that stakeholder organisations with interests and responsibilities in the historic environment, at national and local levels, are fully involved throughout the consultation process. To this end, it is important to consult with both the Council's own conservation officer or team and local amenity societies. In terms of the general requirements of consultation in relation to the historic environment, I attach a Note on Consultation with the Heritage Sector and a list of national amenity bodies.</p> <p><b>Note on consultation with the Heritage Sector</b></p> <p>Under the Town and Country Planning (Local</p>	<ol style="list-style-type: none"> <li>1. The consultation process detailed in the SCI should be adequate in meeting the requirements of the Local Development Regulations 2004.</li> <li>2. Is important to ensure stakeholder organisations with interests and responsibilities in the historic environment, both national and local, are fully involved. Important to consult with the Council's conservation officer and local amenity societies. In terms of the general requirements of consultation in relation to the historic environment, attached is a Note on Consultation with the Heritage Sector and a list of national amenity bodies.</li> <li>3. Under the Town and Country Planning (Local Development) Regulations 2004, Historic England is not specified as an authority that the Council must consult with on the preparation of a draft SCI</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. No change proposed.</li> <li>2. Table 1 includes civic societies, cultural, historical and archaeological groups and bodies as other organisations to consult in the plan making process, as well as yourselves, so both national and local historic interests will be adequately covered. No change proposed.</li> <li>3. Noted. No change proposed.</li> </ol>

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						Development) Regulations 2004, Historic England is not specified as an authority that the Council must consult with on the preparation of a draft SCI [Regulation 25 (2)]. However, as a statutory consultation body at other stages in the preparation of Development Plan Documents, as well certain planning applications, we welcome the opportunity to make general comments on the SCI.	[Regulation 25 (2)]. However, as a statutory consultation body at other stages in the preparation of Development Plan Documents, as well certain planning applications, we welcome the opportunity to make general comments on the SCI.	
Alan	Byrne	Historic England	General Comments	<a href="#">SCI54</a>		<p><b>Consultation address database</b> – It is no longer necessary to send any hard copy correspondence and documents relating to the Local Development Framework / Local Plan / Neighbourhood Development Plans / Supplementary Planning Documents to our South East Office. However, if sending consultations in paper form or as a hard disc (CD) the consultation should be sent to the regional office; <b>Historic England South East, Eastgate Court, 195-205 High Street, GUILDFORD GU1 3EH</b>. You may remove any other addresses for English Heritage or the Royal Commission on the Historical Monuments of England from your database.</p> <p>All <b>electronic consultations</b>, by email, should be sent to the dedicated consultation mailbox:e-seast@historicengland.org.uk. We would ask that consultations are not sent to any other mail addresses or email inboxes (including personal email inbox) as this will result in delays to registration and responses from Historic England.</p> <p><b>Sustainability Appraisal</b> - Whilst Historic</p>	<ol style="list-style-type: none"> <li>1. It is no longer necessary to send any hard copy correspondence and documents relating to the Local Development Framework / Local Plan / Neighbourhood Development Plans / Supplementary Planning Documents to our South East Office. If sending consultations in paper form or as a hard disc the consultation should be sent to the regional office; Historic England South East, Eastgate Court, 195-205 High Street, GUILDFORD GU1 3EH.</li> <li>2. All electronic consultations should be sent to: e-seast@historicengland.org.uk.</li> <li>3. Whilst Historic England is a statutory consultee for Strategic Environmental Assessment, we do not have the capacity to attend SEA/SA workshops. Workshops should be attended by your Conservation Officer and a representative from the County Council's archaeological service. We will respond to correspondence relating</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. Our consultation database has been updated. No change proposed.</li> <li>2. Noted. Our consultation database has been updated. No change proposed.</li> <li>3. Noted. No change proposed.</li> </ol>

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
						England is a statutory consultee for Strategic Environmental Assessment, we do not have the capacity to attend SEA/SA workshops. If it is proposed to hold such an event, you should ensure that your Conservation Officer and a representative from the County Council's archaeological service is invited to attend to be on any issues relating to the historic environment. We will, of course, respond to correspondence relating to SEA at the appropriate stages.	to SEA at the appropriate stages.	
Natural	England	Natural England	General Comments	<a href="#">SCI57</a>		<p>Thank you for your consultation on the above dated and received by Natural England on 20th October 2017.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>We are 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 participating in the process of determining planning applications.</p> <p>We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: <a href="https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals">https://www.gov.uk/protected-species-and-</a></p>	<ol style="list-style-type: none"> <li>1. Are 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 participating in the process of determining planning applications.</li> <li>2. We are unable to comment in detail but information on the planning service we offer, including advice on how to consult us, can be found at: <a href="https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals">https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals</a>.</li> <li>3. We now ask that all planning consultations are sent electronically to the central hub for our planning and development advisory service at the following address: consultations@naturalengland.org.uk</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. No change proposed.</li> <li>2. Noted. No change proposed.</li> <li>3. Our consultation database has been updated with the new contact details. No change to the SCI proposed.</li> </ol>

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						<p><a href="#">sites-how-to-review-planning-proposals.</a></p> <p>We now ask that all planning consultations are sent electronically to the central hub for our planning and development advisory service at the following address: consultations@naturalengland.org.uk</p> <p>This system enables us to deliver the most efficient and effective service to our customers.</p>		
	Strategic Planning	Kent County Council	General Comments	<a href="#">SCI61</a>		KCC would suggest that the term 'front loading' in paragraph 1.2 is too technical for general understanding and it is recommended that this is phrased slightly differently to avoid any misunderstanding.	1. Suggest the term 'front loading' in paragraph 1.2 is too technical for general understanding and it is recommended that this is phrased slightly differently.	1. Disagree; this is a widely used term in many aspects of everyday life. In fact, it was used in your own document on getting people involved in consultations. The term will be added to the glossary. Partial change proposed.
	KCC Minerals & Waste Planning Policy	Kent County Council Minerals and Waste Planning Policy Team	General Comments	<a href="#">SCI63</a>		<p>Thank you for the opportunity to comment on Swale Borough Council's draft Statement of Community Involvement. The County Council, as the Minerals and Waste Planning Authority has made comments to above consultation however the limited space available means they have been emailed to Gill Harris and the Planning Support Team on Monday the 4th December at 16.39 pm rather than be made here in consultation portal.</p> <p>See details from email below: (Part 1 of 2)</p>	<p>1. The Minerals and Waste Planning Authority recognises that the document is part of the local Development Plan and is aimed at how the local community can get involved in the preparation of local planning policy documents as well as decisions on planning applications.</p> <p>2. The Minerals and Waste Planning Authority notes the inclusion of Kent County Council in Section 4 of the document '<i>Who will we involve in consultations?</i>' as a 'Statutory Consultee – Specific Bodies' with</p>	<p>1. Noted. No change proposed.</p> <p>2. Noted. No change proposed.</p>

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
						<p>Dear Gill,</p> <p>Please see comments below on behalf of the Minerals and Waste Planning Authority regarding Swale Borough Council's draft Statement of Community Involvement. The comments were too large to add as a comment so please accept our general comments below;</p> <p><u>Consultation on Swale borough Council's draft Statement of Community Involvement</u></p> <p>Thank you for the opportunity to comment on Swale Borough Council's draft Statement of Community Involvement. The County Council, as the Minerals and Waste Planning Authority have the following comments to make on the above consultation:</p> <p>Having read and understood the draft Statement of Community Involvement, the Minerals and Waste Planning Authority recognises that the document is part of the local Development Plan and is aimed at how the local community can get involved in the preparation of local planning policy documents as well as decisions on planning applications.</p> <p>The Minerals and Waste Planning Authority notes the inclusion of Kent County Council in Section 4 of the document '<i>Who will we involve in consultations?</i>' as a 'Statutory Consultee – Specific Bodies' with regards to plan making, and understands that this will be used as a guide to identify those to involve and consult. The Minerals and Waste Planning Authority also recognises the inclusion of the County Council in its 'Duty to</p>	<p>regards to plan making. The Minerals and Waste Planning Authority also recognises the inclusion of the County Council in its 'Duty to Co-operate' as well as a 'Statutory Consultee' in the development management process.</p>	

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
						Co-operate' as well as a 'Statutory Consultee' in the development management process.		
M	Evans	Gladman Developments	General Comments	<a href="#">SCI64</a>		<p>I write with reference to the above referenced consultation. Gladman welcome the opportunity to discuss the Statement of Community Involvement (SCI) for Swale. Gladman would wish to make the following brief comments on the document.</p> <p>Reference to the involvement of the development industry should also be made in Table 4, which considers how to involve the community in plan making. Such an approach would have a positive impact overall on the development of planning documents, making them more deliverable and allowing the Council to inform any examination of Development Plan Documents that they have taken a proactive and positive role in involving the development industry in plan making.</p> <p>I trust the above is helpful in moving the plan forward to the next stage, should you wish to discuss this representation further please do not hesitate to contact me. I would also be grateful if Gladman could be kept informed as plan making develops and should the Council wish to establish, or has already established, a developers forum to help inform plan making moving forward Gladman would wish to participate in any future meetings of the group.</p>	<ol style="list-style-type: none"> <li>1. Welcome the opportunity to discuss the SCI for Swale.</li> <li>2. Reference to the involvement of the development industry should also be made in Table 4, which considers how to involve the community in plan making. Such an approach would have a positive impact overall on the development of planning documents, making them more deliverable and allowing the Council to inform any examination of Development Plan Documents that they have taken a proactive and positive role in involving the development industry in plan making.</li> <li>3. Would also be grateful if Gladman could be kept informed as plan making develops and should the Council wish to establish, or has already established, a developers forum to help inform plan making moving forward Gladman would wish to participate in any future meetings of the group.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. Table 4 states that specific, general and other consultees will be consulted and table 1 states that house builders and developers are designated under 'other consultation bodies'. No change proposed.</li> <li>3. Swale already has an Agents/Developers Forum, run by our Development Management team, who have been passed your details. No change proposed.</li> </ol>
	KCC Minerals & Waste Planning	Kent County Council Minerals and Waste	General Comments	<a href="#">SCI66</a>		<p>(Part 2 of 2 continued from previous comment No. 63)</p> <p>With regards to the safeguarding of minerals and waste within Kent as set out in the</p>	<ol style="list-style-type: none"> <li>1. With regards to the safeguarding of minerals and waste within Kent as set out in the adopted Kent Minerals and Waste Local Plan 2013-30 KMWLP, it</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. No change proposed.</li> <li>2. Noted. Paragraph 4.20 will be amended to refer</li> </ol>



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	Policy	Planning Policy Team				<p>adopted Kent Minerals and Waste Local Plan 2013-30 KMWLP (in particular policies CSM 5 Land-won Mineral Safeguarding, CSM 6 Safeguarded Wharves and Rail Depots, CSM 7 Safeguarding Other Mineral Plant Infrastructure, CSW 16 Safeguarding of Existing Waste Management Facilities, DM 7 Safeguarding Mineral Resources and DM 8 Safeguarding Minerals Management, Transportation, Production and Waste Management Facilities), it is important that the safeguarding of both minerals and waste matters are considered throughout the plan making and planning application processes to ensure that there is no unnecessary sterilisation of minerals or the compromise of continued lawful operation of waste and minerals facilities. The Minerals and Waste Planning Authority recognises the reference to mineral safeguarding in paragraph 4.20 of the draft Statement of Community Involvement, but is unable to see a similar reference to waste infrastructure safeguarding and would want to see a similar emphasise to the importance of waste infrastructure. As you are no doubt aware, both minerals and waste development play an important part in the delivery of sustainable development. Similarly, the Minerals and Waste Planning Authority feels it would be helpful to add that further information is available from the County Council regarding safeguarding and the related policies.</p> <p>In relation to Section 5 of the document '<i>Community Involvement in Plan Making</i>' the inclusion of the Kent Minerals and Waste</p>	<p>is important that the safeguarding of both minerals and waste matters are considered throughout the plan making and planning application processes to ensure that there is no unnecessary sterilisation of minerals or the compromise of continued lawful operation of waste and minerals facilities.</p> <p>2. Recognise the reference to mineral safeguarding in paragraph 4.20 of the draft Statement of Community Involvement, but is unable to see a similar reference to waste infrastructure safeguarding and would want to see a similar emphasise to the importance of waste infrastructure.</p> <p>3. The Minerals and Waste Planning Authority feels it would be helpful to add that further information is available from the County Council regarding safeguarding and the related policies.</p> <p>4. In relation to Section 5 of the document '<i>Community Involvement in Plan Making</i>' the inclusion of the Kent Minerals and Waste Local Plan and Kent County Council is noted and welcomed.</p> <p>5. Overall are pleased to see the inclusion of the County Council as the Minerals and Waste Planning Authority within the draft Statement of Community Involvement, but would strongly encourage the inclusion of waste</p>	<p>to waste infrastructure safeguarding as well as mineral safeguarding. Change proposed.</p> <p>3. An SCI sets out the parameters for consultation and is not a signposting document for further information for developers. However, paragraph 4.20 will be amended to refer to further information being available from the County Council. Change proposed.</p> <p>4. Noted. No change proposed.</p> <p>5. Noted. No change proposed.</p>

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						<p>Local Plan and Kent County Council is noted and welcomed, as well as the contact details provided for the Minerals and Waste Planning Policy Team.</p> <p>Overall the Minerals and Waste Planning Authority is pleased to see the inclusion of the County Council as the Minerals and Waste Planning Authority within the draft Statement of Community Involvement, but would strongly encourage the inclusion of waste infrastructure safeguarding alongside mineral safeguarding to ensure that planning policy documents and planning applications are in accordance with the policies set out in the adopted Kent Minerals and Waste Local Plan 2013-30.</p> <p>If you have any queries, or would wish to discuss, please do not hesitate to contact a member of the Minerals and Waste Planning Policy Team on 03000 422370.</p>	infrastructure safeguarding alongside mineral safeguarding.	
Nigel	Heriz-Smith		General Comments	<a href="#">SCI67</a>		<p>Dear SBC Planning Policy, copied to Lynsted with Kingsdown Parish Council for information</p> <p>Please find two documents attached. One is your PDF document with several detailed comments added to that document as "sticky notes".</p> <p>The second document is a Word document that forms my main response to the idea of the SCI.</p> <p>You will see I have some problems with the document and its context in relation to existing local initiatives over the years. I have also</p>	<ol style="list-style-type: none"> <li>1. The representation by Mr Heriz-Smith has been split up and assigned to the most relevant questions.</li> <li>2. Had problems with the document and its context in relation to existing local initiatives over the years.</li> <li>3. At 41 pages long, this document is not friendly to "Community Involvement" when most people suffer from 'time poverty'. It reads like a "bureaucrat's charter".</li> <li>4. It is a useful 'bringing-together' of what</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. No change proposed.</li> <li>2. Noted. No change proposed.</li> <li>3. Noted. Unfortunately in order to cover all of the necessary information the document needs to be this length. We worked hard to keep it as short and concise as possible, especially through the use of</li> </ol>

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						<p>made some suggestions regarding “accessibility” – it needs a much shorter plain language addition/Introduction or accompanying (e.g. four page) document if it is to truly engage with people with busy lives. 41 pages of quite detail technical material fails this test of accessibility.</p> <p><b>OVERVIEW</b></p> <p>At 41 pages long, this document is absolutely NOT friendly to "Community Involvement" when most people suffer from 'time poverty' under competing interests and commitments. It reads like a "bureaucrat's charter". It is a very useful 'bringing-together' of what is a complex area but that degree of technical content hits most people's "snooze button". Please can SBC consider a plain English introduction that states SBC's guiding principles and the purpose of planning? Even better would be a four-page statement in plain English that could be obtained electronically, placed in public spaces (libraries, shopping centres, further education centres, etc) or posted to homes of Residents with SBC's Magazine?</p> <p>I attach an annotated version of your PDF file, showing areas where I believe the document succeeds and fails or where it might be improved. While this <i>S.C.I exercise</i> has an ambition to improve local democratic engagement in Planning Policy and Decision-Making, it may never achieve more than a 'box ticking' status. That said, I believe this document is a useful device to help residents understand the complexity of the planning</p>	<p>is a complex area but that degree of technical content hits most people's "snooze button". What about a plain English introduction that states SBC's guiding principles and the purpose of planning or a four-page statement in plain English, electronically, available in public spaces or posted to homes with SBC's Magazine?</p> <p>5. Attach an annotated version of the SCI, showing areas where the document succeeds and fails or where it might be improved. (<i>These comments have been added under later reps form Mr Heriz-Smith.</i>)</p> <p>6. Whilst this S.C.I exercise has an ambition to improve local democratic engagement in Planning Policy and Decision-Making, it may never achieve more than a 'box ticking' status.</p> <p>7. Believe this document is a useful device to help residents understand the complexity of the planning process. Welcome the principles that underpin the 2011 Localism Act and this SCI. However, have serious reservations surrounding its value and how it plays to the public.</p> <p>8. Comments that follow are based on the experience of developing a democratic document – the Lynsted with Kingsdown Parish Design Statement. (continued at comment SCI68)</p>	<p>tabulated information. No change proposed.</p> <p>4. Noted. The introduction chapter gives a short overview of the SCI as a whole and the 'Guiding principles' chapter adds to this. It would be impossible to condense all of the information down to a 4 page document as what is relevant to one person in one set of circumstances is not the same for another person. No change proposed.</p> <p>5. Noted. These comments are dealt with under later reps form Mr Heriz-Smith. No change proposed.</p> <p>6. The SCI sets out a range of consultation methods and processes which aim to give all members of Swale the opportunity and knowledge to engage with the planning system. No change proposed.</p> <p>7. Noted. No change proposed.</p> <p>8. Noted. No change</p>

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						<p>process – it does not overcome a fundamental problem of “time poverty” in most peoples’ lives that will result in skewed engagement by “communities”. My comments that follow are based on the experience of developing a democratic document – the Lynsted with Kingsdown Parish Design Statement that did qualify as Supplementary Planning Guidance for a period prior to being downgraded on policy changes by government. I welcome the principles that underpin the 2011 Localism Act and this SCI. However, I have serious reservations surrounding its value and how it plays to the public!</p> <p>(continued at comment 68)</p>		proposed.
Nigel	Heriz-Smith		General Comments	<a href="#">SCI68</a>		<p>(continued from comment No. 67)</p> <p>Essentially:-</p> <ul style="list-style-type: none"> <li>• <b>Avoid Reinventing the Wheel.</b> There already exist several documents created by Parish Councils as well as Residents. These various documents have largely been relegated and discarded by Swale Borough Council Planning Department on the basis of ‘cost’ (or effort). The option exists for SBC to ‘stump up’ to translate those documents to fit current Supplementary Planning Guidance terminology.</li> <li>• <b>Past Community Instruments Relegated.</b> If Community engagement in creating past documents can so easily be ignored, what is the incentive for communities to commit to what can</li> </ul>	<p>(continued from SCI67)</p> <ol style="list-style-type: none"> <li>1. Avoid Reinventing the Wheel. There already exist several documents created by Parish Councils as well as Residents. The option exists for SBC to ‘stump up’ to translate those documents to fit current Supplementary Planning Guidance terminology. If Community engagement in creating past documents can so easily be ignored, what is the incentive for communities to commit to what can be a complex and long-winded process?</li> <li>2. I was one of a group of Residents who spent more than two years pulling together a democratically-based Lynsted with Kingsdown Parish Design Statement. When central government changed the language of community</li> </ol>	<ol style="list-style-type: none"> <li>1. These comments do not relate to the SCI specifically and Swale’s Development Management still refer to the Lynsted Design Statement in planning decisions. No change proposed.</li> <li>2. See above. No change proposed.</li> </ol>

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						<p>be a complex and long-winded process? Our Community engagement took place <u>outside</u> our Parish Council structure – they contributed but did not steer.</p> <ul style="list-style-type: none"> <li>○ I say this as one of a group of Residents who spent <u>more than two years</u> pulling together a democratically-based Lynsted with Kingsdown Parish Design Statement (<b><u>widely consulted on across the Parish, and with direct engagement with SBC's planning officials</u></b>). That document established a detailed and prioritised guide to key historic and material features of the built environment, existing land use and patterns of development to inform the formal decision-making processes. The Design Statement also contained <b><u>all</u></b> the relevant Policies that SBC has to work with – that technical guidance was included to help residents and developers alike. Our Community Document was, for a relatively short time, <u>formally adopted</u> by Swale Borough Council into its Planning Processes. When central government changed the language of community engagement, the option existed to convert the Design Statement </li></ul>	<p>engagement, the option existed to convert the Design Statement into a usable format that met the new circumstances. SBC rejected that option because of cost. Our collective experience demonstrates how difficult and time-consuming it is to encourage meaningful Community engagement and how easily it can be buried by bureaucratic processes.</p> <p>(continued at SCI69)</p>	

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						<p>into a usable format that met the new circumstances. SBC rejected that option because of <u>cost</u>. Our collective experience demonstrates how difficult and time-consuming it is to encourage meaningful Community engagement and how easily it can be buried by bureaucratic processes.</p> <p>(continued at comment No.69)</p>		
Nigel	Heriz-Smith		General Comments	<a href="#">SCI69</a>		<p>(continued from comment No.68)</p> <ul style="list-style-type: none"> <li>• <b>Parish Council Initiatives.</b> Other documents have been created under the guidance of Parish Councils. P.C.s <b>have moral authority</b> under our systems of “Representative Democracy”. This avenue relies on a balance of skilled and experienced individuals to ‘represent’ the spectrum of Community priorities. That balance will differ in each P.C. for better or worse. <ul style="list-style-type: none"> <li>○ Parish Plans can be useful places to open up local community engagement.</li> <li>○ In circumstances of cross-boundary issues, perhaps there is a role for SBC Councillors (or others?) to ‘hold the ring’ in inter-Parish issues to makes sure a balance of interests is struck and fed into Parish and Borough</li> </ul> </li> </ul>	<p>(continued from SCI68)</p> <ol style="list-style-type: none"> <li>1. Other documents have been created under the guidance of Parish Councils who have moral authority under our systems of “Representative Democracy”. This avenue relies on a balance of skilled and experienced individuals to ‘represent’ the spectrum of Community priorities. Parish Plans can be useful places to open up local community engagement.</li> <li>2. For cross-boundary issues, perhaps there is a role for SBC Councillors to ‘hold the ring’ in inter-Parish issues to makes sure a balance of interests is struck and fed into Parish and Borough decisions.</li> </ol> <p>(continued at SCI70)</p>	<ol style="list-style-type: none"> <li>1. Noted. The Council appreciate the efforts that local groups have, over the years, gone to to produce Parish and Neighbourhood Plans and often find that individuals involved then become community champions for future planning engagement. No change proposed.</li> <li>2. Noted. As the SCI suggests, there is a role for SBC councillors to assist their constituents with planning consultations. No change proposed.</li> </ol>

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						<p>decisions? See <b>para 4.9</b> of your PDF document.</p> <p>In the case of both Lynsted with Kingsdown and Teynham Parishes, the late Councillor John Disney spent a great deal of energy driving a "Greening Greenstreet" project. That Project brought together the interests of P.C.'s, residents and businesses on <b>both</b> sides of the A2. Sadly, with the passing of John Disney <b>both</b> PCs dropped the Project. As a resident in this "Greenstreet community", it is sad to see P.C.'s 'default' to open hostility and competition in matters fall across the A2 dotted line!</p> <p>(continued at comment No. 70)</p>		
Nigel	Heriz-Smith		General Comments	<a href="#">SCI70</a>		<p>(continued from comment No.69)</p> <ul style="list-style-type: none"> <li>• <b>The Role of SBC Officials and Councillors.</b> With Planning Decisions and Priorities governed primarily by the agendas and 'professional judgement' of non-elected, remote Planning Officials - it is unlikely that this initiative will gain meaningful 'traction' in the established relationships and competition for resources. There are so many conflicting interests that "Community Involvement" will be lost in background noise (Paragraph 5 lists those "noises"). Officials and</li> </ul>	<p>(continued from SCI69)</p> <ol style="list-style-type: none"> <li>1. The Role of SBC Officials and Councillors: With Planning Decisions and Priorities governed by agendas and 'professional judgement' of non-elected Planning Officials - it is unlikely that this initiative will gain meaningful 'traction' in the established relationships and competition for resources. There are so many conflicting interests that "Community Involvement" will be lost in background noise (Paragraph 5 lists those "noises").</li> </ol>	<p>1-4. It is agreed that there are a number of competing elements which the planning process need to take into account, including the results of community and stakeholder consultation. It is the role of the planning officers to assess these elements as part of their decision making process. No change proposed.</p>

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						<p>Councillors are faced with:</p> <ul style="list-style-type: none"> <li>○ Developers - who seek high density developments in greenfield sites because of their profits. Locally, house prices have predictable ceilings, so developers will want to minimise input costs of land remediation, demolition, and landscaping that erode their profit margin. They also resist “affordable housing” because, by definition, they are less profitable.</li> <li>○ Councillors and the Local Plan (largely prepared by and advised on by Officials but heavily skewed by Central Government objectives). Those targets/objectives bear little or no resemblance to the <u>capacity</u> of the construction industry and trades in our region. National Statistics confirm that this industry has contracted during the prolonged economic recession over recent years.</li> <li>○ Local taxation – additional houses attract funding incentives from central government and longer-term streams of taxation.</li> <li>○ All these elements conspire to create a form of “collective opportunism” on the part of <u>all</u> parties – that is to say, wanting</li> </ul>	<p>2. Officials and Councillors are faced with:</p> <ul style="list-style-type: none"> <li>○ Developers - who seek high density developments in greenfield sites because of their profits. They resist “affordable housing” because, by definition, they are less profitable.</li> <li>○ Councillors and the Local Plan (largely prepared by and advised on by Officials but heavily skewed by Central Government objectives). Those targets/objectives bear little or no resemblance to the <u>capacity</u> of the construction industry and trades in our region.</li> <li>○ Local taxation – additional houses attract funding incentives from central government and longer-term streams of taxation.</li> </ul> <p>3. All these elements conspire to create a form of “collective opportunism” on the part of <u>all</u> parties – wanting to take the line of least resistance through the planning processes. To demonstrate “added value”, Officials and Councillors will justify approvals that offer “planning gain” by developers;</p> <p>4. The “aspiration” for Community Involvement is unachievable in any meaningful way when measured against these financial pressures.</p>	



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						<p>to take the line of least resistance through the planning processes. To demonstrate “added value”, Officials and Councillors will justify approvals that offer “planning gain” by developers; even though experience over decades show that, once approval is given, the ‘planning gain’ sought by local government officials (and promised to communities) tend to evaporate under pressure from developers’ drive for profit. Realistically, once approval is granted, the ability of Councils to enforce compliance is sharply reduced.</p> <ul style="list-style-type: none"> <li>○ The “aspiration” for Community Involvement is unachievable in any meaningful way when measured against these financial pressures.</li> </ul> <p>(continued at comment No. 71)</p>	(continued at SCI71)	
Nigel	Heriz-Smith		General Comments	<a href="#">SCI71</a>		<p>(continued from comment No. 70)</p> <ul style="list-style-type: none"> <li>• Importance of Borough Councillors in championing community actions: After considerable effort and engagement by the community, our design statement received <b>no</b> support by our <b>then</b> Borough Councillors who clearly had not understood the concept of design statements. Soul destroying for the team and community who had worked</li> </ul>	<p>(continued from SCI70)</p> <ol style="list-style-type: none"> <li>1. Importance of Borough Councillors in championing community actions: Our design statement received no support by our then Borough Councillors.</li> <li>2. “Communities”: Practical engagement by “Communities” will be skewed by the self-election of those able and willing to devote time and resources to the</li> </ol>	<ol style="list-style-type: none"> <li>1. Agreed. The SCI has a section on the ‘Role of Elected members’ which highlights their important role in community consultation. No change proposed.</li> <li>2. Agreed. It is accepted that people are busy which is why targeted</li> </ol>

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						<p>so hard on it. Thank goodness for the support and engagement of SBC officials and wider engagement of other Borough Councillors!</p> <ul style="list-style-type: none"> <li>“Communities”: Practical engagement by “Communities” will be skewed by the self-election of those able and willing to devote time and resources to the planning process. Most people live busy lives and have many competing pressures for whatever “slack” they may have in their day. The result will often be that “Community Involvement” is based on non-representative political or social agendas of activist residents. To achieve validity <b>within</b> each Community, local residents have to be engaged by the “activists” with a neutral agenda. Having spent more than two years to achieve this ambition in the creation of the Lynsted with Kingsdown Parish Design Statement, I can testify to the huge effort needed and the impossibility of sustaining a group to defend and amend the ambitions of community engagement. This brings me back to the importance of SBC demonstrating its commitment to the existing documents by reinstating and updating existing documents to a level that fits the Planning Framework that surrounds your planning processes. <p>The ball is in SBC’s court. If the SCI results in support for <u>existing documents</u> created by Communities and Parish Councils, then it may have value and encourage <u>future</u></p> </li></ul>	<p>planning process. “Community Involvement” will be based on non-representative political or social agendas of activist residents. Local residents have to be engaged by the “activists” with a neutral agenda.</p> <p>3. If the SCI results in support for existing documents created by Communities and Parish Councils, then it may have value and encourage future engagement.</p> <p>(continued at SCI72)</p>	<p>and more concise consultations are often the most suitable. No change proposed.</p> <p>3. Noted. This comment does not relate to the SCI. No change proposed.</p>

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						engagement. (continued at comment No. 72)		
Nigel	Heriz-Smith		General Comments	<a href="#">SCI72</a>		<p>(continued from comment No. 71)</p> <p><b>General conclusions on the PDF Document include:-</b></p> <p><b>Chapter 1:</b> Defines ‘aspirations and obligations’. However, as stated above, this approach would be strengthened by embedding work already undertaken local communities and Parish Councils – suitably updated by SBC to comply with changes in governing planning documents.</p> <p>The document nods in the direction of cross-boundary issues but fails adequately to address issues like “pollution”. Pollution intersects with Development and Planning decisions through the instruments of AQMAs. The National Policy Planning Framework establishes a specific and binding responsibility on Borough Planning Officials and the Council to address <u>cumulative</u> pollution issues when considering development approvals/rejections. The word “pollution” is only mentioned at the bottom of <b>page 28</b>.</p> <p>Additional clarity is needed on the intersection with Kent County Council responsibilities for road infrastructure and other matters. Communities need to understand the limitation of SBC’s competence.</p> <p>SBC mentions cross-boundary practices in <b>Paragraph 2.16</b>, sub-paragraph 1. History</p>	<p>General conclusions on the PDF Document include:-</p> <ol style="list-style-type: none"> <li>Chapter 1: Defines ‘aspirations and obligations’. However, this approach would be strengthened by embedding work already undertaken local communities and Parish Councils.</li> <li>The document nods in the direction of cross-boundary issues but fails adequately to address issues like “pollution”. The word “pollution” is only mentioned at the bottom of page 28.</li> <li>Additional clarity is needed on the intersection with Kent County Council responsibilities for road infrastructure and other matters.</li> <li>SBC mentions cross-boundary practices in Paragraph 2.16, sub-paragraph 1. History and current experience of major local planning applications faced by communities bring into question how this might work in the real world.</li> <li>Paragraph 3.2 sets out the circumstances when SBC can ignore expressions of “Community” priorities – the ‘whip hand’ remains with SBC officials based on “Resources and managing the process”.</li> </ol>	<ol style="list-style-type: none"> <li>Noted. This comment does not relate to the SCI. No change proposed.</li> <li>Noted. This comment is too specific for the SCI and would be addressed in the policies of the Local Plan. No change proposed.</li> <li>Kent County Council will be added to the glossary with an explanation of its different roles. Change proposed.</li> <li>Noted. This comment does not relate to the SCI. No change proposed.</li> <li>Disagree. Paragraph 3.2 does not “set out the circumstances when SBC can ignore expressions of “Community” priorities”; it sets out the constraints of time and resources that the Council has and suggests that a balance needs to be struck. No</li> </ol>

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						<p>and current experience of major local planning applications faced by communities bring into question how this might work in the real world. I have annotated the PDF at several places to suggest improvements in language.</p> <p><b>Paragraph 3.2</b> sets out the circumstances when SBC can ignore expressions of "Community" priorities –the 'whip hand' remains with SBC officials based on "Resources and managing the process". I recognise the competition for money and the time of officials - but setting out a five-year commitment (for example) with hard cash commitments would give communities some belief that their effort might have value.</p> <p><b>Paragraph 4</b> is an important statement of consultees. This may help residents better understand the process and players. I have some concerns over poorly defined terms that leave SBC able to continue to define what is "relevant" and "appropriate". This is a list without measurable commitment.</p> <p><b>Para 4.7</b> (Consultation Portal) is potentially valuable – however, to be engaging, it needs to be properly resourced and managed by SBC. Again, the usefulness of this feature rests on competition for resources.</p> <p>4<sup>th</sup> December 2017</p>	<p>6. Paragraph 4 is an important statement of consultees. This may help residents better understand the process and players. I have some concerns over poorly defined terms that leave SBC able to continue to define what is "relevant" and "appropriate".</p> <p>7. Para 4.7 (Consultation Portal) is potentially valuable – however, to be engaging, it needs to be properly resourced and managed by SBC.</p>	<p>change proposed.</p> <p>6. Noted. No change proposed.</p> <p>7. The Consultation Portal is properly managed and resourced by SBC. No specific examples of this not being the case are given. No change proposed.</p>
Nigel	Heriz-Smith		General Comments	<a href="#">SCI74</a>		Title page; At 41 pages - this document is absolutely NOT friendly to "Community Involvement" where most people suffer from 'time poverty'. It reads like a "bureaucrats	<p>1. Title page; At 41 pages - this document is not friendly to "Community Involvement" where most people suffer from 'time poverty'. It reads like a</p>	<p>1. Noted. No change proposed.</p> <p>2. Noted. No change proposed.</p>

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						<p>charter".</p> <p>About you: Nigel Heriz-Smith</p> <p>Previously one of the Chairmen of the Lynsted with Kingsdown Parish Design Statement group. Also the principal author tasked with reflecting all inputs from our communities and SBC Planning Department.</p> <p>Previous career - senior management in Central Government Departments.</p> <p>Para 2.3: Please reinstate Village and Parish Development Plans as Supplementary Panning Guidance. This would be a 'slam dunk' for your ambitions and credibility.</p> <p>Para 2.4; The 'natural' pathway for community involvement is the Parish Council. However, administrative limitations make these channels not fit for purpose. The case in point is the "Greenstreet Community" that is divided between Lynsted and Teynham with one result being lack of cohesion and a failure to truly reflect the interests of those most acutely affected by planning and development processes.</p> <p>Para 2.5: "Community Involvement" is not the same as "representations made by individuals" into the Planning/Development process. Simply printing the "ambition" and spelling out some 'pie in the sky' processes through which "communities" are able to engage is inadequate. The reality is that creating something worthy of the title "community" is hellishly difficult to establish and sustain. As time passes, SBC continues</p>	<p>"bureaucrat's charter".</p> <ol style="list-style-type: none"> <li>2. Previously one of the Chairmen of the Lynsted with Kingsdown Parish Design Statement group.</li> <li>3. Para 2.3: Please reinstate Village and Parish Development Plans as Supplementary Panning Guidance.</li> <li>4. Para 2.4; The 'natural' pathway for community involvement is the Parish Council. However, administrative limitations make these channels not fit for purpose.</li> <li>5. Para 2.5: "Community Involvement" is not the same as "representations made by individuals" into the Planning/Development process. Simply printing the "ambition" and spelling out some 'pie in the sky' processes through which "communities" are able to engage is inadequate.</li> <li>6. Perhaps SBC needs to include here [Paragraph 2.6] something that spells out how local representative groups can be created and supported in a way that falls outside the ambit of local parish councils?</li> <li>7. Para 2.7: As stated in the Parish and Village Design Statements that exist at different levels of sophistication.</li> <li>8. Para 2.8: Useful.</li> <li>9. Para 2.16: Please add the governance of AQMA's and their status in local and</li> </ol>	<ol style="list-style-type: none"> <li>3. Noted. This comment does not relate to the SCI. No change proposed.</li> <li>4. It is agreed that Parish and Town Councils are a primary source of spreading information relevant to their area to residents. No change proposed.</li> <li>5. The list of processes is wide ranging in order to ensure that a wide range of stakeholders are given the opportunity to engage. No change proposed.</li> <li>6. This is not something that the SCI or planning department could facilitate. It is suggested that you contact your local councillor with this suggestion. No change proposed.</li> <li>7. Noted. No change proposed.</li> <li>8. Noted. No change proposed.</li> <li>9. Noted. This is too detailed for the SCI. No</li> </ol>

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						<p>to exist; there is nothing like the necessary cohesion at local level to support a corresponding "instrument" through which engagement can be offered and sustained.</p> <p>Perhaps SBC needs to include here [Paragraph 2.6] something that spells out how local representative groups can be created and supported in a way that falls outside the ambit of local parish councils but is complementary to them? Is there scope for setting up collaborative sub-groups in this way under the auspices of Swale Borough Council?</p> <p>Para 2.7: As stated in the Parish and Village Design Statements that exist at different levels of sophistication.</p> <p>Para 2.8: Useful.</p> <p>Para 2.16: Please add the governance of AQMAs and their status in local and national policy.</p> <p>"Pollution" has only one superficial reference in this document - page 28, para 6.13.</p>	national policy. "Pollution" has only one superficial reference in this document - page 28, para 6.13.	change proposed.
Nigel	Heriz-Smith		General Comments	<a href="#">SCI75</a>		<p>Para 2.16 (Point 2): Who benefits from this and how is it managed? I suspect the answer is "SBC" has this in its gift and does not want communities to bid for it?</p> <p>Is there any methodology to join up the dots between imposition of development and control over compensation for degradation of quality of life and health?</p> <p>Para 2.16 (Point 3): This is central to my</p>	<ol style="list-style-type: none"> <li>1. Para 2.16 (Point 2): Who benefits from this and how is it managed? I suspect the answer is "SBC" has this in its gift and does not want communities to bid for it?</li> <li>2. Is there any methodology to join up the dots between imposition of development and control over compensation for degradation of quality</li> </ol>	<ol style="list-style-type: none"> <li>1. Swale does not currently have a CIL charging schedule but the government set out the mechanics for it, not the borough council. No change proposed.</li> <li>2. This is not relevant to the SCI, but is a matter for the decision making</li> </ol>

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						<p>complaint about past initiatives that are side-lined by SBC. When the policies changed, SBC had the opportunity to restate its support for Village and Parish Design Statements - but SBC ducked that opportunity.</p> <p>SBC should show some leadership - otherwise this document and your ambitions are no better than 'box ticking'. The "Greening Greenstreet" Project withered on the vine with the death of Councillor John Disney. Its reinstatement and proper resourcing could provide a model and a sense of purpose to community involvement. SBC needs to spell out a firm intent (with budgets for use by communities) to sustain initiatives of this kind.</p> <p>Para 2.16 (Point 5): Having been involved over the past year in trying to restate a principle about "sensitive edges" to our community - contained in the Parish Design Statement - I am left doubting the intent or understanding of SBC Planners to properly address a coherent plan for our collective well-being. This cohesive approach is essential where health is at a premium due to demographics and the layout of buildings and roads. It is important that SBC public engagement plans show a commitment to the need for balance of infrastructure, homes, amenities, and services. SBC is not helped by its own problems of bureaucratic division of responsibilities between SBC and KCC. There are signs that this is recognised as an issue, but I remain to be convinced that recent declarations of intent are any more than box-ticking between KCC and SBC to avoid</p>	<p>of life and health?</p> <p>3. Para 2.16 (Point 3): This is central to my complaint about past initiatives that are side-lined by SBC, e.g. Village and Parish Design Statements.</p> <p>4. SBC should show some leadership - otherwise this document and your ambitions are no better than 'box ticking'. Its reinstatement and proper resourcing could provide a model and a sense of purpose to community involvement.</p> <p>5. Para 2.16 (Point 5): Having been involved over the past year in trying to restate a principle about "sensitive edges" to our community - contained in the Parish Design Statement - I am left doubting the intent or understanding of SBC Planners to properly address a coherent plan for our collective well-being. It is important that SBC public engagement plans show a commitment to the need for balance of infrastructure, homes, amenities, and services.</p> <p>6. Statement 1: "Workshops" are very prone to 'agenda setting' by the 'ringmasters' - in this case SBC. This document is a good example of a "virtual workshop." Workshops can sound as if they are 'empowering'.</p>	<p>process to resolve. No change proposed.</p> <p>3. As previously stated, Development Management still use the Lynsted design Statement in the decision making process. No change proposed.</p> <p>4. Noted. No change proposed.</p> <p>5. Noted. This does not relate to the SCI. No change proposed.</p> <p>6. Agreed. As Appendix 1 states, workshops need skilled facilitators to ensure a successful event. No change proposed.</p>

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						<p>charges of maladministration.</p> <p>Statement 1: "Workshops" are very prone to 'agenda setting' by the 'ringmasters' - in this case SBC. This document is a good example of a "virtual workshop" but it entirely misses opportunities to embed the adverse impact of pollution and our "health and wellbeing" in the statement of community involvement. In short, workshops can sound as if they are 'empowering' but are often defined in terms that suit the 'ring-masters' (SBC) - who also control the written record that defines action or inaction.</p>		
Nigel	Heriz-Smith		General Comments	<a href="#">SCI76</a>		<p>Statement 1: This form of "consultation" is open to abuse because the 'omission' of some questions will skew the results. It may show greater commitment by SBC if it opens the process of defining questions suited to a particular wider objective - in line with "customer focus" groups used by marketing companies. You may be surprised by the creativity that emerges and, of course, that 'focus group' becomes a useful additional channel for 'local champions'? Help do SBC's job! Inevitably there will be some hostility towards this approach by experts inside SBC or consultants employed by SBC - it takes a bit of faith but might be fruitful with SBC 'holding the ring'.</p> <p>Section titled: For all planning policy consultations Swale will:</p> <p>Bullet point 2: However, those who have time and motivation to engage may not be so 'representative'. Quite how you deal with this</p>	<ol style="list-style-type: none"> <li>1. Statement 1: This form of "consultation" is open to abuse because the 'omission' of some questions will skew the results. It may show greater commitment by SBC if it opens the process of defining questions suited to a particular wider objective - in line with "customer focus" groups. Inevitably there will be some hostility towards this approach by experts inside SBC or consultants employed by SBC.</li> <li>2. Section titled: For all planning policy consultations Swale will: Bullet point 2: However, those who have time and motivation to engage may not be so 'representative'. How this plays into Parish Council responsibilities is also problematic.</li> <li>3. Section titled: For all planning policy consultations Swale will: Bullet point 4: "Proportionate" will be defined 'on the</li> </ol>	<ol style="list-style-type: none"> <li>1. This would be impractical as past experience has shown that the public like to have an initial steer to help them start thinking about the key issues. No change proposed.</li> <li>2. This is a common problem with all consultations; however the mixture of types of consultations should hopefully allow most people to contribute. No change proposed.</li> <li>3. Consultation could be endless but eventually a decision needs to be made so the word proportionate is appropriate in its use</li> </ol>



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						<p>is problematic - joint chairing of any local groups between that group and SBC? How this plays into Parish Council responsibilities is also problematic.</p> <p>Section titled: For all planning policy consultations Swale will:</p> <p>Bullet point 4: "Proportionate" will be defined 'on the hoof' by SBC and can mean that local community aspirations are devalued by the agenda of SBC. SBC will 'hold the ring' in exactly the same way that it does under current arrangements!</p> <p>Section titled: For all planning policy consultations Swale will:</p> <p>Bullet point 6: Very important. 'Crystal' marked for clarity.</p> <p><b>Section titled: For all planning policy consultations Swale will:</b></p> <p>Bullet point 11: "participated."</p> <p>Para 4.5: "when appropriate" are weasel words that reveal that SBC can ignore anything they like - whether Parish Councils or communities and individuals.</p> <p>Table 1: Typo: "area"</p> <p>Para 5.4: The complex interplay of complex documents brings into question the true ability of "communities" to engage in a meaningful way. Can SBC fund the creation of a "Community Portal" through which communities can share 'best practice' or</p>	<p>hoof' by SBC and can mean that local community aspirations are devalued by the agenda of SBC.</p> <p>4. Section titled: For all planning policy consultations Swale will: Bullet point 6: Very important. 'Crystal' marked for clarity.</p> <p>5. Section titled: For all planning policy consultations Swale will: Bullet point 11: "participated."</p> <p>6. Para 4.5: "when appropriate" are weasel words that reveal that SBC can ignore anything they like.</p> <p>7. Table 1: Typo: "area":</p> <p>8. Para 5.4: The complex interplay of complex documents brings into question the true ability of "communities" to engage in a meaningful way. Can SBC fund the creation of a "Community Portal" through which communities can share 'best practice' or effective engagement strategies?</p> <p>9. Para 5.9: SBC could usefully use this initiative to reinvigorate projects like the "Greening Greenstreet" Plan.</p> <p>10. Para 6.3: Typo; "and"</p> <p>11. Para 6.4: I applaud the role of Councillors - local and borough. Is it possible to show an undertaking to achieve this through public meetings?</p>	<p>here. No change proposed.</p> <p>4. The phrase 'when appropriate' means Swale will consult with consultees when it is appropriate to do so in conformity with the regulations, it does not mean that Swale can "ignore anything they like." No change proposed.</p> <p>5. Typo will be corrected. Change proposed.</p> <p>6. Noted. No change proposed.</p> <p>7. Typo will be corrected. Change proposed.</p> <p>8. This evidence base is required by central Government. This is something which could be raised with your Parish Council and local councillor. No change proposed.</p> <p>9. Noted. This comment does not relate to the SCI. No change proposed.</p> <p>10. Typo will be corrected.</p>

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						<p>effective engagement strategies?</p> <p>Para 5.9: SBC could usefully use this initiative to reinvigorate projects like the "Greening Greenstreet" Plan that lapsed with the death of Councillor Disney who made significant progress in a "Neighbourhood" document.</p> <p>Para 6.3: Typo; "and"</p> <p>Para 6.4: I applaud the role of Councillors - local and borough. Is it possible to show and undertaking to achieve this through public meetings? That may help a higher level of engagement by "communities".</p>		<p>Change proposed.</p> <p>11. Councillors do attend public meetings. No change proposed.</p>
Nigel	Heriz-Smith		General Comments	<a href="#">SCI80</a>		<p>Para 6.22: In the case of the opportunistic development proposal in Lynsted with Kingsdown Parish adjacent to the A2 - SBC officials went to extraordinary lengths to AVOID making a decision that might blight a future application on the same land by the same developers! This has struck this "Community" as dishonest and abuse of due process - some might say there was collusion.</p> <p>Such practices undermine willingness of residents to become engaged in the Planning Process which is seen as perverse.</p> <p>General Comments: I have attached a narrative in a Word document attached to this response.</p>	<p>1. Para 6.22: In the case of the opportunistic development proposal in Lynsted with Kingsdown Parish adjacent to the A2 - SBC officials went to extraordinary lengths to AVOID making a decision that might blight a future application on the same land by the same developers! This has struck this "Community" as dishonest and abuse of due process. Such practices undermine willingness of residents to become engaged.</p>	<p>1. Noted. These comments do not relate to the SCI. No change proposed.</p>
Jennifer	Wilson	Environment Agency	General Comments	<a href="#">SCI81</a>		<p>Thank you for consulting on your Statement of Community Involvement.</p> <p>We have no comments to make.</p>	<p>1. No comments.</p>	<p>1. Noted. No change proposed.</p>

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Janice	Bengall		Question 1	<a href="#">SCI5</a>	Disagree		1. Disagree. No reason given.	1. Noted, but with no comment given, a response cannot be made. No change proposed.
Stephen	Parfitt		Question 1	<a href="#">SCI7</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Debbie	stock	Swale Clinical Commissions Group	Question 1	<a href="#">SCI14</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Debbie	stock	Swale Clinical Commissions Group	Question 1	<a href="#">SCI15</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Trevor	Hall	Kent Police	Question 1	<a href="#">SCI21</a>	Agree	Satisfied the proposal meets necessary requirements	1. Agree. No reason given.	1. Noted. No change proposed.
David	Crompton		Question 1	<a href="#">SCI31</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Stephen	Lillicrap		Question 1	<a href="#">SCI34</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
	Strategic Planning	Kent County Council	Question 1	<a href="#">SCI62</a>	No Opinion	KCC would suggest that this should be revised to 'Our General Principles for Involvement', as the term "involvement" is referenced in the subsequent sentence.	1. No opinion. However, suggest that this should be revised to 'Our General Principles for Involvement', as the term "involvement" is referenced in the subsequent sentence.	1. Noted. Statement 1 states that there are three elements to consultation: participation, consultation and information. Consultation is used as it is a more recognised phrase. No change

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								proposed.
Nigel	Heriz-Smith		Question 1	<a href="#">SCI77</a>	No Opinion	<p>Question 1: While this list is useful as a description of "processes", it misses an opportunity to engage community 'focus groups' in setting the questions that become the foundation for fuller consultation. As it stands, this process is too "Top Down". With a bit of humility, you might find this early process entertaining! (and useful) Another thought, that might be hard to manage! How about an "Open Season Invitation" to residents and businesses to put in order of importance the issues most important to them? Granted you would be doing VERY well to get up to 10% response rate, that process may give you a database of 'likely candidates' to champion the search for others in our various communities who might be engaged in particular consultations.</p>	<ol style="list-style-type: none"> <li>1. No opinion. This list is useful as a description of "processes", but misses an opportunity to engage community 'focus groups' in setting the questions that become the foundation for fuller consultation. This process is too "Top Down". You might find this early process entertaining and useful but hard to manage.</li> <li>2. How about an "Open Season Invitation" to residents and businesses to put in order of importance the issues most important to them? The process may give you a database of 'likely candidates' to champion the search for others in our communities who might be engaged in particular consultations.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. Statement 1 sets out Swale's General Principles to Consultation so is by its nature quite process focused. However, later in the document when the different types of consultation methods are described, especially in Appendix 1, focus groups do feature, especially for topic based discussions. It is agreed that these groups can be hard to manage so need careful planning and a lot of resources but the results can often be worth it. No change proposed.</li> <li>2. The suggestion is too specific to be in the SCI but is something which we would consider at the early stages of plan making. It was used at the beginning of work on the 2017 Local Plan and proved popular with residents and useful for the planners. No change proposed.</li> </ol>

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Janice	Bengall		Question 2	<a href="#">SCI1</a>	Disagree		1. Disagree. No reason given.	1. Noted, as no comment is given, no response can be made. No change proposed.
Janice	Bengall		Question 2	<a href="#">SCI2</a>	Disagree	Members of the public especially daily commuters should be consulted in view of the diabolical congestion on all roads around Sheppey and Sittingbourne. No further housing should be considered until the congestion at the Stockbury roundabout is addressed. This can only be rectified by a sensible proposal. Not traffic lights. An underpass or flyover is required.	1. Disagree. Commuters need to be consulted about the congestion on Sheppey and at Sittingbourne. No further housing until congestion at Stockbury is addressed.	1. Noted. These comments do not relate to the SCI itself, but to matters that a review of the Local Plan will need to take into account. No change proposed.
Stephen	Parfitt		Question 2	<a href="#">SCI8</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Debbie	stock	Swale Clinical Commissions Group	Question 2	<a href="#">SCI16</a>	Disagree	Primary Care Trust is now Clinical Commissioning Groups.	1. Disagree. Primary Care Trust is now Clinical Commissioning Groups.	1. Noted. The document will be updated to ensure the correct name is used. Change proposed.
Debbie	stock	Swale Clinical Commissions Group	Question 2	<a href="#">SCI17</a>	Disagree	Unable to put this comment in section below - NHS Clinical Commissioning Groups should be statutory consultees.	1. Disagree. NHS Clinical Commissioning Groups should be statutory consultees.	1. Noted. The Primary Care Trusts (which will be changed to NHS Clinical Commissioning Groups) are in Table 1 as statutory consultees for plan making but are not in Table 2 for planning application consultations so they will be added to Table 2 as a statutory consultee. Change proposed.

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Trevor	Hall	Kent Police	Question 2	<a href="#">SCI22</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
David	Crompton		Question 2	<a href="#">SCI32</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Stephen	Lillicrap		Question 2	<a href="#">SCI35</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
S	Palmer		Question 2	<a href="#">SCI42</a>	Disagree	CPRE, Ramblers Association and Rural England where applications include countryside.	1. Disagree. CPRE, Ramblers Association and Rural England should be consulted where applications include countryside.	1. Noted. This question actually relates to plan making not planning applications. Table 2 shows who will be consulted on planning applications and none of the suggested groups are included. However, CPRE receive the weekly list of planning applications and the Ramblers Association and Rural England are encouraged to also sign up to receive the weekly list and track planning applications on the public access system. No change proposed.
Lynda	Fisher	Iwade Parish Council	Question 2	<a href="#">SCI49</a>	No Opinion	The above consultation was discussed at the November meeting of Iwade Parish Council and my Members have asked me to write stating that we agree that all Parish Councils should be fully engaged in this process	1. No opinion. Agree that all Parish Councils should be fully engaged in this process.	1. Noted. No change proposed.

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Alan	Byrne	Historic England	Question 2	<a href="#">SCI56</a>	No Opinion	<p><b><u>National Amenity Societies</u></b></p> <p><u>Ancient Monuments Society</u>, St Ann's Vestry Hall, 2 Church Entry, London, EC4V 5HB</p> <p><u>Council for British Archaeology</u>, Beatrice de Cardi House, 66 Boothman, York, YO30 7BZ</p> <p><u>The Society for the Protection of Ancient Buildings</u>, 37 Spital Square, London, E1 6DY</p> <p><u>The Georgian Group</u>, 6 Fitzroy Square, London, W1T 5DX</p> <p><u>The Victorian Society</u>, 1 Priory Gardens, Bedford Park, London, W4 1TT</p> <p><u>The Twentieth Century Society</u>, 70 Cowcross Street, London, EC1M 6EJ</p> <p><u>The Gardens Trust</u>, 70 Cowcross Street, London EC1M 6EJ</p> <p>The Gardens Trust was formed in July 2015 following a merger of The Garden History Society and the Association of Gardens Trusts, representing the County Gardens Trusts of England and Wales. The Garden History Society had been granted statutory consultee status in the planning system in 1995, and The Gardens Trust has been confirmed in this role by Government. Local planning authorities must therefore consult the Gardens Trust on planning applications that may affect historic designed landscapes in England that are on the Register of Parks and Gardens of Special Historic Interest that is held by Historic England.</p> <p><u>The Theatres Trust</u>, 22 Charing Cross Road,</p>	<ol style="list-style-type: none"> <li>1. No opinion. However, the following groups are national amenity societies which should be consulted: <ul style="list-style-type: none"> <li>o Ancient Monuments Society, Council for British Archaeology, The Society for the Protection of Ancient Buildings, The Georgian Group, The Victorian Society and The Twentieth Century Society.</li> </ul> </li> <li>2. The Gardens Trust was formed following a merger of The Garden History Society and the Association of Gardens Trusts, representing the County Gardens Trusts of England and Wales. The Garden History Society had been granted statutory consultee status in the planning system in 1995, and The Gardens Trust has been confirmed in this role by Government. Must consult the Gardens Trust on planning applications that may affect historic designed landscapes in England that are on the Register of Parks and Gardens of Special Historic Interest.</li> <li>3. The Theatres Trust, is a statutory consultee on planning applications that affect land on which there is a theatre.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. These groups are covered by the following entry in table 1 'civic societies, cultural, historical and archaeological groups or bodies.' These details will be sent to colleagues in Development Management to ensure the suggested societies are consulted where appropriate. No change proposed.</li> <li>2. Noted. These details will be sent to colleagues in Development Management to ensure the Gardens Trust are consulted where appropriate. No change proposed.</li> <li>3. Noted. No change proposed.</li> </ol>

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						London, WC2H 0QL  The Theatres Trust is a statutory consultee on planning applications that affect land on which there is a theatre.		
	Strategic Planning	Kent County Council	Question 2	<a href="#">SCI59</a>	No Opinion	<p>KCC - as the Lead Local Flood Authority (LLFA) - is a statutory consultee within the planning process for surface water drainage but is not listed in the table of statutory consultees on pages 10-11 and 14-15. The County Council would request that it is listed specifically as the Lead Local Flood Authority these tables to ensure that its role as a statutory consultee is not omitted from any relevant consultations.</p> <p>Similarly, KCC as the Highways Authority should be listed as a separate statutory consultee within the table on pages 10-11.</p> <p>KCC Public Rights of Way and Access Services (PRoW) falls under the Highways Authority and should be consulted on both residential (10+ dwellings or a site of more than 0.5ha) and non-residential development (with floor space of 1,000 sq m). This is applicable whether or not there are any PRoWs within the site that would be directly affected by the proposal, in order for KCC to consider the wider impacts on and potential opportunities of the proposal for the surrounding PRoW network.</p>	<ol style="list-style-type: none"> <li>1. No opinion. However, KCC - as the Lead Local Flood Authority (LLFA) - is a statutory consultee within the planning process for surface water drainage but is not listed in the table of statutory consultees on pages 10-11 and 14-15. It should be listed specifically as the Lead Local Flood Authority to ensure that its role as a statutory consultee is not omitted from any relevant consultations.</li> <li>2. KCC as the Highways Authority should be listed as a separate statutory consultee within the table on pages 10-11. KCC Public Rights of Way and Access Services (PRoW) falls under the Highways Authority and should be consulted on both residential (10+ dwellings or a site of more than 0.5ha) and non-residential development (with floor space of 1,000 sq m). This is applicable whether or not there are any PRoWs within the site that would be directly affected by the proposal, in order for KCC to consider the wider impacts on and potential opportunities of the proposal for the surrounding PRoW network.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. Table 1 Lists Kent County Council as a Statutory Specific consultee and this entry was designed to cover all of the County's roles, including heritage, highways, Lead Local Flood Authority, etc. Table 2 also lists County Planning Authorities as statutory consultees. However, for clarity, KCC (Lead Local Flood Authority) will be added to tables 1 and 2. Change proposed.</li> <li>2. Table 2 lists Kent County Council as a Statutory Specific consultee and this entry was designed to cover all of the County's roles, including heritage, highways, etc. However, for clarity, KCC (Highways) will be added to table 1. Change proposed.</li> </ol>
M	Evans	Gladman	Question 2	<a href="#">SCI65</a>	No Opinion	Whilst Gladman recognise that the SCI is	1. No opinion. However, recognise that	1. The Council disagrees as



Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
		Developments				<p>focused on ensuring that residents within the Borough are rightly as involved in the plan making process as possible we are concerned that the SCI as currently written gives no consideration as the role to which developers can play in plan making. Gladman would therefore consider, in response to Question, 2 that consideration ought to be given to including a developer's forum or some other means by which the development industry can have constructive involvement in plan making. Whatever form this engagement with the industry takes should be referenced in Table 1 of the SCI. Developers and landowners are key representatives in ensuring Local Plans in particular are deliverable, and many of the landowners involved in the process are also members of the community. It is vital that they are actively involved in the planning process.</p>	<p>the SCI is focused on ensuring that residents are rightly as involved in the plan making process as possible but are concerned that the SCI as currently gives no consideration as the role to which developers can play in plan making. Consideration ought to be given to including a developer's forum or some other means by which the development industry can have constructive involvement in plan making.</p> <p>2. Whatever form this engagement with the industry takes should be referenced in Table 1 of the SCI. Developers and landowners are key representatives in ensuring Local Plans in particular are deliverable. It is vital that they are actively involved in the planning process.</p>	<p>in paragraph 4.2 developers/agents are listed as one of the main groups to be targeted for consultation. Table 1 lists 'house builders and developers – both through the Forum and individually' as 'other consultation bodies and organisations'. Also, at various points throughout the document this group is referred to as being consulted through both the development management and plan making processes. No change proposed.</p> <p>2. An agents/developers forum already exists in Swale and is referenced in table 2. Your details have been passed to the organisers of the Forum. No change proposed.</p>
Nigel	Heriz-Smith		Question 2	<a href="#">SCI178</a>	No Opinion	<p>Question 2: Have you considered adding faith groups? They can be useful for their engagement with youth groups, vulnerable adults, a wider range of cultures? Otherwise this looks like a "WASP" exercise. Faith Groups also take a view on "Community" that may cross administrative boundaries sustained by local and national government.</p>	<p>1. No opinion. However, have you considered adding faith groups; they can be useful for their engagement with youth groups, vulnerable adults, a wider range of cultures? Faith Groups take a view on "Community" that may cross administrative boundaries sustained by local and national</p>	<p>1. Table 1 'consultees for plan making' already lists bodies which represent the interests of different religious groups in the area as statutory consultee – general bodies. No change</p>

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
							government.	proposed.
Stephen	Parfitt		Question 3	<a href="#">SCI9</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Trevor	Hall	Kent Police	Question 3	<a href="#">SCI23</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Trevor	Hall	Kent Police	Question 3	<a href="#">SCI24</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Stephen	Lillicrap		Question 3	<a href="#">SCI36</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Nigel	Heriz-Smith		Question 3	<a href="#">SCI79</a>	No Opinion	Question 3: See Q2. I agree that ethnic/cultural engagement must be addressed as our communities become increasingly diverse and complex (and mobile). For example, French people appear far less attached than British people to having large gardens (or any gardens). They may have a richer way of looking at the places we/they live? The opportunities to challenge our/your assumptions should be welcomed.	1. No opinion. However, agree that ethnic/cultural engagement must be addressed as our communities become increasingly diverse and complex (and mobile). They may have a richer way of looking at the places we/they live? The opportunities to challenge our/your assumptions should be welcomed.	1. Noted. No change proposed.
Stephen	Parfitt		Question 4	<a href="#">SCI10</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Stephen	Lillicrap		Question 4	<a href="#">SCI37</a>	No Opinion		1. No opinion. No reason given.	1. Noted. No change proposed.
Stephen	Parfitt		Question 5	<a href="#">SCI11</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Trevor	Hall	Kent Police	Question 5	<a href="#">SCI25</a>	Agree		1. Agree. No reason given.	1. Noted. No change

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
								proposed.
Stephen	Lillicrap		Question 5	<a href="#">SCI38</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
S	Palmer		Question 5	<a href="#">SCI43</a>	Disagree	<p>All people who live within a set distance or neighbouring roads should be written to with clear indication on the outside of the envelope that it concerns planning, if the application is for new housing or a major development. The additional costs should be paid for by the applicant.</p> <p>Consideration to notify Parish Councils, church leaders and use schools to pass on leaflets. Inside Swale is not always delivered in a timely manner. The use of the iNet as well.</p> <p>As the use of paper copies of newspapers have declined then greater use of online local news is required with a clear notice as I have never seen any notification other than a news item.</p> <p>In fact I found out about the Local Plan through word of mouth.</p>	<ol style="list-style-type: none"> <li>1. Disagree.</li> <li>2. For new housing or a major development, people who live within a set distance should be written to with clear indication on the envelope that it concerns planning. The additional costs should be paid for by the applicant.</li> <li>3. Consideration to notify Parish Councils, church leaders and use schools to pass on leaflets. Inside Swale is not always delivered in a timely manner.</li> <li>4. The iNet should be used.</li> <li>5. As readership of newspapers has declined, greater use should be made of online local news with a clear notice.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. For new housing or a major development planning applications Table 7 sets out that neighbour notification letters will be sent, site notices put up, adverts in the local press and use of Swale's website and this is felt adequate. For Plan making consultations, the SCI is flexible to allow this for specific cases but is not practicable for all LP allocations. It is felt that stamping 'Planning' on the envelope may actually put people off from reading the letter. No change proposed.</li> <li>3. For Plan making consultations, all Parish and Town Councils in Swale and in adjoining boroughs are notified and for Planning Applications, the Parish/Town Council are</li> </ol>

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
								<p>consulted. Many of Swale's churches and schools are on Swale's consultation database and are therefore consulted. Inside Swale is only used when the dates of delivery are suitable. No change proposed.</p> <p>4. Assuming the internet is being referred to, it is used widely for both planning applications and plan making, notably via our consultation portal and the Public Access system for planning applications. No change proposed.</p> <p>5. It is agreed that readership of printed copies of newspapers is declining, however, it is still a statutory duty to advertise certain planning notices in the printed versions. Online local news often covers planning issues if they have been notified through press releases. No change proposed.</p>
Stephen	Parfitt		Question 6	<a href="#">SCI12</a>	Agree		1. Agree. No reason given.	1. Noted. No change

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
								proposed.
Trevor	Hall	Kent Police	Question 6	<a href="#">SCI26</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
	Strategic Planning	Kent County Council	Question 6	<a href="#">SCI60</a>	No Opinion	<p>KCC would classify consultation methods as those in which the activities people participate in to have their say and/or provide feedback. Some of the activities listed are 'promotional methods' rather than consultation methods (such as press releases and formal advertisements), so it is recommended that the heading may need to be re-phrased to ensure the contents of the table are clear.</p> <p>Furthermore, in the Table of Consultation Methods in Appendix 1, KCC suggests that the term 'available for sale' should be moved to the end of the sentence in order to promote the free methods of access first. The questionnaire/survey method is stated as being time consuming and costly, but this depends on the exact method of the questionnaire/survey. It is considered that an online questionnaire is unlikely to be time consuming and costly in comparison to a face-to-face survey with a stratified sample. KCC would therefore suggest that the considerations for questionnaire/surveys could be revised to consider the potential and difference between online and face-to-face surveys. It is likely that an online questionnaire/survey may enable Swale Borough Council to reach some of the 'hard to reach' groups.</p>	<ol style="list-style-type: none"> <li>No opinion. However, KCC classify consultation methods as those in which people participate to have their say and/or provide feedback. Some of the activities listed are 'promotional methods', so the heading may need to be re-phrased to ensure the contents of the table are clear.</li> <li>In the Table of Consultation Methods the term 'available for sale' should be moved to the end of the sentence in order to promote the free methods of access first.</li> <li>The questionnaire/survey method is stated as being time consuming and costly, but this depends on the exact method. An online questionnaire is unlikely to be time consuming and costly in comparison to a face-to-face survey. Suggest that the considerations for questionnaire/surveys could be revised to consider the potential and difference between online and face-to-face surveys. Online questionnaires/surveys may help to reach some of the 'hard to reach' groups.</li> </ol>	<ol style="list-style-type: none"> <li>Noted. Statement 1 states that there are three elements to consultation: participation, consultation and information. The activities which could be considered as 'promotional methods' would come under information and are an important part of consultation at it alerts and informs the public to future and/or current consultations and how to access those events. No change proposed.</li> <li>This is deemed unnecessary as the five consultation methods listed previously in the table are all free methods of accessing consultations. No change proposed.</li> <li>Whilst it is agreed that on-line questionnaires can reduce cost and time, it must be</li> </ol>

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
								remembered that a large proportion of respondents to Swale's consultations continue to either email or hand write responses. Until the majority of respondents submit comments using the online portal, online questionnaires will have a limited response rate and therefore face-to-face surveys would be required. The text will be altered to say "Likely to be time consuming and costly, until online questionnaires can be used once online usage for responding to consultations increases." Change proposed.
Janice	Bengall		Question 7	<a href="#">SCI3</a>	Disagree	When objections are raised by members of the public especially with regard to infrastructure the objections are not listened to or acted upon. For example Highways England have no idea at all with regard to the dreadful situation commuters are faced with every day in the a245. To get to work in Maidstone for 9.00am for example you would have to leave the Isle of Sheppey at 5.30am. Although this has been mentioned on numerous occasions Highways England continue to state that there is no problem.	<ol style="list-style-type: none"> <li>1. Disagree.</li> <li>2. Objections raised by the public with regard to infrastructure are not listened to or acted upon. Highways England has no idea of the dreadful situation commuters are faced with A249. Although this has been mentioned on numerous occasions Highways England continue to state that there is no problem.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. All objections are considered by the Council and help form it's Local Plan. The SCI makes it clear that this process will occur. A duty to consult is not necessarily a duty to agree with all stakeholders. No change proposed.</li> </ol>

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
Janice	Bengall		Question 7	<a href="#">SCI4</a>	Disagree	The local authority have not obtained up to date information on the infrastructure in the Sheppey and Sittingbourne areas. The general public have tried to inform them of the lack of infrastructure but the local authority have taken no notice.	<ol style="list-style-type: none"> <li>Disagree.</li> <li>The local authority has not obtained up to date information on the infrastructure in Sheppey and Sittingbourne. The public tried to inform them of the lack of infrastructure but no notice is taken.</li> </ol>	<ol style="list-style-type: none"> <li>Noted.</li> <li>The issue is noted, but this does not relate to the SCI itself. No change proposed.</li> </ol>
Trevor	Hall	Kent Police	Question 7	<a href="#">SCI27</a>	Agree		<ol style="list-style-type: none"> <li>Agree. No reason given.</li> </ol>	<ol style="list-style-type: none"> <li>Noted. No change proposed.</li> </ol>
Stephen	Lillicrap		Question 7	<a href="#">SCI39</a>	Agree		<ol style="list-style-type: none"> <li>Agree. No reason given.</li> </ol>	<ol style="list-style-type: none"> <li>Noted. No change proposed.</li> </ol>
Alan	Byrne	Historic England	Question 7	<a href="#">SCI55</a>	No Opinion	<p><b>Neighbourhood Plans</b> – Under the Regulations covering neighbourhood planning, before submitting the proposed Neighbourhood Plan to the local planning authority, the group needs to consider if various organisations (statutory consultees) need to be consulted about the proposals, because they affect the natural or historic environment. These statutory consultees include Historic England, Natural England and the Environment Agency amongst others whose interests may be affected. The statutory consultees have jointly produced guidance on the natural and historic environment in neighbourhood planning:</p> <p><a href="http://content.historicengland.org.uk/content/docs/planning/planning-environmentneighbourhood-advice.pdf">http://content.historicengland.org.uk/content/docs/planning/planning-environmentneighbourhood-advice.pdf</a></p>	<ol style="list-style-type: none"> <li>No opinion. However, under the Regulations covering neighbourhood planning, before submitting the proposed Neighbourhood Plan to the local planning authority, the group needs to consider if various organisations (statutory consultees) need to be consulted about the proposals, because they affect the natural or historic environment. The statutory consultees have jointly produced guidance on the natural and historic environment in neighbourhood planning: <a href="http://content.historicengland.org.uk/content/docs/planning/planning-environmentneighbourhood-advice.pdf">http://content.historicengland.org.uk/content/docs/planning/planning-environmentneighbourhood-advice.pdf</a></li> </ol>	<ol style="list-style-type: none"> <li>Table 5 sets out where the LA will advise neighbourhood groups on process and regulations and this covers ensuring that relevant consultees have been consulted. No change proposed.</li> </ol>
Debbie	stock	Swale Clinical	Question 8	<a href="#">SCI18</a>	Agree		<ol style="list-style-type: none"> <li>Agree. No reason given.</li> </ol>	<ol style="list-style-type: none"> <li>Noted. No change</li> </ol>

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
		Commissions Group						proposed.
Trevor	Hall	Kent Police	Question 8	<a href="#">SCI28</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
Stephen	Lillicrap		Question 8	<a href="#">SCI40</a>	Agree		1. Agree. No reason given.	1. Noted. No change proposed.
S	Palmer		Question 8	<a href="#">SCI44</a>	Disagree	<p>The documents can be difficult to read and understand as they are not in plain English and not written for a lay person.</p> <p>The council should hold public meetings to present the application and receive feedback if an application is for more than a certain number i.e. 25 or more.</p>	<p>1. Disagree.</p> <p>2. The documents can be difficult to read and understand and are not in plain English.</p> <p>3. The council should hold public meetings to present the application and receive feedback if an application is for more than a certain number i.e. 25 or more.</p>	<p>1. Noted.</p> <p>2. Unfortunately planning terminology is very technical by nature and whilst every effort is made to make documents relating to planning applications understandable it is often difficult. However, there is always an officer's name and contact details and they are happy to explain the documents to people either by phone. No change proposed.</p> <p>3. The Council encourages applicants to undertake public consultation, including meetings, however, it would be too resource intensive for the Council to undertake public meetings for all applications of 25 of more dwellings.</p>



Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
								Often Parish or Town Council will hold a public meeting and a planning officer can attend to assist discussion. No change proposed.
S	Palmer		Question 8	<a href="#">SCI45</a>	Disagree	<p>Not all documents are online for example the list of constraints.</p> <p>Documents are difficult to read and understand as they are not written in plain and clear English or for a lay person.</p>	<ol style="list-style-type: none"> <li>1. Disagree.</li> <li>2. Not all documents are online for example the list of constraints.</li> <li>3. Documents are difficult to read and understand as they are not written in plain and clear English.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. The list of constraints is currently on the public access system. The Council is currently working on an online mapping system which will link to the public access system and will show the constraints on a map base. This should be live by late Spring. No change proposed.</li> <li>3. Planning documents are inherently technical and the Council cannot control what planning applicants include within the information they submit. Planning officers contact details are always on the application details and are happy to help the public understand any aspect of a planning application which they are unsure about. No change</li> </ol>

Given Name	Family Name	Company/ Organisation	Number	ID	Your opinion - Please state your opinion?	Original Consultee Comment	SBC summary of consultee response	SBC draft response to consultee comment
								proposed.
Alan	Byrne	Historic England	Question 8	<a href="#">SCI53</a>	Disagree	<p>In view of our remit, some general principles are outlined below which we suggest are reflected in the SCI. <b>Planning and Development in the Historic Environment – A Charter for Historic England Advisory Services (sixth edition, April 2014)</b>: This document, available on our website:</p> <p><a href="http://www.historicengland.org.uk/images-books/publications/charter-headvisory-services/">http://www.historicengland.org.uk/images-books/publications/charter-headvisory-services/</a></p> <p>sets out Historic England’s advisory services for planning and development. It details the circumstances where we must be consulted upon planning applications affecting the historic environment, and the type of information required for consultations with Historic England on proposals affecting nationally important heritage assets. It also underlines the value and importance of pre-application discussions with us on proposals with the potential for major change, or damage, to nationally important heritage assets. The principles set out in this charter should inform the Council’s consultation approach to significant planning applications.</p>	<p>1. Disagree. Some general principles are outlined below which we suggest are reflected in the SCI. Planning and Development in the Historic Environment – A Charter for Historic England Advisory Services (sixth edition, April 2014) sets out Historic England’s advisory services for planning and development. It details the circumstances where we must be consulted upon planning applications affecting the historic environment, and the type of information required for consultations with Historic England. It also underlines the value and importance of pre-application discussions with us on proposals with the potential for major change, or damage, to nationally important heritage assets. The principles set out in this charter should inform the Council’s consultation approach to significant planning applications.</p>	<p>1. Noted. The draft SCI appears to cover all the guidance set out in the charter but a reference to the document in a new ‘Future Guidance’ section. Partial change proposed.</p>

Statistical results of the questions asked throughout the document

Question 1:

Do you agree or disagree with Swale's General Principles of Consultation, set out in Statement 1 above? If you do not agree, which parts would you change and what, if anything, would you replace them with?

**Your opinion**

Please state your opinion?



Question responses: **9 (100.00%)**

	% Total	% Answer	Count
Agree	66.67%	66.67%	6
Disagree	11.11%	11.11%	1
No Opinion	22.22%	22.22%	2
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>9</b>

Question 2:

Do you think that the list of 'other consultation bodies and organisations' covers all of Swale's community and interest groups? If not, what group of people would you add?

**Your opinion**

Please state your opinion?



Question responses: **14 (100.00%)**

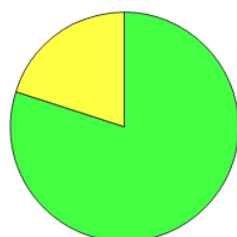
	% Total	% Answer	Count
Agree	28.57%	28.57%	4
Disagree	35.71%	35.71%	5
No Opinion	35.71%	35.71%	5
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>14</b>

Question 3:

Do you think that the table of consultation methods in Appendix 1 covers all of the possible consultation types? If not, what type of consultation method would you add?

**Your opinion**

Please state your opinion?



Question responses: **5 (100.00%)**

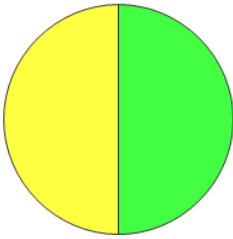
	% Total	% Answer	Count
Agree	80.00%	80.00%	4
Disagree	0.00%	0.00%	0
No Opinion	20.00%	20.00%	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>5</b>

Question 4:

Do you agree with the consultation considerations in the table in Appendix 1?

**Your opinion**

Please state your opinion?



Question responses: **2 (100.00%)**

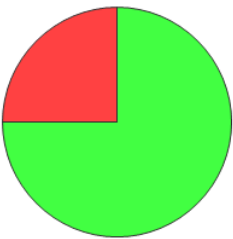
	% Total	% Answer	Count
Agree	50.00%	50.00%	1
Disagree	0.00%	0.00%	0
No Opinion	50.00%	50.00%	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>2</b>

**Question 5:**

Do you think that the table of consultation methods in Appendix 1 covers all of the possible consultation types? If not, what type of consultation method would you add?

**Your opinion**

Please state your opinion?



Question responses: **4 (100.00%)**

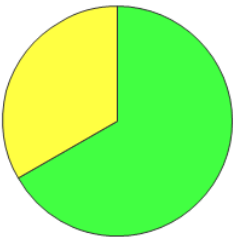
	% Total	% Answer	Count
Agree	75.00%	75.00%	3
Disagree	25.00%	25.00%	1
No Opinion	0.00%	0.00%	0
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>4</b>

**Question 6:**

Do you agree with the consultation considerations in the table in Appendix 1?

**Your opinion**

Please state your opinion?



Question responses: **3 (100.00%)**

	% Total	% Answer	Count
Agree	66.67%	66.67%	2
Disagree	0.00%	0.00%	0
No Opinion	33.33%	33.33%	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>3</b>

**Question 7:**

Do you agree or disagree with the levels of community involvement for the list of planning documents in table [Table 3](#) 'The plan making process'? If not, which would you change and why?

**Your opinion**

Please state your opinion?



Question responses: **5 (100.00%)**

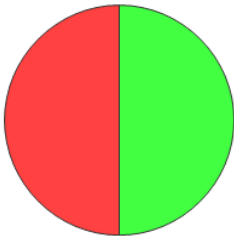
	% Total	% Answer	Count
Agree	40.00%	40.00%	2
Disagree	40.00%	40.00%	2
No Opinion	20.00%	20.00%	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>5</b>

**Question 8:**

Do you think that the opportunities to view and comment on a planning application are adequate? If not, what improvements would you suggest?

**Your opinion**

Please state your opinion?



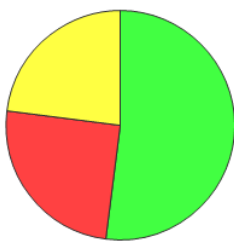
Question responses: **6 (100.00%)**

	% Total	% Answer	Count
<input checked="" type="checkbox"/> Agree	50.00%	50.00%	3
<input checked="" type="checkbox"/> Disagree	50.00%	50.00%	3
<input type="checkbox"/> No Opinion	0.00%	0.00%	0
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>6</b>

Overall analysis (all questions combined):

**Your opinion**

Please state your opinion?



Question responses: **48 (62.34%)**

	% Total	% Answer	Count
<input checked="" type="checkbox"/> Agree	32.47%	52.08%	25
<input checked="" type="checkbox"/> Disagree	15.58%	25.00%	12
<input checked="" type="checkbox"/> No Opinion	14.29%	22.92%	11
<input type="checkbox"/> [No Response]	37.66%	--	29
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>77</b>

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## Statement of Community Involvement

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# 1 Introduction

## 1 Introduction

### What is a Statement of Community Involvement?

**1.1** A Statement of Community Involvement (SCI) sets out how the community can get involved in the preparation of local planning policy documents and in decisions on planning applications. The Statement of Community Involvement is part of Swale's Development Plan. For details of the Swale Development Plan see section 2 'Guide to the Planning System.'

**1.2** The aim of this SCI is to overcome the traditional reactive way people tend to become involved with planning by recognising that people who are likely to be affected by new developments should be encouraged to participate more directly and earlier in the preparation of the documents which will allocate land for development and in the processing of planning applications. This will help strengthen evidence and encourage a sense of local ownership and commitment. Ultimately, this front loading approach should help to reduce, if not resolve, conflicts and reach a consensus on essential issues in the early stages of the process, thereby reducing the time taken for decisions to be made.

**1.3** This SCI therefore describes the types of planning processes where consultation is important and sets out our approaches toward community engagement.



Picture 1.0.1 A community workshop



## 2 Guide to the Planning System

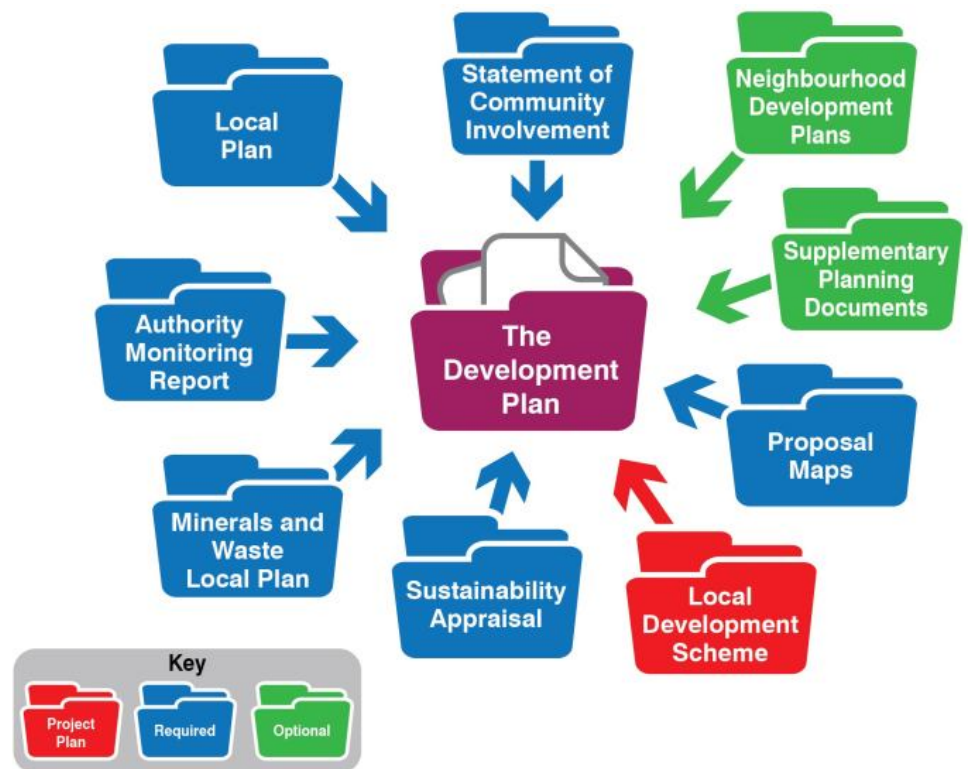
### The Plan Making System

2.1 The planning system is often seen as represented by two primary functions:

1. The Plan making system, by which long term plans (the Development Plan) set out strategies, policies and allocate land to meet development needs.
2. The Development Management System, by which planning applications are made in accordance with the Development Plan.

### Summary of Planning Policy Documents

2.2 The development plan comprises a suite of different planning documents. The different documents can be seen in picture 2.0.1 below and they are explained more fully below.



Picture 2.0.1 The Development Plan

### Local Development Documents (LDD)

2.3 These comprise of: The Statement of Community Involvement, Development Plan Documents and Supplementary Planning Documents. Definitions of these documents are provided below.

### Statement of Community Involvement (SCI)

2.4 This sets out how and when the local community can become involved in the preparation of the Local Development Documents and in the consideration of planning applications. The Council must comply with its adopted Statement of Community Involvement when preparing its Local Development Documents and this compliance will be tested when these are independently examined.

### Development Plan Documents (DPD)

## 2 Guide to the Planning System

**2.5** Development Plan Documents have status as part of the development plan for the area. They must be subject to a sustainability appraisal and community involvement during their preparation and can only be adopted after independent examination resulting in recommendations which are binding on the Council.

**2.6** DPDs can include the following:

- The Local Plan which sets out the long term vision for the area and the policies required to deliver that vision
- Development Plan policies, based on topics such as housing, employment, and retail and will guide development in the borough
- Site specific allocations of land for individual uses e.g. housing, employment, community uses
- A Proposals Map illustrating the spatial extent of the policies

### Supplementary Planning Documents (SPD)

**2.7** These documents are optional and may cover a range of issues, both theme based and site specific which provide additional detail to the policies in the development plan document. They may be subject to sustainability appraisal and community involvement and do not require independent examination.

### Local Development Scheme (LDS)

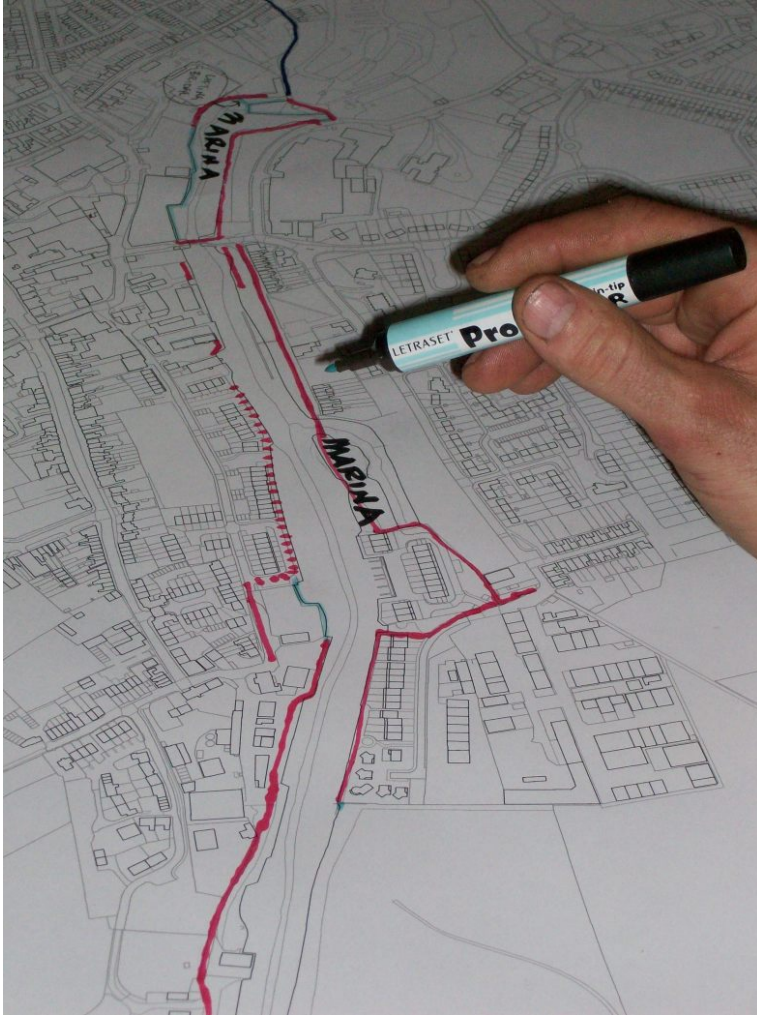
**2.8** This is a list of what documents will be included in the Local Plan and timetable for their production. The Local Development Scheme for Swale can be found on the Council's website. The scheme is regularly reviewed. The Local Development Scheme can be found at: [www.swale.gov.uk/local-plan](http://www.swale.gov.uk/local-plan)

### Neighbourhood Development Plans (NDP)

**2.9** These are also optional and give every community the opportunity to shape the way their area develops within the guidelines of the Local Plan. Guidance on how to formulate a Neighbourhood Development Plan and details of the help that is available can be found at: [www.swale.gov.uk/neighbourhood-planning](http://www.swale.gov.uk/neighbourhood-planning)

### Sustainability Appraisals (SA)

**2.10** Sustainability Appraisals are an assessment of the social, economic and environmental impacts of the policies and proposals contained within the Local Plan. All Local Development Documents are subject to a Sustainability Appraisal to assess the contribution the document or policy makes in achieving sustainable development in terms of social, economic and environmental factors.



**Picture 2.0.2** An example of an interactive consultation method

you want to build something new, make a change to your building or change the use of your building. If so, you would need to submit a planning application to Swale Borough Council. The National Planning Policy Framework (NPPF) encourages pre-application discussions with Swale before you submit your planning application.

### Strategic Environmental Assessments (SEA)

**2.11** Strategic Environmental Assessments are sometimes required in order to comply with the SEA European Directive 2001/42/EC. The Strategic Environmental Assessment Directive is a European Union requirement that seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing certain plans and programmes. The directive requires the preparation of an Environmental Report on the likely significant effects of the draft plan or programme.

### Authority Monitoring Report (AMR)

**2.12** The Council are required to produce an Authority Monitoring Report (previously called the Annual Monitoring Report.) This report will consider the effectiveness of the policies within the Local Plan and identify what needs to be reviewed/prepared in the future. The Authority Monitoring Report also sets out the Council's performance in achieving the key milestones set in the Local Development Scheme.

### The Development Management System

**2.13** You may need planning permission if

## Policy and Legislative Context

**2.14** This SCI has been prepared with regard to the following policies and legislation:

- The Town and Country Planning (Local Planning) (England) Regulations 2012
- The National Planning Policy Framework (NPPF) 2012
- The Localism Act 2011
- The Town and Country Planning (Development Management Procedure) (England) Order 2015, and
- Planning and Compulsory Purchase Act 2004 (as amended)

**2.15** There have been a number of legislative changes in recent years that impact on the way communities are involved in the planning process. These changes mostly arose from the introduction of the Localism Act 2011 which sought to speed up and simplify the planning process. The Act also introduced measures

## 2 Guide to the Planning System

to shift new rights and planning powers to local authorities and local communities. Amendments to the General Permitted Development Order 2015 and the Introduction of the Community Infrastructure Regulations 2010 (as amended) have also resulted in additional consultation opportunities.

### 2.16 Relevant changes include:

1. A Duty to Co-operate on all planning bodies to co-operate on cross boundary planning matters. The Duty to Co-operate, set out in the Planning and Compulsory Purchase Act 2004 (as amended) and by the Localism Act 2011 establishes a legal principle of cooperation with neighbouring boroughs the Mayor of London and other authorities, public bodies and agencies when reviewing policies. These bodies play a very important role in providing expertise and context within which our local aspirations can be delivered.
2. The ability to introduce a Community Infrastructure Levy (CIL) on development to help pay for local infrastructure. The CIL is a non-negotiable charge which will raise infrastructure funds on new developments. It was introduced by the Planning Act 2008 and came into force through the CIL Regulations 2010 (as amended) on 6 April 2010. Local Planning Authorities adopting CIL are required to prepare and publish a list of those items or types of infrastructure to fund through CIL. Swale has yet to decide whether to implement CIL charges.
3. The ability for local communities to prepare their own plan for their local neighbourhood area through Neighbourhood Plans. Neighbourhood Plans were introduced under the Localism Act 2011 to give communities rights and powers to shape development and growth in their area. Neighbourhood Planning provides a robust set of tools to facilitate communities to get the right types of development for their communities through either parish/Town Councils or 'Neighbourhood Forums' which comprise of local community groups. These groups provide communities with the power to set planning policies through Neighbourhood Plans, which must conform to the strategic policies contained within the Swale's Local Plan. Through Neighbourhood Planning, communities can also apply for Neighbourhood Development Orders and Right to Build Orders which grant planning permission for specific developments that comply with the order. The Council is proactive in providing information about Neighbourhood Planning and will provide support in preparing a Neighbourhood Plan. The Council will ensure that the proposed plans are in conformity with the Local Plan and that the due processes have been followed in accordance with the Localism Act 2011 A summary regarding consultation on neighbourhood planning can be found in Section 5 of this document.
4. Amendments to the General Permitted Development Order The Town and Country Planning (General Permitted development) (England) Order 2017, has introduced additional types of proposals that are deemed as 'permitted' subject to Prior Approval being obtained. The Prior Approval process involves public consultation.
5. Assets of Community Value (Community Right to Bid) gives members of the local community the right to nominate buildings and land (assets) that they think are important to their community for listing on the Register of Assets of Community Value – and can be publicly or privately owned. The Right came into force in September 2012 as part of the Localism Act 2011. If a building or land on the register comes up for sale or a lease of at least 25 years, the nominating group will be notified and they will have up to six weeks to say whether or not they will bid for it, and up to six months to prepare the bid to buy or lease it. The owner does not have to sell the building or land to the community group, but they will be allowed time to put together a bid to buy it on the market. For more information on Assets of Community Value please see: [Swale Community Right to Bid](#)

## 3 General Principles

### Statement 1

#### Our General Principles to Consultation

By 'involvement' we mean any interaction between our planning team and the community, which can occur on a number of different levels:

**Participation** – active involvement in identifying needs and priorities, such as workshops

**Consultation** – consulting the community on their views, such as through on-line consultation processes and surveys

**Information** – providing information, such as adverts in newspapers, notices on Swale's website and publishing reports

Wherever it is appropriate to do so, we will apply the above general principles to community involvement in all of our planning decisions. We will also encourage other organisations that involve the community in planning processes to adopt these principles. For example, Town/Parish Councils consultations when producing Neighbourhood Plans and developers consultation events prior to the submission of their planning applications for major planning applications.

#### 3.1 For all planning policy consultations Swale will:

- Seek views as early as possible
- Ensure involvement is open to all
- Take into account our duties under the Equality Act 2010
- Choose consultation processes that are proportionate in type and scale to the potential impacts of the proposed plan
- Target consultation to include people whom we consider would be most affected by the particular proposals or plans, and where possible we will include known interest/community/residents groups
- Provide sufficient information for people to comment effectively
- Create concise consultation documents, without understating the complexities of any issues or decisions
- Avoid unnecessary jargon
- State clearly how to respond and by when
- Aim to make all representations publicly available
- Tell people who participate in the consultation how to access the results
- Ensure that information received through consultation processes complies with the Data Protection Act 1998 and the Freedom of Information Act 2000

### Question 1

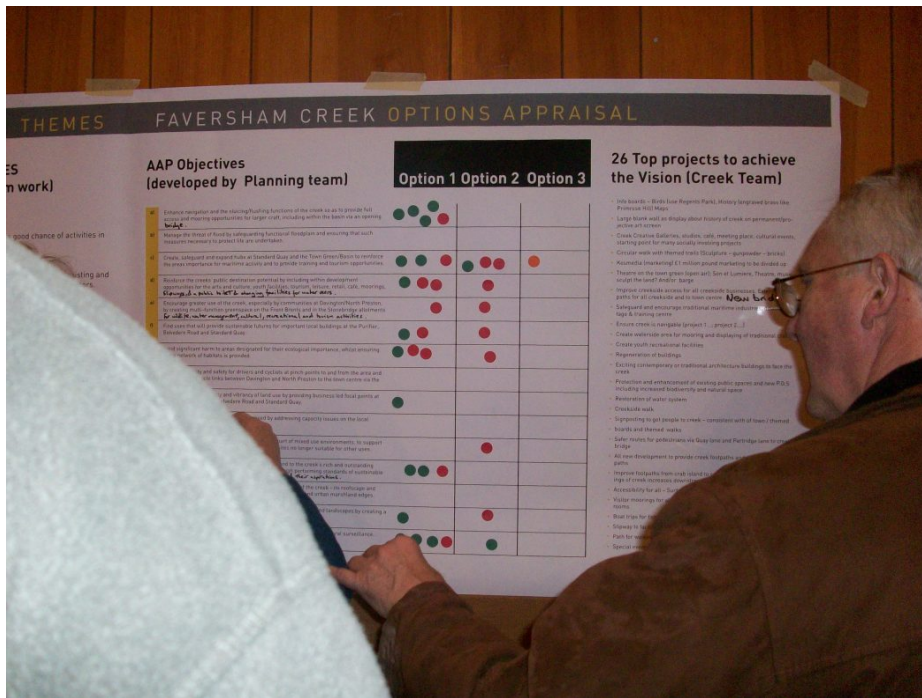
#### Swale's General Principles to Consultation

Do you agree or disagree with Swale's General Principles of Consultation? If you do not agree, which parts would you change and what, if anything, would you replace them with?

**3.2** Public consultation results are a type of participatory evidence. This is often the starting point for both planners, and in the case of Neighbourhood Plans, the designated body, to understand their community's

### 3 General Principles

views on the high level issues they think a plan needs to address. This is a form of qualitative data. It can be gathered in a number of ways by asking those with an interest in the area for information and views. (See Appendix 1 for different types of public consultation methods.)



**Picture 3.0.1** An example of an interactive workshop session on a planning document

## Resourcing and managing the process

**3.3** In considering the Swale approach to community consultation set out in this SCI, we have had to be mindful of resources available to undertake consultation exercises and deliver meaningful results within tight timescales and resources. A balance has to be struck between consultation and the various production and management issues associated with the range of planning documents that are to be prepared. To facilitate this, electronic communication will be utilised whenever possible, including regular updates on the council website, and via social media.

**3.4** This document should be read in conjunction with [Swale's Communications Strategy](#)

## 4 Who will we involve in consultations?

**4.1** The Town and Country Planning (Local Planning) (England) Regulations 2012 set out those bodies that the Council must consult with when preparing development plan documents and planning applications.

**4.2** The main groups to be targeted are Central, Regional and Local Government organisations, statutory bodies, community, voluntary, resident and interest groups, members of the public, Parish/Town Councils, local businesses and developers/agents. Information with regard to specific consultees can be found in **table \*\*** below.

**4.3** The preparation of Local Development Documents will be more relevant to some groups than others. The list will therefore be used as a guide to identifying the types of groups to involve and consult with. The groups and organisations will change over time and the planning consultation database will be reviewed regularly to maintain an up to date and relevant list of groups and organisations to consult.

### Who We Will Involve In Plan Making

**4.4** The National Planning Policy Framework emphasises the need to involve all sections of the community in plan-making.

**4.5** The Council also has a legal duty to consult residents and businesses when appropriate. In addition, legislation (Town and Country Planning (Local Planning) (England) Regulations 2012) sets out who must be consulted at prescribed stages of the document preparation.

**4.6** Many individuals and organisations contribute to the preparation of planning documents. For clarity the Council has divided consultees into four groups. This may alter over time due to changes in legislation or re-organisations of public bodies, so the lists are reviewed regularly.

Statutory Consultees – Specific Bodies	Statutory Consultees – General Bodies	Other Consultation Bodies And Organisations
<ul style="list-style-type: none"> <li>Local planning authorities that adjoin the Borough and the Greater London Authority</li> </ul>	<ul style="list-style-type: none"> <li>Voluntary bodies</li> </ul>	<ul style="list-style-type: none"> <li>Local environmental groups</li> </ul>
<ul style="list-style-type: none"> <li>Kent County Council</li> </ul>	<ul style="list-style-type: none"> <li>Bodies which represent the interests of disabled people in the area</li> </ul>	<ul style="list-style-type: none"> <li>Groups representing users, and the providers, of leisure, sport and recreation</li> </ul>
<ul style="list-style-type: none"> <li>Parish and Town Councils within and adjoining the Borough</li> </ul>	<ul style="list-style-type: none"> <li>Bodies which represent the interests of different religious groups in the area</li> </ul>	<ul style="list-style-type: none"> <li>Health, education, social service and community based service providers</li> </ul>
<ul style="list-style-type: none"> <li>A local policing body</li> </ul>	<ul style="list-style-type: none"> <li>Bodies which represent the interests of businesses in the area</li> </ul>	<ul style="list-style-type: none"> <li>Civic societies, cultural, historical and archaeological groups or bodies</li> </ul>
<ul style="list-style-type: none"> <li>The Coal Authority</li> </ul>	<ul style="list-style-type: none"> <li>Bodies which represent the interests of different ethnic or national groups in the area</li> </ul>	<ul style="list-style-type: none"> <li>Groups representing young people</li> </ul>
<ul style="list-style-type: none"> <li>Environment Agency</li> </ul>		<ul style="list-style-type: none"> <li>Associations of local residents and communities</li> </ul>
<ul style="list-style-type: none"> <li>Historic England</li> </ul>		<ul style="list-style-type: none"> <li>Registered social landlords</li> </ul>

## 4 Who will we involve in consultations?

Statutory Consultees – Specific Bodies	Statutory Consultees – General Bodies	Other Consultation Bodies And Organisations
<ul style="list-style-type: none"> <li>Natural England</li> </ul>		<ul style="list-style-type: none"> <li>House builders and developers - both through the Forum and individually</li> </ul>
<ul style="list-style-type: none"> <li>The Marine Management Organisation</li> </ul>		<ul style="list-style-type: none"> <li>Landowners and land agents - both through the Forum and individually</li> </ul>
<ul style="list-style-type: none"> <li>The Port Authority</li> </ul>		<ul style="list-style-type: none"> <li>Public transport users and providers</li> </ul>
<ul style="list-style-type: none"> <li>Network Rail Infrastructure Limited</li> </ul>		<ul style="list-style-type: none"> <li>Groups representing retired and elderly persons</li> </ul>
<ul style="list-style-type: none"> <li>Highways England</li> </ul>		<ul style="list-style-type: none"> <li>South East Local Economic Partnership</li> </ul>
<ul style="list-style-type: none"> <li>Mobile Phone Operators Association</li> </ul>		<ul style="list-style-type: none"> <li>Gender and ethnicity groups</li> </ul>
<ul style="list-style-type: none"> <li>Mobile Phone Operators with apparatus situated in any part of the Borough</li> </ul>		<ul style="list-style-type: none"> <li>The wider community</li> </ul>
<ul style="list-style-type: none"> <li>Primary Care Trusts</li> </ul>		
<ul style="list-style-type: none"> <li>Utilities and service providers</li> </ul>		
<ul style="list-style-type: none"> <li>Homes and Communities Agency</li> </ul>		

### Consultees for plan making

#### Question 2

#### Other Consultation Bodies and Organisations

Do you think that the list of 'other consultation bodies and organisations' covers all of Swale's community and interest groups? If not, what group of people would you add?





**Picture 4.0.1 An example of an exhibition consultation event**

not fixed and anyone can ask for their details to be added. Others who no longer wish to be involved will be removed from the list on request.

**4.8** We will usually also publicise consultations through local media and our social media options.

### Duty to Co-operate

**4.9** Swale Borough Council is required to work with neighbouring authorities and other public bodies involved in planning when it comes to tackling issues at a larger than local scale (Section 110 of the Localism Act 2011 and guidance in the National Planning Policy Framework). The duty to cooperate is a legal test that requires cooperation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matters in Local Plans. It is separate from but related to the Local Plan test of soundness. The bodies that we are bound to work together with by the duty include:

- Neighbouring local planning authorities
- Kent County Council including Kent Highways
- The South East Local Economic Partnership
- The Environment Agency
- Historic England
- Highways England
- Natural England
- The Office of Rail Regulation
- The Primary Care Trusts
- The Civil Aviation Authority
- The Port Authority
- Homes and Community Agency
- Greater London Authority and Transport for London
- The Marine Management Organisation

**4.10** In addition, the National Planning Policy Framework requires local planning authorities to work collaboratively with Local Nature Partnerships. **Page 61**

### Consultation Register

**4.7** Members of the public who would like to be notified about planning policy consultations and the progress of documents can add their details to the Council's database of consultees. You can register on Swale's consultation register here [Limehouse Consultation Register](#) These people are alerted by email when opportunities arise to make representations on proposed planning documents. The list is

## 4 Who will we involve in consultations?

### Hard to Reach Groups

**4.11** The relatively dispersed population of Swale, spread over a wide urban and rural area, raises particular problems in devising the most appropriate means of consultation to be used. There may also be problems in identifying representative groups to be consulted on behalf of ethnic minority or socially excluded groups, where fairly small numbers of people are involved. Barriers to engagement for hard to reach groups in Swale may include a lack of access to computers and the internet, language barriers, difficulties accessing Swale's three offices, the working community not having the time to engage, young people, people with low literacy and minority ethnic and cultural groups.

**4.12** As and when it is deemed necessary by the Council, in order to widen the involvement of the community, a broader range of engagement methods will be used to ensure hard to reach groups are engaged. The Council will avoid a tick-box approach to the hard to reach and engage them in dialogues which are significant, especially when they have specific interests.

#### Question 3

##### Swale's Hard to Reach Groups

Do you think that the table of consultation methods covers all of the possible consultation types? If not, what type of consultation method would you add?

Do you agree with the consultation considerations in the table above?

**4.13** Appendix 1 shows a table of possible consultation methods available for use by the Council and for each, it looks at the different considerations for when each method would be most suitable. When choosing which consultation methods to choose the Council will need to ensure that all members of the community, especially those at risk of exclusion, who may be interested are given the chance to participate.

#### Question 4

##### Consultation Methods

Do you think that the table of consultation methods in Appendix 1 covers all of the possible consultation types? If not, what type of consultation method would you add?

Do you agree with the consultation considerations in the table?

### Role of elected members

**4.14** Swale Borough Council has 47 councillors who are elected to represent their ward constituents. They have an important role to play in the community involvement process by keeping their local communities informed, representing their views and encouraging and assisting them to engage in the future planning and development of their area.

**4.15** It is vital that all elected members are either involved in, or aware of the Local Plan preparation process to provide ownership, leadership and commitment to future implementation. Where appropriate, and depending on the issues in question, arrangements will be made with Councillors to involve them in emerging policy work. This approach will be in addition to the Council's established procedures for decision making.

## Who We Will Involve In the Development Management Process

**4.16** The operation of the development management process is governed by requirements that are set out in national legislation. With respect to publicity and consultation on planning applications the requirements are set out in The Town and Country Planning (Development Management Procedure)(England) Order 2015 (as amended)

Statutory Consultees	Non-statutory Consultees
Adjoining landowners	Emergency Services and Multi-Agency Emergency Planning
Canal and River Trust	Forestry Commission
Coal Authority	Health and Safety Executive
Control of major-accident hazards competent authority	Ministry of Defence
County Planning Authorities	Office of Nuclear Regulation
Crown Estates Commissioners	Police and Crime Commissioners
Department of Energy and Climate Change	Rail Network Operators
Environment Agency	Sport England
Forestry Commission	Business Improvement Districts
Garden History Society	Local residents; especially of neighbouring properties
Greater London Authority	
Health and Safety Executive	
Highways Authority	
Highways England	
Historic England	
Local Highway Authority	
Adjacent Local Planning Authorities	
National Parks Authorities	
Natural England	
Town and Parish Councils	
Rail Infrastructure Managers	
Rail Network Operators	
Sport England	
Theatres Trust	

## 4 Who will we involve in consultations?

Statutory Consultees	Non-statutory Consultees
Toll Road Concessionaries	
Water and sewerage undertakers	

### Consultees for development management

**4.17** This is prescribed in article 15 of the Development Management Procedure Order. There are separate arrangements for listed buildings which are set out in regulation 5 and regulation 5A of the Listed Buildings and Conservation Area Regulations 1990 (as amended).

**4.18** The Development Management Procedure Order includes powers for the Secretary of State to direct local planning authorities that additional consultation must take place in specific local circumstances. This process is referred to as a 'consultation direction'. Any consultation required by a direction – where there are further, locally specific, statutory consultation requirements as set out in a consultation direction.

**4.19** A consultation direction may be issued in relation to areas, sites and routes which are typically of more than local importance, or to allow the further consideration of proposals in the vicinity of existing facilities (such as airports).

**4.20** Safeguarding directions are a specific type of consultation direction, and typically set out detailed maps of areas (for example, those around some existing facilities, such as certain airports or in relation to proposed infrastructure) where statutory consultation is required on planning applications within their area. Detailed guidance on mineral's safeguarding is provided in the Minerals guidance.

**4.21** For further information on consultation and planning applications please see section 6 'Community involvement in the planning application process.'

## 5 Community Involvement in Plan Making

### The Plan Making Process

**5.1** Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. (NPPF, para 150.)

**5.2** When planning applications are determined a wide range of both national and local planning documents have to be taken into consideration. Table 4.1 below shows the different types of documents which, together form Swale's Development Plan. Community involvement will vary from document to document depending on their content, purpose and their status. The table also shows the level of community involvement possible, linking back to the three types of involvement set out in section 1 'General Principles', which can occur on a number of different levels, for each of the planning documents.

Document Type	Produced by	Document Purpose	Level of Community Involvement
The Development Plan: The Swale Local Plan Kent Minerals and Waste Local Plan Supplementary Planning Documents Neighbourhood Plans	Swale Borough Council Kent County Council Swale Borough Council Town/Parish Councils or Neighbourhood Forums	A suite of planning documents that sets out a vision and framework for the future development of Swale over (usually) a 20 year period  To develop a vision for a neighbourhood and set policies and allocate land uses for that area	Participation, information and consultation  Participation, information and consultation
Sustainability Appraisals	Swale Borough Council	Local Plans and some Supplementary Planning Documents are subject to these. They assess the economic, environmental and social effects of a plan	Information and consultation
Strategies and other supporting Documents	Swale Borough Council	To set out objectives and implementation schemes to achieve planning objectives	Participation (usually), information and consultation
Statement of Community Involvement	Swale Borough Council	Sets out Swale's consultation processes	Information and consultation
Community Infrastructure Levy	Swale Borough Council	Sets a charge on new development to help fund infrastructure	Information and consultation
Local Development Scheme	Swale Borough Council	Programme for preparing new planning policy documents	Information

## 5 Community Involvement in Plan Making

Document Type	Produced by	Document Purpose	Level of Community Involvement
Authority Monitoring Report	Swale Borough Council	Reports on progress of the LDS and monitors the adopted Local Plan	Information

**5.3** Further details of the type of consultation proposed for each stage of the plan making process is set out below.

### Evidence Base

**5.4** An extensive suite of technical evidence base documents is required to underpin and inform the production of the Local Plan and other development plan documents. The methodology for some pieces of evidence base is prescribed in national planning policy and practice guidance.

**5.5** The National Planning Policy Framework (NPPF) states that local planning authorities should ensure that their Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Their assessments of and strategies for housing, employment and other uses must be integrated, and must take full account of relevant market and economic signals. (NPPF, para 158.)

**5.6** Evidence base documents can be both quantitative (facts and figures such as census data and housing need) as well as qualitative (e.g. opinions given in consultation responses) and is used to inform the development of the policies and strategies.

**5.7** Evidence base documents are technical pieces of work and therefore are not widely consulted on. However, targeted consultation may occur with specific statutory and non-statutory consultees who have expertise in that area. e.g. The Environment Agency would be consulted on the Strategic Flood Risk Assessment.

### Question 5

#### Level of Community Involvement

Do you agree or disagree with the levels of community involvement for the list of planning documents in table \*\* above? If not, which would you change and why?

## How Will We involve the Community in Plan Making

### Development Plan Documents

Document and Stage	What We Will Do	Who We Will We Consult	How Will We Consult
Development Plan Documents			

## Community Involvement in Plan Making 5

Document and Stage	What We Will Do	Who We Will We Consult	How Will We Consult
<p><b>Stage 1: Prepare Issues and Options Document</b></p> <p>At the initial stages of producing a plan it is important that the community has an opportunity to identify local issues, influence the options for future development and examine the evidence.</p>	<p>As a minimum, we will ensure that we comply with the relevant current planning regulations.</p> <p>We will also:</p> <ul style="list-style-type: none"> <li>• Consult more widely where it is relevant and appropriate and timely to do so</li> <li>• Advertise any consultation and make it clear where material can be viewed by the community</li> <li>• When possible, summary documents, maps and diagrams explaining the key issues and proposals will be published</li> <li>• Maintain and add people to our planning database of consultees at any time</li> <li>• Comments received at this stage will be acknowledged and taken into account, together with any available technical evidence as well as national policies and guidance</li> </ul>	<p>We will notify specific, general and other consultation bodies that may have an interest in the document.</p>	<ul style="list-style-type: none"> <li>• We will engage all specific and general consultation bodies, and other consultation bodies as appropriate</li> <li>• We will consult with the wider community at least once during this stage in the production of the document</li> <li>• We will publish consultation documents on-line and the preferred route for comments is via the website, because this helps make the process as efficient as possible</li> <li>• We will make all the comments received publicly available</li> <li>• The council will also consider using one or more of the following methods: <ul style="list-style-type: none"> <li>• Correspondence through letters or email</li> <li>• Workshops or focus groups</li> <li>• Presentations at community events</li> <li>• Joint consultations</li> <li>• Drop-in events, displays or exhibitions</li> <li>• Meetings (one to one or group)</li> </ul> </li> </ul>

## 5 Community Involvement in Plan Making

Document and Stage	What We Will Do	Who We Will We Consult	How Will We Consult
			<ul style="list-style-type: none"> <li>• Make plans available on our website and at public inspection points</li> <li>• Targeted measures for hard to reach groups</li> </ul>
<p><b>Stage 2: Publish Proposed Submission Document</b></p> <p>The council will prepare and consult on the final draft of the plan before it is submitted to the Secretary of State for examination.</p> <p>Representations submitted at this stage are forwarded to the Planning Inspector.</p>	<ul style="list-style-type: none"> <li>• As a minimum, the council will comply with the relevant planning regulations</li> <li>• We will consult on the plan for at least six weeks</li> <li>• The submission documents and other relevant documents must be available for inspection on the website and at the council's office and other public inspection points</li> <li>• When possible, summary documents, maps and diagrams explaining the key issues and proposals will be published</li> <li>• We will notify consultees</li> <li>• The council will publicise where and when the documents may be inspected</li> <li>• Make printed copies of the plan available at a reasonable charge if requested</li> <li>• Where appropriate, the council will make changes to the document before it is submitted to the Secretary of State</li> <li>• All representations received at this stage will be forwarded in full to the Secretary of State.</li> </ul>	<ul style="list-style-type: none"> <li>• We will notify those specific, general and other Consultation bodies that were invited to make representations at an earlier stage</li> <li>• The wider community (as appropriate to the document) will also be consulted</li> </ul>	<ul style="list-style-type: none"> <li>• We will contact everyone on our planning consultation database by letter or email and where appropriate we will use targeted measures for hard to reach groups</li> <li>• To explain the preferred plan we will consider using one or more of the following methods: events, displays, exhibitions or meetings</li> </ul>



## Community Involvement in Plan Making 5

Document and Stage	What We Will Do	Who We Will We Consult	How Will We Consult
<p><b>Stage 3: Examination</b></p> <p>The council is required to submit the plan and supporting information for public examination. The Inspector in charge of the examination will take into account written comments on the plan and, if invited by the Inspector, people can also appear at the examination to speak in support of, or against, the plan. The Inspector will consider whether the Document has complied with the requirements of this Statement of Community Involvement.</p>	<ul style="list-style-type: none"> <li>• We will comply with all the relevant planning regulations for the submission and examination of the plan</li> <li>• We will ensure that all the relevant submission documents are available for inspection on our website and at the council's office and local libraries</li> <li>• We will publish full details of the submission</li> <li>• We will appoint an independent Programme Officer to assist the Inspector with the examination</li> <li>• Full details of the running of the Examination will be published on behalf of the Programme officer on the Council's website</li> </ul>	<ul style="list-style-type: none"> <li>• We will notify all those specific, general consultation bodies, the wider community, and other bodies who have previously been invited to make representations on the plan, about the submission of the plan to the Secretary of State</li> <li>• We will also notify anyone else who requested to be notified of the submission of the plan to the Secretary of State</li> <li>• The Programme Officer will notify all those who commented on the plan at stage 2 with details of the examination</li> </ul>	<p>Consultees will be informed by email or letter</p>
<p><b>Stage 4: Adoption</b></p>	<ul style="list-style-type: none"> <li>• We will publish the Inspector's Report and</li> </ul>		<ul style="list-style-type: none"> <li>• We will send the adoption statement</li> </ul>

## 5 Community Involvement in Plan Making

Document and Stage	What We Will Do	Who We Will We Consult	How Will We Consult
<p>Following the Examination, the Inspector will produce a report. The council will consider the Inspector's report, make changes to the plan where appropriate and adopt the final plan.</p> <p>Sometimes, the Inspector may issue Interim Findings and propose that Main Modifications be made to the plan to make it sound. The Inspector will usually indicate that these will also need to be consulted upon and may need a further round of Examination. Any such Main Modifications will be consulted on in the same way as the submission stage proposals (stage 2.)</p>	<p>notify anyone who who requested to be notified</p> <ul style="list-style-type: none"> <li>We will make the adopted document, a sustainability appraisal report, relevant information and adoption statement available for inspection at the council's main offices and on the website as soon as practicable</li> </ul>		<p>to the Secretary of State and any person who requested to be notified</p> <ul style="list-style-type: none"> <li>We will write to everyone who has made a representation on the document to inform them of the adoption process</li> </ul>

### Other Development Plan Documents

**5.8** Kent County Council is responsible for the Minerals and Waste Local Plan. Anyone who wishes to participate in the preparation of this document needs to contact Kent County Council Minerals and Waste Planning Policy Team on 03000 42 23 70 or [mwdf@kent.gov.uk](mailto:mwdf@kent.gov.uk). Their website [KCC Minerals and Waste](#) provides further information.

### Neighbourhood Plans

**5.9** Town and Parish Councils lead on the preparation of Neighbourhood Plans The Localism Act (2011). They are responsible for undertaking consultation during the preparation stage (Neighbourhood Planning (General) Regulations 2012) and may decide who to consult, according to the scope and nature of the proposals being developed. The plan is then submitted to Swale Borough Council and we are responsible for undertaking consultation upon the completed document prior to independent examination.

**5.10** The Localism Act 2011 has reformed the planning system to give local people new rights to shape the development of the communities in which they live. There is no compulsion for parishes to prepare a Neighbourhood Development Plan (NDP)

Document and Stage	What Will We Do	Who Will Be Consulted
<b>Neighbourhood Development Plans</b>		
<b>Stage 1: Defining the Neighbourhood Area</b>	<ul style="list-style-type: none"> <li>Swale will undertake the statutory 4 week consultation period. The Council will publicise the application online, along with site notices across the Neighbourhood area, informing interested parties how a representation can be made.</li> </ul>	<ul style="list-style-type: none"> <li>Those within the Neighbourhood area</li> <li>Adjoining Parish/Town Councils</li> <li>Specific, general and other consultation bodies</li> </ul>
<b>Stage 2: Publicise the draft Neighbourhood Development Plan</b>	<ul style="list-style-type: none"> <li>The Council's Neighbourhood Planning team are there to provide guidance and advice throughout the plan making process to ensure the plan is in line with the regulations and legislative requirements and conforms to planning policies.</li> </ul>	<ul style="list-style-type: none"> <li>The Parish/Town Council or Neighbourhood Forum decide the level of detail that will make up their Neighbourhood Development Plan.</li> <li>Views of the local community, interest groups and stakeholders should be sought, in order to form a well evidenced foundation for the plan.</li> <li>A consultation statement detailing how this has been achieved will be required for the final submission of the Neighbourhood Development Plan.</li> <li>The draft plan should be published locally, by the Parish/Town Council or Neighbourhood Forum, for a minimum period of 6 weeks in order for any representations to be made. Consultation must also be made with specified consultees, to assist compliance with Reg 14.</li> </ul>
<b>Stage 3: Submission of the final Neighbourhood Development Plan</b>	<ul style="list-style-type: none"> <li>The Planning Policy team will publish the plan for a minimum 6 week consultation period.</li> <li>Following conclusion of the consultation, the Planning Policy team will make a recommendation regarding progress of the plan. Final approval for the plan to move forward to examination stage will be given by Local Development Framework Panel.</li> </ul>	<p>The final plan should be submitted to Swale Borough Council Planning Policy team.</p> <p>In accordance with Reg 15, the plan should consist of:</p> <ul style="list-style-type: none"> <li>A map showing the area in which the Neighbourhood Development Plan covers</li> <li>The proposed Neighbourhood Development Plan</li> </ul>

## 5 Community Involvement in Plan Making

Document and Stage	What Will We Do	Who Will Be Consulted
		<ul style="list-style-type: none"> <li>• A consultation statement detailing how the opinions of interested parties have been sought</li> <li>• A written statement explaining how the Neighbourhood Development Plan has met the basic conditions</li> <li>• Any required environmental assessments (Strategic Environmental Assessment and/or Habitat Regulation Assessment.)</li> </ul>
<p><b>Stage 4: Independent Examination</b></p>	<p>The Council will organise and pay for an independent examination of the Neighbourhood Development Plan and supply the relevant documents to the examiner, including any details of any representations during the final consultation. Many examinations will be dealt with by written representation; however there may be some via hearing or public examination, depending on the circumstances.</p> <p>The examiner will recommend either:</p> <ol style="list-style-type: none"> <li>1. The plan move to a referendum</li> <li>2. Following amendment the plan move to a referendum</li> <li>3. The plan should be refused</li> </ol> <p>The examiner's report is not binding and consideration will be given to the recommendations within it. A decision statement will be produced by the Planning Policy team, outlining the decision reasons, where it can be inspected and any modifications made to the plan. The report and Council decision will be published on the website and within the Neighbourhood Area.</p>	<p>The Council will appoint an Independent Examiner and if they decide to hold an examination they will decide who will be able to speak. The Programme Officer who will invite all of those to the relevant hearing sessions.</p>
<p><b>Stage 5: Referendum</b></p>	<ul style="list-style-type: none"> <li>• Once the plan is finalised and any amendments have been made, Swale Borough Council will arrange and pay for a referendum. The Examiner will have specified the area for the referendum to cover. It will include all those on the electoral roll within the specified area.</li> </ul>	

## Community Involvement in Plan Making 5

Document and Stage	What Will We Do	Who Will Be Consulted
	<p>Swale Democratic Services will undertake the referendum and will send poll cards to all those eligible to vote.</p> <ul style="list-style-type: none"> <li>If the referendum result rules in favour by 50% or more, then the Neighbourhood Development Plan will move on to the final stage in the process.</li> </ul>	
<b>Stage 6: Adoption</b>	<ul style="list-style-type: none"> <li>A recommendation will be made to Swale Borough Council's Council to adopt the agreed Neighbourhood Development Plan and this will form the basis of development and determine planning applications as part of the Development Plan.</li> <li>Adopted plans will be published on the Council website and made available for viewing at local customer service centres and libraries.</li> <li>Copies of the decision to adopt will be sent to the Parish/Town Council or the Neighbourhood Forum and any person who has previously asked to be notified.</li> </ul>	

## Supplementary Planning Documents

Document and Stage	What Will We Do	Who Will We Consult	How Will We Consult
<b>Supplementary Planning Documents</b>			
<p><b>Stage 1: Prepare Supplementary Document (SPD)</b></p> <p>Evidence and ideas are gathered, and alternative approaches are considered</p>		<ul style="list-style-type: none"> <li>We will consult with those individuals and bodies who are relevant to the successful implementation of the SPD.</li> <li>We may consult more widely if it is considered</li> </ul>	<ul style="list-style-type: none"> <li>This will depend on the type of SPD. The council will consider using one or more of the following methods: <ul style="list-style-type: none"> <li>Correspondence by letter or email</li> <li>Workshops or focus groups</li> </ul> </li> </ul>

## 5 Community Involvement in Plan Making

Document and Stage	What Will We Do	Who Will We Consult	How Will We Consult
		relevant and appropriate to do so.	<ul style="list-style-type: none"> <li>Meetings</li> <li>Drop in events</li> </ul>
<p><b>Stage 2: Publish draft Supplementary Planning Document</b></p> <p>The council is required to consult on the SPD. Publishing a draft provides opportunity to get comments on the document before it is finalised.</p>	<ul style="list-style-type: none"> <li>As a minimum, the council will comply with the relevant planning regulations</li> <li>We will consult for at least 6 weeks and make copies of the draft SPD available for inspection on the website and at the council's main office and other locations as appropriate to the type of SPD</li> <li>We will make all the comments received publicly available</li> <li>We will consider all representations received.</li> </ul>	<ul style="list-style-type: none"> <li>We will consult the specific, general and other bodies who are relevant to the topic of the SP being prepared</li> <li>We will consult residents or persons carrying on business in the area where it is appropriate to</li> </ul>	<p>This will depend on the type of SPD. The council will consider using one or more of the following methods:</p> <ul style="list-style-type: none"> <li>Making documents available on the council's website and at inspection points</li> <li>Workshops or drop in events</li> <li>Correspondence through letters or emails</li> <li>Leaflets/Newsletters</li> <li>Targeted measures for hard to reach groups relevant to the topic of the SPD</li> </ul>
<p><b>Stage 3: Adoption</b></p> <p>Once the council has taken into account comments and made any changes to the document, it will be adopted by the council's Cabinet. An independent examination is not required.</p>	<ul style="list-style-type: none"> <li>We will prepare a consultation statement</li> <li>We will adopt the SPD</li> <li>We will publish the SPD, consultation statement and an adoption statement on the website</li> <li>These documents will also be available for inspection at the council offices and other locations as appropriate to the type of SPD</li> </ul>	<ul style="list-style-type: none"> <li>We will send a copy of the adoption statement to any person who has asked to be notified of the adoption.</li> </ul>	

Document and Stage	What Will We Do	Who Will We Consult	How Will We Consult

(

*For guidance notes on making a representation to a planning policy document please see Appendix 2*

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## 6 Community Involvement in the planning application process

### 6 Community Involvement in the planning application process

#### Preparing and Publicising Planning Applications

##### Pre-application Advice

**6.1** Swale offer a pre-application advice service to anyone who is considering building works and/or changes of use to properties. This advice is provided for a fee (free for charities, voluntary groups, Parish/Town Councils and advice relating to the repair of listed buildings) and is the stage before making a planning application. Swale strongly recommend applicants use this service.

**6.2** There are many benefits of pre-application advice, including:

- It gives you an opportunity to understand how our policies will be applied to your development and you can identify potential problems and resolve them before an application is submitted. This can help prevent costly and time consuming amendments to schemes later
- It may indicate that a proposal has little or no realistic chance of success, so saving you considerable time and money
- It may lead to a reduction in time spent by your professional advisers in working up the proposals in more detail
- It can identify at an early stage whether any specialist advice is needed, e.g. about listed buildings, trees, flood risk, highways etc
- We can discuss with you details of the proposal such as its design and the materials to be used. This can help you prepare a better planning application so we can process it more quickly and give you a decision sooner

**6.3** We strongly encourage applicants to discuss their proposals, both minor and major, with their neighbours, the local community, the relevant town or parish council and their ward councillor at an early stage. The greater the likely impact of a proposed development, the greater the need for community involvement. For further information please go to [Pre-Application Advice](#)

**6.4** Applicants of large, major schemes are also encouraged to undertake pre-application briefings with Swale Members to ensure that there is an early two way dialogue and so that local Members can then share this information with their residents.

Type of Development	What Applicants Need To Do	What Swale Will Do
<p><b>MAJOR</b></p> <p>Residential development of 10 or more dwellings (or a site of more than 0.5ha)</p> <p>Non-residential development with floor space of 1,000 sq m</p>	<p>Choose appropriate methods to involve the community prior to submission of the planning application e.g. Public meetings/exhibitions, workshops, consultation website</p> <p>Provide a statement with the application describing how the community was involved and what their views were</p> <p>Consider local planning documents and national guidance</p>	<p>Provide pre-application advice on request (a charge will be made for this service)</p> <p>Publish all of the documents on our website</p> <p>Post site notices at or near the proposed site</p> <p>Place an advert in the local press</p> <p>Consult statutory and non-statutory consultees as well as internal consultees</p> <p>Send a neighbour notification letter to neighbouring properties</p>



## Community Involvement in the planning application process 6

Type of Development	What Applicants Need To Do	What Swale Will Do
	Strongly consider undertaking pre-application advice from the Council and appropriate statutory and non-statutory consultees	
<p><b>MINOR</b></p> <p>Smaller in scale than a major development and outside the definition for change of use or householder</p>	<p>Consider the need for pre-submission community consultation depending on the nature, scale, and location of the proposed development</p> <p>May need to provide a statement with the application describing the actions taken to involve the community and what their views were</p> <p>Consider local planning documents and national guidance</p> <p>Strongly consider undertaking pre-application advice from the Council and appropriate statutory and non-statutory consultees</p>	<p>Provide pre-application advice on request (a charge will be made for this service)</p> <p>Publish all of the documents on our website</p> <p>Post site notices, where appropriate, at or near the proposed site</p> <p>Advertise in the local press if the application:</p> <ul style="list-style-type: none"> <li>• Is for a listed building</li> <li>• Is in a conservation area</li> <li>• Is near or affects a public right of way</li> <li>• Is accompanied by an Environmental Impact Assessment</li> <li>• Departs from the development plan</li> <li>• Affects the setting of a listed building/conservation area</li> </ul>
<p><b>OTHER</b></p> <p>Includes the categories of:</p> <p><b>Change of Use</b> (which does not involve building or engineering work)</p> <p><b>Householder</b> (within the curtilage of a dwelling that requires permission and is not a change of use)</p>	<p>It is good practice to consult with neighbours before submitting a planning application and any consultation actions can be reported within the planning application documents</p> <p>Consider local planning documents and national guidance</p> <p>Strongly consider undertaking pre-application advice from the Council and appropriate statutory and non-statutory consultees</p>	<p>Consult statutory and non-statutory consultees as well as internal consultees</p> <p>Send a neighbour notification letter to neighbouring properties</p>

### Submitting Planning Applications

**6.5** If requested, we will send the relevant forms in the post to you by the next working day. We will also help you to complete the appropriate forms if required. Once we have received a planning application we will acknowledge receipt of your planning application within 5 working days.

## 6 Community Involvement in the planning application process

**6.6** When planning applications are received by the Council we first check to ensure that all the necessary information has been provided, please see the [Swale Local Validation Requirements](#) to help you with what information you need to include with your application. Larger and more complex applications require more supporting data.

### Public Consultation on Planning Applications

**6.7** We put all planning applications on the statutory planning register so that it can be inspected by any interested member of the public. The public can use the [Planning Application Search](#) to view and leave comments on all planning applications in Swale.

**6.8** The public can register on our [Public Access System](#) in order to track the progress of a planning application, including being informed of any new information (such as new objections) being made and any amendments to a scheme.

**6.9** We will allow 21 days for third parties (including parish and town councils) to comment on applications. It is common for submitted applications to be altered during the process of determination, usually as a result of negotiation between the applicant and the case officer, for example following receipt of comments from consultees, or local residents. We will reconsult for a further 14 days when amended details are received. For example, we would re-consult if we consider that the new proposals are likely to cause a significantly greater detrimental impact on the occupants of adjoining properties.

**6.10** We will write to neighbouring properties of the application site to let them know about the application and to explain to them how they can comment on the application.

**6.11** Where statutorily required, we will also put up a notice on or near the site and advertise the application in a local newspaper.

**6.12** Planning legislation and guidance specifies that various organisations must be consulted when a Local Planning Authority is considering applications; these are known as statutory consultees. We always consult the relevant town or parish council, but the other statutory consultees vary according to the type of application. For example with a Listed Building Consent application for works to a Grade 1 listed building, Historic England must be consulted. Other relevant organisations include the Highway Authority, Environment Agency, Natural England, Kent County Council, etc. We may also seek internal professional advice from our own officers within the council who have expertise in conservation/heritage, design, trees, open space, noise, pollution, licensing and legal matters. All comments received from statutory consultees and internal consultations are available to view via our website.

**6.13** We also use a Development Team approach to consult with internal and some statutory consultees. Pre-application submissions and submitted planning applications are discussed at these meetings by officers from across the Council, such as from open space, economic development, environmental health, housing and by outside consultees such as Kent County Council, Environment Agency and Building Control. These meetings help us to engage with experts to gain their views and to get all of the relevant information early in the decision making process.



**Picture 6.0.1** An example of a consultation 'game' to enable consultees to manipulate different land use layouts

## Community Involvement in the planning application process **6**

**6.14** We also use Swale's Design Panel to gain expert advice on submitted planning applications. The Panel undertakes a local design review by an impartial panel of experts providing clear, constructive and consistent advice on design issues. The Council encourages its use by applicants of all major planning applications. The developer pays for this service.

**6.15** All comments, from residents, statutory and internal consultees, are read and taken into account, but they can only be given weight when making our decision if they are made on valid planning grounds (also known as "material planning considerations"). A list of common [Material Planning Considerations](#) is available on the national Planning Portal website. We will not reply individually to comments received about applications.

**6.16** The majority of decisions on planning and related applications are made in accordance with the Council's Scheme of Delegation – that is the decision is made by an Officer on behalf of the Council. Other decisions are made by the Planning Committee.

**6.17** We will hold, and allow anyone to see, a copy of any reports sent to the Planning Committee and background papers used to prepare the report. These will be available five working days prior to the meeting at [Planning Committee Reports](#)

**6.18** We will inform everyone, by letter or email, who has commented on an application if it is going to Planning Committee, inviting them to the meeting and explaining how they can register to speak if they so wish. Where an application is to be determined by the Planning Committee, members of the public can request to speak at the committee meeting. This is limited to one person speaking in favour of the application and one person against. The agent/applicant can also register to speak. The Parish/Town council and the local Borough Councillor may also speak. The speakers are allowed up to three minutes each. Requests to speak at the meeting must be registered with Democratic Services (democraticservices@swale.gov.uk or call 01795 417328) by noon on the day before the committee meeting.

**6.19** We will place the decision notices on our website and those registered on our public access system will be informed by email.

**6.20** If an appeal is submitted we will inform everyone who commented on the original planning application of the details of the appeal. The appeal process is managed by the independent Planning Inspectorate.

### Question 6

#### Planning Application Consultations

Do you think that the opportunities to view and comment on a planning application are adequate? If not, what improvements would you suggest?

#### Notification of Decisions

**6.21** We aim to decide the majority of applications within eight weeks, unless they are major category development proposals which will be decided within 13 weeks. Prior approval applications have to be decided within 56 days from receipt of the application.

**6.22** We will issue a decision notice within two working days of a formal decision. A copy will be emailed/posted to the applicant and a copy will be placed on the Council's website. If you are registered on our public access system you will receive a notification email informing you that the decision notice has been issued. The decision notice will give reasons for our decisions if planning permission is refused or approved and it will set out any conditions which have been imposed. Where necessary, it will advise of the rights of appeal to the Secretary of State. Only applicants have the right of appeal; there are no third party rights of appeal.

## 7 Monitoring and Reviewing the SCI

### 7 Monitoring and Reviewing the SCI

**7.1** We aim to make our planning consultations easy to understand and to participate in, and to carry them out in a fair and open way.

**7.2** The Statement of Community Involvement recognises that now a great deal of communication occurs by electronic means. This edition of the SCI also takes into account recent changes to legislation and national guidance relevant to consultation.

**7.3** We will review feedback from consultees obtained through planning consultations to check whether our methods are working effectively. We will monitor the success of community involvement techniques by assessing the representations received during the planning process.

**7.4** We will also continue to take advice on best practice by consulting with relevant council departments, such as Communications and Equalities. We will do this when consultation statements are prepared when plans are submitted for examination. We intend to continue improving our consultation practices as required.

**7.5** The effectiveness of consultations will be also be reviewed annually in the council's Authority Monitoring Report.

**7.6** We propose to review the SCI after each Local Plan is adopted, or if our monitoring shows that we could improve our approach to consultation, or if the government requires us to change the way in which consultation takes place. Any proposed review will be identified within the Council's Local Development Scheme with a clear timetable for its production.

## 8 Glossary

- 8.1 Adoption** - The final formal stage in the evolution of a statutory planning document. Once a plan is adopted it has full legal weight in the determination of planning applications.
- 8.2 Authority Monitoring Report** (Previously called Annual Monitoring Report) - A report produced each year by local authorities, which assesses progress with, and the effectiveness of, its plan-making documents.
- 8.3 Communities and Local Government (CLG)** - The Government department with responsibility for planning and local government.
- 8.4 Consultation Statement** - A summary of the main issues raised by a consultation.
- 8.5 Development Management (DM)** - The of determining planning applications (and similar) in conformity with the development plan and material considerations. (Previously known as Development Control.)
- 8.6 Development Management Service Standards** - The Council's detailed approach to involving people in the process of making decisions on planning applications. It goes beyond the principles and legal requirements as set out in Section 5.
- 8.7 Development Management policies** - A set of criteria-based policies required to ensure that all development within the area meets the vision and strategy set out in the core strategy.
- 8.8 Development Plan** - The suite of development plan documents that collectively provide the planning framework used to assess development proposals for a given local planning authority area.
- 8.9 Development Plan Document (DPD)** - Spatial planning documents that set out the local planning authority's policies and proposals for the development and use of land and buildings in the authority's area. In two-tier areas it may include adopted borough local plans, adopted county local plans for minerals & waste, development plan documents policies and site specific allocations. All DPD's are subject to independent examination. There is a right for those making representations seeking change to be heard at an independent examination.
- 8.10 Duty to Co-operate** - The duty to co-operate is a legal test that requires cooperation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matters in Local Plans. It is separate from, but related to the Local Plan test of soundness.
- 8.11 Elected Members** - Locally elected community representatives that form part of the decision making body in a local authority.
- 8.12 Environmental Impact Assessment** - An analytical process that systematically examines the possible environmental consequences of a development.
- 8.13 General Consultation Bodies** - These organisations are listed in the Town and Country Planning (Local Development) (England) Regulations 2012.
- 8.14 Independent Examination** - The process by which a planning inspector may publicly examine a Development Plan Document.
- 8.15 Inspector's Report** - This will be produced by the Planning Inspector following the Independent Examination.
- 8.16 Inspection Point** - Locations across the borough where consultation documents can be viewed. As a minimum this means the main council offices at Sittingbourne and the area offices in Sheerness and Faversham.

## 8 Glossary

**8.17 Localism Act** - The Localism Act 2011 devolves greater powers to local government and neighbourhoods and gives local communities more rights and powers over decisions about development. It also includes reforms to make the planning system more democratic and more effective.

**8.18 Local Community** - A generic term which includes all individuals (including the general public) and organisations external to the Council. It can also include statutory and other consultees.

**8.19 Local Development Scheme (LDS)** - Sets out the programme for the preparation of the development plan documents.

**8.20 Local Enterprise Partnership** - A partnership between Local Government and the private sector, designated by the Secretary of State and established for the purpose of creating or improving the conditions for economic growth in an area. Swale is covered by the South East Local Economic Partnership (SELEP), covering Kent, Essex and East Sussex.

**8.21 Local Plan (LP)** - May consist of a single document or a set of documents such as site allocations, development management policies and core policies. These are formal plans for a geographical area which are key points of reference when deciding planning applications.

**8.22 Minerals and Waste Local Plan** - Produced by Kent County Council, these documents set out plans relating to mineral and waste developments in Kent.

**8.23 National Planning Policy Framework (NPPF)** - A document setting out the Government's national planning requirements, policies and objectives. It replaces much of the national advice previously contained within Planning Policy Statements, Planning Policy Guidance and Circulars. The NPPF is a material consideration in the preparation of planning documents and when considering planning applications.

**8.24 Neighbourhood Plan** - Prepared by local communities, these set out policies and proposals for the future development of a neighbourhood but they must conform to the strategic policies of the Local Plan.

**8.25 Planning Inspectorate** - An organisation which processes planning appeals and holds examinations into development plan documents and planning application appeals.

**8.26 Pre-application Advice** - The service provided by Swale is given to anyone who is considering building works and /or changes of use to properties in Swale. This advice will be provided, usually for a fee, and is the stage before making a planning application. It gives applicants an opportunity to understand how Swale's policies will be applied to their development and it can identify potential problems and resolve them before an application is submitted.

**8.27 Pre-application Consultation** - The process by which a prospective developer will give local people an opportunity to help shape development proposals before they are formally submitted to the planning authority as a planning application.

**8.28 Programme Officer** - Person appointed to assist with all administrative matters related to Examinations of Local Plan documents.

**8.29 Public Consultation** - A process through which the public is informed about emerging plans or proposals put forward by a planning authority or by development promoter, and are invited to submit comments upon them.

**8.30 Representation** - A formal statement submitted by a consultee at the submission stage of a development plan document.

**8.31 Specific Consultation Bodies** - These organisations are listed in Town and Country Planning (Local Development) (England) Regulations 2012.

**8.32 Supplementary Planning Document (SPD)** - These documents, including issue-based documents, design guidance and masterplans, provide more detail to how policies in the Local Plan should be used.

**8.33 Sustainability Appraisal (including Strategic Environmental Assessment)** – A systematic and iterative appraisal process, incorporating the requirements of the Strategic Environmental Assessment Directive. Its purpose is to appraise the social, environmental and economic effects of the strategies and policies in a local development document from the outset of the preparation process. This will ensure that decisions are made that accord with sustainable development.

## Appendix 1: Table of Consultation Methods



## Appendix 1: Table of Consultation Methods

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Consultation Method	Considerations
Swale Borough Council web site	Information can be provided quickly and efficiently and accessed by the public from their own home or office at a time which is convenient to them. This can overcome the problems of trying to consult with rural communities. However, access to the internet is not universal and therefore may disadvantage certain groups. Internet speeds and a lack of bandwidth may also hamper the downloading of large planning documents. The Council has web access at it's Sittingbourne and Sheerness offices and at it's libraries and will continue to consider ways in which access to web based information can be improved. Web pages should be user friendly. It's use is likely to continue to increase.
Email Notifications (from both Objective and direct from the Planning Policy team)	Information and responses can be provided quickly and efficiently. Increased use of this means of communication is sought with Town and Parish Councils, specified consultees and all other parties and will be communicated in this way wherever possible. Every effort will be made to gather and maintain email addresses, unless an individual specifies otherwise.
Swale borough Council social media platforms	Use of sites such as Facebook and Twitter keep users informed with regular updates for a low cost. Likely to be utilised as a means of keeping people informed, rather than a formal part of consultation. Many people still not using these mediums. Therefore, where appropriate, pages should be referred to on literature & website to raise awareness.
Formal advertisements in local press	Statutory requirements to publish notices advertising certain planning applications.
Press releases	It is cost effective in terms of bringing local issues into the broader local arena. Releases will be sent out to all major borough publications. However, items may only be reported if they are considered newsworthy by the newspaper editors, therefore publication is not guaranteed. Local newspaper readership is low.
Consultation documents available for sale, CD or inspection at Council offices, by post and on the web	Traditional means of consultation and the information supplied can be in detail. Information needs to be in plain English with simplified formats. Due to limitations for people with mobility or sight disabilities and where English is not a first language, modified versions need to be made available at no extra cost to the individual.
Leaflet, newsletters and brochures	Can publicise and explain in simple language and invite comment. The Inside Swale magazine is a good communication link and should be utilised where appropriate and when publication dates coincide. Specific newsletters can be sent to all residents; however, it can be expensive to distribute.
Formal written letter	Letters will be sent when there is no other means of communication or a person has requested to be written to by post specifically. High postage and administration costs.
Public Exhibitions/Public meetings/presentations	Can be used to circulate information, seek views and endorse proposals. Gives residents some flexibility in deciding when to visit and can encourage feedback. Takes planning issues to the people and provides an opportunity

## Appendix 1: Table of Consultation Methods

Consultation Method	Considerations
	for people to discuss local issues directly with planning officers in an environment which local people will be familiar and therefore comfortable with. However, people attending may not be representative of the whole community and there is no guarantee of turn out. High staff and material costs. Borough-wide consultations require extensive coverage and numbers of events. Displaying information in local shops and leisure outlets where people frequent should be considered as an alternative, where appropriate.
Notices displayed on a site	Direct and local notification of proposals to those around a site and in local area, however notices can be vandalised or removed before the end of consultation period. Used for all planning applications.
Through partnership organisations and focus groups, existing forums/panels	Useful for topic based discussions and to find out what specific groups feel. Provides opportunity to discuss issues in depth and to have ongoing dialogue. However can have high direct costs of facilitating. Important to build on existing networks rather than reinvent with new ones.
Councillor networks	Councillors play a very important role in terms of community engagement. They are a recognised point of contact for the local community to go to with regard to Council matters. It is vital to ensure that Councillors are kept well briefed.
One to one meetings and briefings	Useful for seeking views from targeted groups/individuals however they are time consuming and require costly staff resource.
Parish and Town Council networks/publications	If Town and Parish Councils are effectively involved with consultation exercises they can provide an invaluable contact with local communities. Many have developed their own websites and social media pages and newsletters and notice boards and should be encouraged to share planning information relevant to parish/town residents.
Questionnaire/surveys	Enables quantifiable information to be collected. Questionnaires need to be well designed. There is no guarantee of response rate. Likely to be time consuming and costly.
Workshops	Organised discussion based event to present and gather information. Can be targeted at key stakeholders. Requires skilled facilitators to ensure objectives are achieved. Requires costly staff resource.

## Appendix 2: Guidance Notes on Making a Representation

## Appendix 2: Guidance Notes on Making a Representation

### Appendix 2: Guidance Notes on Making a Representation

#### Guidance Notes on making a representation

Throughout the planning process, opportunities will be given in the form of consultation for all interested parties to be involved and make their views known. At the start of a consultation period, a form will be made available for anyone wanting to make a representation. Dates of the consultation will be made clear and only representations received inside these dates, will be taken into consideration. A completed form should include contact details and the comments on the form should relate directly to the aspect of the document as indicated on the form by the Local Plans team. Only names and/or organisations will be published on the Council website, as well as comments made on the form. However, other information will be shared with the Planning Inspector, who may want to contact those who have made a representation to discuss comments and concerns prior to concluding the formal examination.

All representations will be considered by the Planning Inspector as part of the examination of the plan and/or planning document.

The Planning and Compulsory Purchase Act 2004 (as amended) (PCPA) states that the purpose of an examination is to consider whether the Plan complies with the legal requirements, the duty to co-operate and is sound.

#### Legal Compliance and Duty to Co-operate

The Inspector will first check that the Plan meets the legal requirements under s20(5)(a) and the duty to co-operate under s20(5)(c) of the PCPA before moving on to test for soundness.

You should consider the following before making a representation on legal compliance:

- The Plan in question should be included in the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the Local Planning Authority (LPA). It will set out the key stages in the production of any Plans which they propose to bring forward for independent examination. If the Plan is not in the current LDS it should not have been published for representations. The LDS should be on Swale's website and at its main offices.
- The process of community involvement for the Plan in question should be in general accordance with the LPA's Statement of Community Involvement (SCI). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of LDDs (including Plans) and the consideration of planning applications.
- The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the LPA must publish the documents prescribed in the Regulations, and make them available at its principal offices and on its website. The LPA must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified.
- The LPA is required to provide a Sustainability Appraisal Report when it publishes a Plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.
- The Plan must have regard to any Sustainable Community Strategy (SCS) for its area. The SCS is usually prepared by the Local Strategic Partnership which is representative of a range of interests in the LPA's area. The SCS is subject to consultation but not to an independent examination.

You should consider the following before making a representation on compliance with the duty to co-operate:

## Appendix 2: Guidance Notes on Making a Representation

- The duty to co-operate came into force on 15 November 2011 and any plan submitted for examination on or after this date will be examined for compliance. LPAs will be expected to provide evidence of how they have complied with any requirements arising from the duty.
- The PCPA establishes that non-compliance with the duty to cooperate cannot be rectified after the submission of the Plan. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

### Soundness

The purpose of the examination is to enable the inspector to decide whether the plan is 'sound'. For a plan to be sound, it must be:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

The above points should be considered when making a representation.

The Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy? If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the Plan on which you are seeking to make representations, or in any other Plan?
- If the policy is not covered elsewhere, in what way is the Plan unsound without the policy?
- If the Plan is unsound without the policy, what should the policy say?

### General advice

If you wish to make a representation seeking a modification to a Plan or part of a Plan you should make clear in what way the Plan or part of the Plan is not sound having regard to the legal compliance, duty to cooperate and the four requirements of soundness set out above. You should try to support your representation by evidence showing why the Plan should be modified. It will be helpful if you also say precisely how you think the Plan should be modified. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

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<b>Cabinet Meeting</b>	<b>Agenda Item: 6</b>
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<b>Meeting Date</b>	7 March 2018
<b>Report Title</b>	Civil Penalties for Council Tax, Housing Benefit and Council Tax Support
<b>Cabinet Member</b>	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance and Performance
<b>SMT Lead</b>	Emma Wiggins
<b>Head of Service</b>	Amber Christou
<b>Lead Officer</b>	Zoe Kent
<b>Recommendations</b>	1. To recommend the introduction of civil penalties for Council Tax, Council Tax Support and Housing Benefit

## 1 Purpose of Report and Executive Summary

- 1.1 The Revenues and Benefits Service is committed to a proactive approach in preventing and reducing the risks associated to fraud, error and other irregularities in the administration of Council Tax and Housing Benefit.
- 1.2 This report considers the measures that the Council can use to tackle those customers who choose not to report a change that effects their Council Tax account or Council Tax Support or Housing Benefit claim

## 2 Background

- 1.3 In law, statutory powers already exist which allows the Council to impose civil penalties in a number of circumstances but at present these powers are not used. The powers are:
  - The Welfare Reform Act 2012 introduced a number of measures to help tackle fraud and error in the benefit and tax credit systems. Under these measures, councils can now impose a civil penalty of £50 in those cases where a claimant fails, without reasonable excuse, to supply information (or negligently supplies incorrect information) which results in a Housing Benefit overpayment of more than £65.
  - The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013, allows councils to impose a civil penalty of £70 in those cases where a claimant fails, without a reasonable excuse, to supply information (or negligently supplies incorrect information) which results in a Council Tax Reduction overpayment.

- Schedule 3 of the Local Government Finance Act 1992 allows Councils to impose a civil penalty of £70 in cases where a resident fails, without a reasonable excuse, to supply information (or negligently supplies incorrect information) which affects their liability or entitlement to a council tax discount or exemption.
  - Where a £70 penalty has been imposed and a further request to supply information is made, additional penalties of £280 may be imposed for each subsequent failure to provide the requested information.
- 1.4 In March 2016 responsibility for the investigation of welfare benefits moved to the Department for Work and Pensions. With the support of the major preceptors the latest credit reference technology has been purchased and has been introduced into the day-to-day working procedures to help protect the public purse and to police the award of discounts, exemptions and reliefs in order to increase the tax base.
- 1.5 Single Person Discount awards are now checked on a monthly basis, with reviews being carried out on all cases that show a high likelihood of another adult living at the property.
- 1.6 The Kent Intelligence Network was also set up by the Kent authorities to carry out data matching across the authorities. It is hoped this will give out a message of zero tolerance to fraud across Kent. Council Tax penalties are currently being charged in the following Kent authorities: Ashford, Dartford, Gravesham, Sevenoaks and Tonbridge and Malling.
- 1.7 The regular promotion of the existence of a penalty scheme will encourage all tax payers and benefit claimants to report relevant changes in their circumstances when they are in receipt of appropriate discounts and exemptions. From previous reviews of Single Person Discount claims we are aware that changes that may affect the award of a discount are not always reported or are not reported in a timely manner.
- 1.8 The regular reporting of changes in respect of Council Tax discounts and exemptions will mean that the Council will be able to set the true Council Tax Base and this will result in fairer Council Tax bills for all residents.
- 1.9 Although the Council does not already impose civil penalties for Council Tax, Council Tax Support or Housing Benefit, customers are already advised of the potential to receive a penalty in certain circumstances through a variety of literature. This includes Council Tax bills, Housing Benefit letters and the Council's website. If the recommendation is approved the Revenues Service will undertake further publicity to raise awareness of the new practice and, at the same time, encourage benefit claimants and council tax payers to be fully aware of their responsibilities.
- 1.10 Administration penalties are already charged for Housing Benefit where a person admits that they have not reported a change that has affected the award of their



Housing Benefit and accepts an administration penalty rather than being prosecuted.

### 3 Proposal

- 1.11 To recommend the introduction of civil penalties for Council Tax, Council Tax Support and Housing Benefit.

### 4 Alternative Options

- 1.12 To continue to not charge civil penalties, this option is not recommended because civil penalties send out a clear message that changes must be reported in a timely manner.

### 5 Consultation Undertaken or Proposed

- 1.13 Information has been obtained from those Kent authorities who already implement civil penalties. Their experience indicates that very few complaints are received from customers who have a penalty levied against them. This is primarily because the decision to impose a penalty is supported and justified by conclusive evidence that the customer is rarely able to dispute and disagree with.

### 6 Implications

Issue	Implications
Corporate Plan	A Council to be proud of – a Council whose ongoing financial viability is largely independent of the decisions made by central government, which is less dependent on grant funding.
Financial, Resource and Property	Under Section 151 of the Local Government Act 1972, the Section 151 officer has a statutory duty to implement appropriate measures to prevent and detect fraud and corruption.
Legal and Statutory	Schedule 3 of the Local Government Finance Act 1992 Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013 The Council Tax (Administration and Enforcement) Regulations 1992 (as amended)
Crime and Disorder	None
Environmental Sustainability	None

Health and Wellbeing	Where the Council becomes aware a customer may be vulnerable an allowance may be given to those cases where an individual's circumstances such as health or age may affect their ability to provide information.
Risk Management and Health and Safety	<p>There is a risk of an increase in the number of complaints and appeals to the Valuation Tribunal. An appeals procedure will be put in place and penalties can be withdrawn at the discretion of the decision maker.</p> <p>The risk on current resources would be minimal. The cost of administrating and collecting penalties would be minor and therefore there would be no impact on current budgets.</p>
Equality and Diversity	A Community Impact Assessment has been carried out.
Privacy and Data Protection	None

## 7 Appendices

The following documents are to be published with this report and form part of the report

- Appendix I: *Civil Penalties Procedures*

# CIVIL PENALTIES PROCEDURES

# COUNCIL TAX AND HOUSING BENEFIT OVERPAYMENTS

Version Control

<b>Version</b>	<b>Date</b>	<b>Comments</b>	<b>Name</b>
1.0	08.01.2018	First draft	ZDK

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## **1. Introduction**

1.1 The Council, in carrying out its statutory functions, undertakes the administration of Council Tax, Council Tax Reduction and Housing Benefit.

1.2 The Council has a duty to protect the public purse and is therefore committed to a proactive approach in preventing and reducing the risks associated with fraud, error and other irregularities in these areas of administration.

1.3 In conjunction with this commitment, these guidelines outline when and how civil penalties will be levied against a customer in appropriate circumstances.

1.4 These penalties do not apply to case of proven fraud, which will be dealt with separately.

## **2. Council Tax penalties**

2.1 The law allows the Council to impose a £70 penalty on a customer who, without reasonable excuse, fails to:

- a) notify the Council that an exemption on a dwelling should have ended
- b) notify the Council that a discount (including single person discounts and Local Council Tax Support discounts) should have ended
- c) notify the Council of a change of address or fails to notify the council of a change in the liable party
- d) provide information requested to identify liability

(‘reasonable excuse’ constitutes a ‘credible reason or justification’ and might include being in a situation of significant stress or suffering ill health; Ignorance of the Law is not a reasonable excuse for not complying with claim responsibilities. Therefore, simply saying ‘I didn’t know’ will not be considered as a reasonable excuse.)

2.2 The offence is committed if a customer fails to notify the Revenues and Benefits Service of a change affecting their Council Tax liability within 21 days of the change occurring.

2.3 Where a £70 penalty has been imposed and a further request to supply the same information is made, additional penalties of £280 may be imposed for each subsequent failure to provide the requested information, as long as

- the information is in their possession;
- the authority requests them to supply it in writing;
- it falls within a prescribed description of information.

2.4 Information can be requested from anyone who appears to be:

- a resident;
- an owner; and
- a managing agent

### **Council Tax Reduction penalties**

2.5 The law allows the Council to impose a £70 penalty on a claimant who, without reasonable excuse;

a) negligently makes an incorrect statement or representation, or negligently gives incorrect information or evidence. In this situation, a penalty will only be applied if a claimant has failed to take reasonable steps to correct the error.

b) fails to promptly notify a relevant change in circumstances

(‘negligently’ constitutes ‘acting carelessly, not paying sufficient attention to the task in hand, or disregarding the importance of what is required to be done in relation to the claim or an award)

(‘reasonable excuse’ constitutes a ‘credible reason or justification’ and might include being in a situation of significant stress or suffering ill health; Ignorance of the Law is not a reasonable excuse for not complying with claim responsibilities. Therefore, simply saying ‘I didn’t know’ will not be considered as a reasonable excuse.)

2.6 The offence is committed if a customer fails to notify the Revenues and Benefits Service of a change affecting their Council Tax liability within 21 days of the change occurring

2.7 The penalties will be added to the Council Tax account and collected using standard procedures.

2.8 Where a penalty is applied, the claimant has a right of appeal against the decision (see Part 3).

- Schedule 3 of the Local Government Finance Act 1992
- Regulations 12 and 13 of the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013
- The Council Tax (Administration and Enforcement) Regulations 1992 (as amended)

### **Part 3 - Appeals for Council Tax Penalties and Council Tax Reduction Penalties**

3.1 If a customer is unhappy with the Council’s decision to impose a penalty they can appeal direct to the independent Valuation Tribunal at:

Valuation Tribunal Office London  
2nd Floor  
120 Leaman Street

London  
E1 8EU

Telephone: 0300 123 2035  
Facsimile: 020 7481 4891  
Email: vtwhitechapel@vts.gsi.gov.uk

3.2 Any appeal must be made to the Valuation Tribunal within 28 days of the date of the Penalty Notice.

3.3 If a customer lodges an appeal, recovery of the penalty will be suspended until the appeal has been decided.

#### **Part 4 - Housing Benefit (Council Tax Benefit) penalties**

4.1 The law allows the Council to add a £50 penalty to the amount of a recoverable overpayment of benefit of more than £65 to a claimant who, without reasonable excuse,

a) negligently makes an incorrect statement or representation, or negligently gives incorrect information or evidence. In this situation, a penalty will only be applied if a claimant has failed to take reasonable steps to correct the error.

b) fails to provide information or evidence required in connection with a claim for or award of benefit

c) fails to promptly notify a relevant change in circumstances.

(‘negligently’ constitutes ‘acting carelessly, not paying sufficient attention to the task in hand, or disregarding the importance of what is required to be done in relation to the claim or an award)

(‘reasonable excuse’ constitutes a ‘credible reason or justification’ and might include being in a situation of significant stress or suffering ill health; Ignorance of the Law is not a reasonable excuse for not complying with claim responsibilities. Therefore, simply saying ‘I didn’t know’ will not be considered as a reasonable excuse.)

4.2 The offence is committed if a customer fails to notify the Revenues and Benefits Service of a change affecting their entitlement within one calendar month of the change occurring.

4.3 The penalty will be added to the related overpayment of benefit and, where an entitlement still exists, it will be recovered through deductions from ongoing benefit entitlement. If there is no entitlement to benefit it will be recovered using standard procedures.

4.4 Where a penalty is applied, the claimant has a right of appeal against the decision (see Part 5). This is in addition to the right of appeal against the decision that any overpayment is recoverable.

4.5 A penalty will not be applied where the claimant has, in respect of the overpayment, been charged with an offence, been cautioned or been subject to an administrative penalty as an alternative to prosecution under section 115A of the Social Security Administration Act 1992.

4.6 A penalty will only apply to overpayments wholly arising on or after 1 October 2012 and where underlying entitlement has been considered.

The Social Security (Civil Penalties) Regulations 2012

### **Part 5 - Appeals for Housing Benefit (Council Tax Benefit) Penalties**

5.1 If a customer is unhappy with the Council's decision to impose a penalty, they must contact the Revenues and Benefits service within one month of the date of the Penalty Notice to request that the decision be reconsidered.

5.2 If the penalty is upheld and the customer remains dissatisfied, they can ask the Revenues & Benefits service to refer the matter directly to the independent Tribunals Service.

5.3 Any request to refer the matter to the Tribunals Service must be made within one month of the reconsideration decision notice.

5.4 If a customer lodges an appeal, recovery of the penalty will be suspended until the appeal has been decided.

### **Part 6 - Exceptions on a case by case basis**

6.1 Allowance may be given in those cases where an individual's circumstances (such as health, age, etc.) have clearly affected their ability to provide accurate information.

6.2 Consideration will also be given to cases where the customer has obvious difficulty in understanding, speaking or reading English.

### **Part 7 - Decision making**

7.1 The authority to make decisions on the imposition of Council Tax penalties is delegated to:

- Revenues and Benefits manager;
- The Council Tax team leader

7.2 The authority to make decisions on the imposition of Council Tax Reduction penalties and Housing Benefit (Council Tax Benefit) penalties is delegated to:

- Revenues and Benefits manager; and
- The Benefits team leader



7.3 The authority to review decisions on the imposition of a penalty on the basis of a person's vulnerability, or before the matter proceeds to the Valuation Tribunal or the Tribunal Service, is delegated to the Head of Service.

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<b>Cabinet</b>		<b>Agenda Item: 7</b>
<b>Meeting Date</b>	7 March 2018	
<b>Report Title</b>	Financial Management Report – April – December 2017	
<b>Cabinet Member</b>	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance & Performance	
<b>SMT Lead</b>	Nick Vickers, Chief Financial Officer	
<b>Head of Service</b>	Nick Vickers, Chief Financial Officer	
<b>Lead Officer</b>	Phil Wilson, Financial Services Manager	
<b>Key Decision</b>	Yes	
<b>Classification</b>	Open	
<b>Forward Plan</b>	Reference number:	
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. To note the projected revenue underspend on services of £781,000 (including £1,197,000 additional income (Table 1 refers)).</li>   <li>2. To note the capital expenditure of £8,619,200 to end of December 2017 (Paragraph 3.15 and Appendix II refers).</li> </ol>	

## 1. Purpose of Report and Executive Summary

- 1.1 This report shows the revenue and capital projected outturn activity for 2017/18 as at the end of December 2017. The report is based on service activity up to the end of December 2017 and is collated from monitoring returns from budget managers.
  
- 1.2 The headline figures are:
  - Total forecast revenue underspend of £781,000;
  
  - Capital expenditure of £8,619,200.
  
- 1.3 Once again the Council is offsetting a number of significant cost pressures through higher than budgeted income. This reinforces that the Council has to maintain a vigorous approach to its financial management.

## **2. Background**

- 2.1 The Council operates a monthly budget monitoring process at Head of Service level, which reports each month to the Strategic Management Team.
- 2.2 Financial monitoring reports are presented to Cabinet on a quarterly basis, as well as to Scrutiny Committee.

## **3. Proposals**

### **Revenue Outturn**

- 3.1 As at the end of December the total forecast revenue underspend is £781,000. The last reported variance to Cabinet in December 2017 (to end of period 6 – September) was an underspend of £465,000. This represents a movement of £316,000.
- 3.2 Table 1 details the significant service movements by type of variance.
- 3.3 Table 2 shows the outturn position by service.
- 3.4 Table 3 details the outturn position by directorate.
- 3.5 Table 4 details the line-by-line service variations.
- 3.6 The figures in the following tables are as follows - a minus figure “(x)” represents additional income or reduced expenditure and a positive figure “x” represents reduced income or additional expenditure.

**Table 1: Service Movements**

Service/Contract	Reason for Variance	Working Budget	Projected Variance (period 6)	Projected Variance (period 9)
		£'000	£'000	£'000
<b>Additional Income</b>				
Homelessness	Homelessness Prevention Grant underspend	(18)	-	(21)
	New Burdens Grant underspend	-	-	(84)
Parking Management	Additional income from pay & display fees	(1,715)	(253)	(250)
	Additional income from parking permits and PCNs – on street parking	(107)	(40)	(43)
	Additional income from season ticket income	(59)	(15)	(15)
Beach Huts	Additional income	(8)	(14)	(10)
Recycling & Waste Minimisation	Additional income from garden waste collections (brown bins)	(385)	(71)	(73)
Planning	Fees – additional planning income (See note * below)	(729)	(223)	(221)
Environmental Initiatives	Fixed penalty notices (FPNs) (offset by additional costs)	(6)	(46)	(68)
Housing – Stay Put Scheme	Disabled facilities grant fees	(61)	(50)	(40)
Housing Private Sector	Additional fees and charges	-	-	(26)
Property Management	Rental income	(321)	(60)	(61)
Refuse & Street Cleansing	Special collections & refuse sales	(46)	(16)	(30)
	Bulky waste collections	(77)	(12)	(5)
Community Safety	Community budgets – complex needs	-	(15)	0
Leisure, Sports, Open Spaces, Parks, Countryside and Allotments	Central House utility costs recharge	-	(11)	(11)
Democratic Services	Additional grant	-	(10)	(22)
External Legal Fees	Additional S106 fee income	(29)	-	(35)
Corporate Items	Recovery of overpayment of Housing Benefits	-	-	(130)
	External Interest	(111)	(7)	(22)
<b>Loss of Income:</b>				
Land Charges	Loss of income	(220)	36	27

Service/Contract	Reason for Variance	Working Budget	Projected Variance (period 6)	Projected Variance (period 9)
		£'000	£'000	£'000
<b>Other:</b>				
Net Income	Net additional income	-	(48)	(57)
<b>Total Net Income</b>		<b>-</b>	<b>(855)</b>	<b>(1,197)</b>
<b>Procurement/Shared Service Savings/Costs:</b>				
Public Convenience	Public conveniences cleaning contract	259	(45)	(44)
Grounds Maintenance	Contract costs – agreed recalculation of historic fuel and disposal costs. Total revision charge £61k, offset by £48k savings this year.	1,275	(50)	-
Sheerness Gateway	Contract savings	54	(30)	(34)
Leisure Services	Swale Community/SERCO Leisure	687	(30)	(9)
Street Cleansing	Contract savings	902	-	(16)
Planning	Building Control	78	(6)	(6)
Planning	Additional costs shared service	192	18	18
Refuse & Recycling	Contract costs on waste contract	2,448	-	18
Audit Shared Service	Additional costs shared service	157	12	12
Land Charges	Additional costs shared service	44	7	7
Legal Shared Service	Additional costs shared service (offset by additional external income)	-	-	18
IT Shared Service	Additional costs shared service	406	3	3
Environmental Health Shared Service	Additional savings shared service	416	5	(7)
Enforcement Service – Council Tax	Additional profit share shared service	(50)	-	(65)
HR Shared Service	Savings on shared service with Maidstone – refund from 16/17	254	(30)	(30)
<b>Total Procurement/Shared Service Savings/Costs</b>			<b>(146)</b>	<b>(135)</b>
<b>Additional Costs:</b>				
Homelessness	Net Bed and Breakfast	296	161	244
	Homelessness Houses	-	-	17
Planning	Additional legal and planning specialists for planning appeals	-	100	100
	Planning Enforcement Team – additional agency costs (*)	-	14	14
	Planning Development Management – additional staffing costs (*)	696	101	105

Service/Contract	Reason for Variance	Working Budget	Projected Variance (period 6)	Projected Variance (period 9)
		£'000	£'000	£'000
	Planning Development Management – additional agency costs (*)  (* ) All offset by additional planning income shown above in 'Other Income'	41	76	76
Legal	External Legal Costs	35	85	82
Refuse Collection	Purchase of wheeled bins	62	70	50
Environmental Initiatives	FPN – additional costs (see offsetting income above)	-	46	67
Property	Swale House – water rates	5	15	16
Corporate	Supply of insurance	357	26	26
Sittingbourne Town Centre Regeneration	Cancellation of invoice raised in 2016/17	-	-	82
Parking	Car Parks – rates/water rates	206	19	11
	Cash security & licences	-	23	39
	Park & ride	-	34	34
<b>Total Additional Costs</b>			<b>770</b>	<b>963</b>
<b>Underspends:</b>				
Salaries	Net employee costs (incl. agency) (excluding (*) shown above in planning and excludes Legal MKLS (included in net MKLS))	12,546	(176)	(285)
Community Halls and Centres	Alexander Centre grant	49	(49)	(49)
HR	Corporate training	101	(20)	0
Markets	Savings on rates	25	(18)	(17)
Arts Events & Activities	Remembrance & Commemoration	29	0	(16)
Corporate Items	Savings on finance lease	69	(13)	(13)
Chief Executive	Savings on corporate projects	14	(12)	(11)
Democratic Services	Members allowances	415	(17)	(27)
<b>Total Underspends</b>			<b>(305)</b>	<b>(418)</b>
<b>Total Variance</b>			<b>(536)</b>	<b>(787)</b>
<b>Other Net Overspends</b>			71	6
<b>Total Variance</b>			<b>(465)</b>	<b>(781)</b>

**Table 2: Projected Variance by Service**

		Working Budget £	Projected Outturn £	Projected Variance £
Chief Executive	M. Radford	354,950	339,950	(15,000)
Policy	D. Clifford	218,310	209,310	(9,000)
Economy & Communities	C. Hudson	2,497,200	2,306,200	(191,000)
Communications	S. Toal	265,350	276,350	11,000
Resident Services	A. Christou	1,071,260	1,089,260	18,000
Planning	J. Freeman	957,680	1,071,680	114,000
Commissioning & Customer Contact	M. Cassell	5,610,040	5,123,040	(487,000)
Director of Corporate Services/ Director of Regeneration/ Emergency Planning	E. Wiggins	428,270	294,270	(134,000)
Information Technology	C. Woodward	1,131,860	1,134,860	3,000
Audit	R. Clarke	159,380	171,380	12,000
Environmental Health	T. Beattie	528,420	521,420	(7,000)
Finance	N. Vickers	785,980	785,980	0
Human Resources	B. Sandher	381,000	351,000	(30,000)
Legal	P. Narebor	403,390	468,390	65,000
Democratic Services	K. Bescoby	970,260	927,260	(43,000)
Property	A. Adams	599,700	554,700	(45,000)
Contribution from General Fund		(116,000)	(116,000)	0
Corporate Items		2,103,950	2,060,950	(43,000)
<b>NET REVENUE SERVICE EXPENDITURE</b>		<b>18,351,000</b>	<b>17,570,000</b>	<b>(781,000)</b>
<b>Financed by:</b>				
Revenue Support Grant		(1,238,000)	(1,238,000)	0
Business Rates		(6,506,000)	(6,506,000)	0
New Homes Bonus		(2,743,000)	(2,743,000)	0
Contribution from Business Rates Reserves		(255,000)	(255,000)	0
Collection Fund Surplus		(140,000)	(140,000)	0
Council Tax Requirement		(7,469,000)	(7,469,000)	0
<b>TOTAL FINANCING</b>		<b>(18,351,000)</b>	<b>(18,351,000)</b>	<b>0</b>
<b>NET EXPENDITURE</b>		<b>0</b>	<b>(781,000)</b>	<b>(781,000)</b>

**Table 3: Projected Variance by Directorate**

		Working Budget £	Projected Outturn £	Projected Variance £
Chief Executive		354,950	339,950	(15,000)
Mid Kent Services		2,604,050	2,647,050	43,000
Commissioning & Customer Contact		5,610,040	5,123,040	(487,000)
Policy & Performance		218,310	209,310	(9,000)
Corporate Services		2,567,490	2,345,490	(222,000)
Regeneration		5,008,210	4,960,210	(48,000)
Corporate Items		1,987,950	1,944,950	(43,000)
<b>NET REVENUE SERVICE EXPENDITURE</b>		<b>18,351,000</b>	<b>17,570,000</b>	<b>(781,000)</b>



**Table 4: Main Variations by Service**

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
<b>CHIEF EXECUTIVE – Cllr A. Bowles (Mark Radford)</b>		
Chief Executive & Corporate Costs	(57)	£46k Underspend – net staff costs. £11k Underspend – special project costs.
Transformation Project	42	£42k Additional costs – net staff costs due to extension of Project Team. This is offset by underspends in Revenues and Customer Service Centre.
<b>TOTAL</b>	<b>(15)</b>	
<b>POLICY – Cllr A. Bowles (David Clifford)</b>		
Policy	(9)	£9k Underspend – net staff costs.
<b>TOTAL</b>	<b>(9)</b>	
<b>ECONOMY AND COMMUNITIES – Cllrs - All (Charlotte Hudson)</b>		
Environmental	(24)	£67k Additional costs - Environmental Initiatives, offset by: £68k Additional income - Fixed Penalty Notice fees received. £15k Underspend dog kennelling service. £6k Additional income Pest Control service. £2k Underspend unauthorised encampment clearance.
CCTV	5	£13k Overspend on monitoring service offset by: £8k Additional grant/contributions income.
Community Halls and Centres	(46)	£49k Underspend – no grant due to Alexander Centre this year. £3k Additional costs.
Community Safety	(37)	£32k Underspend – net staff costs. £5k Underspend – supplies & services.
Economy & Community Services, Cultural & Economic	(16)	£16k Underspend – net staff costs.
Members' Grants	(27)	£27k Underspend Localism grants (will be requesting to roll over £7k).
Economic Development	7	£5k Overspend - Net agency staff costs. £2k Overspend – Consultancy costs.
Learning, Business & Skills	(8)	£1k Overspend – salary costs. £9k Underspend – fees & services.
Tourism	6	£6k Overspend – salary costs.

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
Arts Events & Activities	(16)	£16k Underspend Remembrance and Commemoration budget (will be requesting to roll over £16k).
Markets	(17)	£17k Saving re rates. £13k Increased income re Sittingbourne and Faversham. £13k Reduced income Sheerness.
Sports Development	(18)	£10k Underspend – grants. £8k Saving – salary costs.
<b>TOTAL</b>	<b>(191)</b>	
<b>COMMUNICATIONS, PRINTING, ADVERTISING &amp; PROMOTION – Cllr A. Bowles (Sara Toal)</b>		
Communications	11	£13k Additional net staff costs – £39k staff vacancy savings are offset by £52k agency costs. £2k Additional income – advertisements.
<b>TOTAL</b>	<b>11</b>	
<b>RESIDENT SERVICES – Cllrs K. Pugh and D. Dewar-Whalley (Amber Christou)</b>		
Housing Options	163	£140k Additional net costs Homelessness Temporary Accommodation, net of grants. Being: £244k additional accommodation costs; £21k net savings from underspend of Homelessness Prevention Grant; £84k additional income – saving from underspend of New Burdens Grant; £1k residual Homelessness costs.  £17k Additional costs re Homelessness Houses (currently no budgets for utility costs, mileage and maintenance). £6k Overspend other Housing Options net costs (currently no budget for 'stand by' costs £4k and other net costs £2k).
Housing Development and Strategy	(9)	£6k Underspend net staff costs. £3k Additional income from KCC re the “Better Homes Active Lives” scheme.
Private Sector Housing	(13)	£6k Overspend net staff costs. £19k Additional income, recovery of costs.
Stay Put Scheme	(40)	£40k Additional income - Disabled Facility Grant fees. £4k Additional costs – net staff and agency staff. £2k savings – net miscellaneous costs and fees. £2k Additional income – donations received.

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
Housing Benefit and Council Tax Collection	(65)	£65k Additional income – MKS Debt Enforcement Partnership surplus for 2017/18.
Council Tax Benefit	-	Nil variance reported.
Revenue Admin	(18)	£18k savings – staff costs re Transformation Project Team. These savings reduce the cost of the Transformation Project.
<b>TOTAL</b>	<b>18</b>	
<b>PLANNING – Cllr G. Lewin (James Freeman)</b>		
Building Control/Dangerous Structures	(5)	£6k Underspend on contract costs. £1k Additional expenditure – dangerous structures.
Development Control	69	£221k Additional income – planning fees. £105k Additional costs – staffing costs (to be met from planning income). £90k Additional costs – agency costs (to be met from planning income). £100k Additional costs - planning specialists for planning appeals. £5k Saving – planning advertising.
Development Services	-	Nil variance reported.
Local Land Charges	34	£7k Additional costs on shared service. £27k Reduced income – local land charges.
Local Planning & Conservation	(2)	£2k Underspend. <b>N.B. Any underspend on the local plan will be transferred to the ring fenced reserve to be used solely to fund LDF associated work.</b>
Mid Kent Planning Service (MKPS)	18	£55k Additional costs on shared service. £37k Additional income - transfer from reserves – local land charges provision.
<b>TOTAL</b>	<b>114</b>	
<b>COMMISSIONING &amp; CUSTOMER CONTACT – Cllr D. Simmons (Martyn Cassell)</b>		
Highways SBC	(10)	£4k Saving – footway lighting electricity costs. £8k Additional expenditure – contractor costs. £14k Additional income – fees and contributions.

Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017		
Service – Cabinet Member (Head of Service)	£'000	Explanation
Commissioning & Customer Contact, Client & Amenity Services, Customer Service Centre and Technical Services	(132)	£34k Saving – staff costs re Transformation Project Team. These savings offset cost of Transformation Project under Chief Executive. £53k Underspend - net staff costs savings. £34k Underspend – KCC Gateway contract. £6k Underspend – Sheerness Gateway fees & services costs. £5k net Underspend other costs.
Parking Management	(232)	£250k Additional income – pay & display fees. £15k Additional income – season tickets. £34k Additional expenditure – planned Christmas park & ride schemes. £11k Additional expenditure – car park rates and water rates. £39k Additional expenditure – cash security and licences. £43k Additional income – on street parking permits and suspended parking bays. £8k Reduced expenditure – net. <b>NB. Any surplus re. on street parking will be transferred to the ring fenced on-street parking account under Section 55 of the Road Traffic Act 1984.</b>
Seafront and Harbour & Quays	(13)	£10k Additional income – beach hut licences. £3k saving – net staff costs.
Cemeteries and Closed Churchyards	(2)	£2k Additional expenditure – equipment. £2k Additional expenditure pest control. £1k Underspend – water costs. £5k Additional income – burials.
Grounds Maintenance	-	£48k Procurement savings offset by £48k Additional Expenditure – re Blenwood Grounds Maintenance contract and agreed recalculation of historic fuel and disposal costs (see also Leisure service below – full revised cost is £61k).
Contracts and Procurement	13	£13k Additional expenditure – net staff costs.
Recycling & Waste Minimisation	(75)	£73k Additional Income – garden waste bins. £2k Additional income – scrap metal.

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
Leisure, Sports, Open Spaces, Parks, Countryside and Allotments	1	£3k Additional expenditure – Sheerness Paddling Pool maintenance. £5k Additional expenditure – pest control. £5k Additional expenditure – equipment. £11k Additional income - utility costs recharge for Central House. £9k Contract savings - Leisure centres maintenance. £5k Reduced income – sports facilities. £7k Additional income – rents and wayleaves. £3k Savings – net other savings and income. £13k Additional Expenditure – re Blenwood Grounds Maintenance contract and agreed recalculation of historic fuel and disposal costs (see also Grounds Maintenance service above – full revised cost is £61k).
Refuse Collection / Street Cleansing/ Public Conveniences	(37)	£60k Contract savings – £44k re procurement of public conveniences cleaning and £16k re street cleansing. £18k Additional contract costs – refuse & recycling. £50k Additional expenditure - additional wheeled bins. £15k Additional income – sale wheeled bins. £15k Additional income – special collections. £5k Additional income – bulky waste collections. £3k saving – A249 litter picking contract. £3k saving – equipment, litter bins. £4k Additional Income – net other costs and income.
<b>TOTAL</b>	<b>(487)</b>	
<b>DIRECTOR OF CORPORATE SERVICES/REGENERATION – Cllrs D. Dewar-Whalley, A. Bowles and M. Cosgrove.</b>		
Director of Corporate Services	(121)	£121k Underspend – salaries.
Director of Regeneration	(13)	£13k Underspend – salaries.  Consultancy and legal fees costs are anticipated for the Sittingbourne Master Plan, requesting corporate funding as per previous years.
Emergency Planning	-	Nil variance reported.

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
Licensing	-	Nil variance reported. <b>N.B. Any surplus on Hackney Carriage Licensing will be transferred to the ring fenced reserve to be used solely to fund Hackney Carriage related work.</b>
<b>TOTAL</b>	<b>(134)</b>	
<b>IT SERVICES – Cllr D. Dewar-Whalley (Chris Woodward)</b>		
IT MKS	3	£3k Additional costs on shared service. Additional costs from MBC are anticipated in 2017/18. <b>N.B. Any variance at year-end on IT maintenance &amp; software will be transferred to the ring fenced reserve to be used solely to fund IT related expenditure in future years.</b>
<b>TOTAL</b>	<b>3</b>	
<b>ENVIRONMENTAL HEALTH – Cllr. D. Simmons (Tracey Beattie)</b>		
Environmental Health MKS	(7)	£7k Reduced costs on shared service.
<b>TOTAL</b>	<b>(7)</b>	
<b>INTERNAL AUDIT – Cllr D. Dewar-Whalley (Rich Clarke)</b>		
Audit Services	12	£12k Additional staff costs on shared service.
<b>TOTAL</b>	<b>12</b>	
<b>FINANCE – Cllr D. Dewar-Whalley (Nick Vickers)</b>		
Financial Services	0	Nil net variance reported.
<b>TOTAL</b>	<b>0</b>	
<b>HUMAN RESOURCES – Cllr D. Dewar-Whalley (Bal Sandher)</b>		
Human Resources	(30)	£30k Underspend – refund from 16/17 from MBC re secondment.
Organisational Development	-	Nil variance reported.
<b>TOTAL</b>	<b>(30)</b>	
<b>LEGAL – Cllr D. Dewar-Whalley (Patricia Narebor)</b>		
Legal MKLS	18	£18k Additional costs on shared service.
External Legal Fees	82	£82k Additional expenditure – mainly planning legal costs.
S106 Income	(35)	£35k Additional income.
<b>TOTAL</b>	<b>65</b>	

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
<b>DEMOCRATIC SERVICES – Cllr A. Bowles (Katherine Bescoby)</b>		
Democratic Process	(52)	£27k Underspend – members' allowances. £11k Underspend – members' travel. £5k Underspend – members' training. £9k Underspend – net.
Elections & Electoral Registration	9	£22k Additional grant income offset by, £15k Additional costs fees & services £9k Additional costs external printing £7k Overspend – net.
<b>TOTAL</b>	<b>(43)</b>	
<b>PROPERTY SERVICES – Cllr D. Dewar-Whalley (Anne Adams)</b>		
Property Services	2	£2k Additional costs – electric car.
Administrative Buildings	17	£16k Additional costs – water at Swale House 16/17 and 17/18. £1k Reduced income – Central House.
Property Management	(64)	£61k Additional income – rental income and back dated rent. £3k Reduced Expenditure
Health & Safety	-	Nil variance reported.
Building Maintenance	-	<b>Any variance at year-end will be transferred to the Buildings Maintenance Fund for future years.</b>
<b>TOTAL</b>	<b>(45)</b>	
<b>NON-SERVICE BUDGETS</b>		
Contribution from General Fund	-	Nil variance reported.
Sittingbourne Town Centre Regeneration	82	Cancellation of sundry debtor raised in 2016/17 relating to Sittingbourne Town Centre Regeneration.

<b>Projected Net (Under)/Overspend / Income Shortfall as at end of December 2017</b>		
<b>Service – Cabinet Member (Head of Service)</b>	<b>£'000</b>	<b>Explanation</b>
Corporate Items	(125)	<p>£13k Underspend - finance lease underspend.</p> <p>£22k Additional Income – external interest (net).</p> <p>£12k Additional Expenditure - net transfer to reserves – decriminalised parking and planning shared service (see notes above).</p> <p>£130k Additional Income – from recovery of over-payments of Housing Benefits.</p> <p>£28k Additional expenditure – £28k insurance premiums. Our public liability premium has increased as a result of changes announced by the Government in February 2017 to the discount rate used by courts to determine future losses in personal injury and fatal accident cases. In addition based on advice from our Insurers our employer and public liability levels have increased. The insurance of property has also increased.</p>
<b>TOTAL</b>	<b>(43)</b>	
<b>TOTAL NET REVENUE SERVICE EXPENDITURE</b>	<b>(781)</b>	

### **Business Rates**

- 3.7 The 2017/18 business rates are based on a new 2017 Valuation List. The effect was to be neutral at a national level, so as valuations have increased, the multiplier (which is applied to the rateable value to determine the cost of business rates for the year) was reduced. For local authorities the intention is for a neutral effect through an adjustment to the tariff paid to the Government. In the Budget on 8 March, the Chancellor announced that the Government would provide £300m to support those business most affected by the revaluation of business rates, which is due to take effect from April 2017.
- 3.8 The Council is due to collect £44m of business rates in 2017/18. Council has previously agreed to the establishment of a Business Rates Volatility Reserve, in order to assist the Council in managing the anticipated volatility in business rate income resulting from the introduction of business rate localisation from 2013/14. There are a number of causes of this volatility, such as new businesses opening, existing business growing or closing, rating appeals, and collection rates. The balance on the reserve is currently £1.4m.



- 3.9 The Council has set aside £7.8m for business rate appeals. This indicates how business rate income can vary greatly as a result of a decision made on business rate appeals.
- 3.10 HCLG have confirmed agreement to a business rate pool for 2017/18 consisting of KCC and ten districts / borough councils.

### Improvement and Regeneration Funds

- 3.11 Table 5 below details the position on a number of reserve funds as at the end of December 2017. Total budget not committed as at end of December 2017 is £649,000.
- 3.12 In December the Performance Fund was topped up by £150,000 as part of the Chief Financial Officer's delegated authority.
- 3.13 Appendix 1 details the approvals from the Improvement and Regeneration Funds during 2017/18. These total £406,164.

**Table 5: Improvement and Regeneration Funds**

<b>Funds</b>	<b>Balance as at 1 April 2017</b>	<b>Budget Top Up December 2017</b>	<b>Budget Committed as at 1 April 2017</b>	<b>Budget Committed April - December 2017 (refer to Appendix I)</b>	<b>Budget Not Committed as at end of December 2017</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Performance	534	150	415	244	25
Pension & Redundancy	205	0	0	0	205
Regeneration	687	0	392	150	145
Communities	116	0	30	12	74
Local Loan Fund	200	0	0	0	200
<b>TOTAL</b>	<b>1,742</b>	<b>150</b>	<b>837</b>	<b>406</b>	<b>649</b>

### Capital Expenditure

- 3.14 This section of the report details actual capital expenditure and highlights any variations between the revised 2017/18 capital budget and the projected outturn.
- 3.15 Actual expenditure to end of December 2017 is £8,619,200 (Table 6 below refers). This represents 73% of the revised budget (refer to Table 6). Further details by Head of Service are set out in Appendix II.

**Table 6: Capital Programme Expenditure (refer to Appendix II)**

	<b>2017/18 Revised Budget</b>	<b>2017/18 Actual to end of December 2017</b>	<b>2017/18 Projected Full Year Variance</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Economy & Communities	8,245	6,876	0
Commissioning & Customer Contact	1,164	773	0
Environmental Services MKS	77	21	0
Finance	83	45	0
Resident Services	2,266	904	0
<b>Total SBC funded</b>	<b>8,188</b>	<b>6,729</b>	<b>0</b>
<b>Total Partnership funded</b>	<b>3,647</b>	<b>1,890</b>	<b>0</b>
<b>Total Capital Programme</b>	<b>11,835</b>	<b>8,619</b>	<b>0</b>
<b>% Spent to date compared to Revised Budget</b>		<b>73 %</b>	

3.16 The 2017/18 capital programme expenditure of £8,619,200 is funded as set out in Table 7 below. Further details are provided in Appendix II.

3.17 Appendix II details the movement from the Original 2017/18 to the Revised 2017/18 Budget.

**Table 7: Capital Programme Funding (refer to Appendix II)**

<b>Source of funding</b>	<b>2017/18 Revised Budget</b>	<b>2017/18 Actual to end of December 2017</b>	<b>2017/18 Projected Full Year Variance</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Partnership funding (including S106 Grants)	3,647	1,890	0
Internal Borrowing	7,283	6,553	0
Earmarked Reserves	388	61	0
Long Term Debtors / Third Party Loans	0	31	0
Recycled Loans	0	5	0
Capital Receipts	517	79	0
<b>Total Funded</b>	<b>11,835</b>	<b>8,619</b>	<b>0</b>

### **Payment of Creditors**

3.18 The payment of creditors to end of December 2017 is 99% paid in 30 days against the target of 97%.

## Debtors

3.19 Tables 8 and 9 below analyse the sundry debt outstanding.

**Table 8: Debt outstanding by due date**

	<b>December 2017 (Period 9) £'000</b>	<b>September 2017 (Period 6) £'000</b>	<b>December 2016 (Period 9) £'000</b>
Not Due	514	561	274
1 – 2 Months	81	229	150
2 – 6 Months	52	50	50
6 – 12 Months	53	49	38
1 – 2 Years	24	21	40
2 – 3 Years	37	39	23
3 – 4 Years	9	24	24
4 – 5 Years	7	18	8
5 – 6 Years	1	2	15
6 + Years	36	37	63
<b>Total</b>	<b>814</b>	<b>1,030</b>	<b>685</b>
<b>Total Due</b>	<b>300</b>	<b>469</b>	<b>411</b>
<b>% Total Due</b>	<b>37%</b>	<b>46%</b>	<b>60%</b>

**Table 9: Total debt by Head of Service**

	<b>December 2017 (Period 9) £'000</b>	<b>September 2017 (Period 6) £'000</b>	<b>December 2016 (period 9) £'000</b>
Commissioning & Customer Contact	54	45	22
Property (see 3.20)	152	174	186
Residents Services	164	189	181
Legal MKLS	0	0	3
Economy & Communities	29	71	15
Planning	13	7	7
Communications	2	0	1
Environmental Health	2	18	1
Policy	0	7	0
Finance	0	0	105
Other (see 3.20)	398	519	164
<b>Total</b>	<b>814</b>	<b>1,030</b>	<b>685</b>

3.20 The total debt for Property of £152k includes £94k relating to one company. The total debt for Other of £398k includes £376k debt not due relating to S106 income.

## 4. Alternative Options

4.1 None identified – this report is for information.

## 5. Consultation Undertaken or Proposed

5.1 Heads of Service and Strategic Management Team have been consulted in preparing this report.

## 6. Implications

Issue	Implications
Corporate Plan	Good financial management is key to achieving our Corporate Plan priority of being “A council to be proud of”.
Financial, Resource and Property	As detailed in the report.
Legal and Statutory	None identified at this stage.
Crime and Disorder	None identified at this stage.
Sustainability	None identified at this stage.
Health & Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.

## 7. Appendices

7.1 The following documents are published with this report and form part of the report:

- Appendix I: Improvement & Regeneration Fund allocations as at the end of December 2017;
- Appendix II: Capital Programme – Projected outturn as at the end of December 2017.

## 8. Background Papers

8.1 The Budget 2017/18 and Medium Term Financial Plan 2017/18 to 2019/20.

**Improvement & Regeneration Fund Allocations 2017/18  
As at the end of December 2017**

	<b>Amount £</b>
<b>Performance Fund</b>	
Payment Card Industry Data Security Standard Compliance	80,000
Safeguarding Database Upgrade	14,250
CCTV Consultancy	8,250
Air Quality	30,607
Transformation Team	91,560
General Data Protection Regulations	19,800
<b>Total Approved as at December 2017</b>	<b>244,467</b>

	<b>Amount £</b>
<b>Regeneration Fund</b>	
Housing & Infrastructure Fund Submission	8,000
Economic Development Support Officer	43,024
Regeneration Officer (Town Centres)	51,784
Member Grants	47,000
<b>Total Approved as at December 2017</b>	<b>149,808</b>

	<b>Amount £</b>
<b>Communities Fund</b>	
Heritage Training	3,500
The Salt Giveaway	3,489
Volunteer Swale Awards	4,900
<b>Total Approved as at December 2017</b>	<b>11,889</b>

	<b>Amount £</b>
<b>Total Approved as at December 2017</b>	<b>406,164</b>

## Capital Programme 2017/18

CAPITAL MONITORING	Funding SBC / P (*see note below)	2017/18 Original Budget £	2017/18 Revised Budget £	2017/18 Actual to End of December 2017 £	2017/18 Projected Full Year Variance £	Notes
CCTV - Reserves - Repairs & Renewals	SBC	15,000	15,000	0	0	
Easthall Farm Community Centre - S106	P	0	507,740	302,152	0	
The Mill Project, Sittingbourne Skate Park - Capital Receipts	SBC	0	200,000	20,983	0	
The Mill Project, Sittingbourne Skate Park - S106	P	0	40,000	0	0	
Faversham Creek Basin Regeneration Project (swing bridge) - Capital Receipts	SBC	0	200,000	0	0	
STC - Multi Storey Car Park	SBC	0	96,248	0	0	
STC - Retail Properties	SBC	0	4,807,656	4,654,778	0	
STC - Other Assets	SBC	0	2,378,981	1,898,161	0	
<b>TOTAL ECONOMY &amp; COMMUNITIES</b>		<b>15,000</b>	<b>8,245,625</b>	<b>6,876,074</b>	<b>0</b>	
Cemeteries - Bell Road - Reserves	SBC	0	41,000	0	0	
Thistle Hill Community Woodland - Trim Trail - S106	P	0	35,000	35,012	0	
New Play Area - Iwade Schemes - S106	P	0	150,000	145,598	0	
Milton Creek Footpath & Viewing platform - Capital Receipts	SBC	0	17,390	17,351	0	
Gunpowder Works Oare Faversham - S106	P	0	9,000	0	0	
Faversham Recreation Ground Improvements - External Grant	P	0	145,440	63,747	0	
Newington Car Park Wall - Capital Receipts	SBC	0	11,260	0	0	
Car Park New Ticket Machines & Installation - Reserves	SBC	0	14,000	0	0	
Kemsley Recreation Ground - Sports Improvements - S106	P	0	20,640	1,046	0	
Resurfacing Promenade, The Leas – External Grant	P	0	104,660	14,540	0	

## Capital Programme 2017/18

<b>CAPITAL MONITORING</b>	<b>Funding SBC / P (*see note below)</b>	<b>2017/18 Original Budget £</b>	<b>2017/18 Revised Budget £</b>	<b>2017/18 Actual to End of December 2017 £</b>	<b>2017/18 Projected Full Year Variance £</b>	<b>Notes</b>
Car Park Information Boards - Reserves	SBC	0	24,360	800	0	
Stonebridge Pond Bridge, Faversham – Reserves	SBC	0	20,765	0	0	
Modular Toilet Kiosks - Reserves	SBC	0	30,000	0	0	
Milton Creek Access Road - Reserves	SBC	0	40,000	0	0	
Bridge Deck Replacement at Barton's Point Coast Park - Reserves	SBC	0	18,860	18,860	0	
New Play Area - Thistle Hill - S106	P	0	180,000	174,800	0	
Nursery Close/Q'Boro Lines Bridge Replacement – Reserves	SBC	0	1,735	1,735	0	
Olwade Recreation Ground Sports Provision - S106	P	0	280,325	280,325	0	
Beach Huts, Leysdown - Capital Receipts	SBC	0	19,260	19,595	336	
<b>TOTAL COMMISSIONING &amp; CUSTOMER CONTACT</b>		<b>0</b>	<b>1,163,695</b>	<b>773,409</b>	<b>336</b>	
Replacement of Air Pollution Monitoring Station - Capital Receipts	SBC	35,000	77,380	20,742	0	
<b>TOTAL ENVIRONMENTAL HEALTH</b>		<b>35,000</b>	<b>77,380</b>	<b>20,742</b>	<b>0</b>	
Disabled Facilities Grants - External Grant	P	1,664,800	2,174,090	867,643	0	
Disabled Facilities Grants - Reserves	SBC	0	92,100	0	0	
HRG - Housing Repair Grants Over 60	P	0	0	5,456	0	
RHB2 - Decent Home Loans Owner Occupier	SBC	0	0	31,047	0	
<b>TOTAL RESIDENT SERVICES</b>		<b>1,664,800</b>	<b>2,266,190</b>	<b>904,146</b>	<b>0</b>	
Adelante Payment Card Software - Reserves	SBC	0	82,500	44,862	0	
Cash Receipting System - Replacement	SBC	0	0	0	0	
<b>TOTAL FINANCE AND PERFORMANCE PORTFOLIO</b>		<b>0</b>	<b>82,500</b>	<b>44,862</b>	<b>0</b>	

### Capital Programme 2017/18

CAPITAL MONITORING	Funding SBC / P (*see note below)	2017/18 Original Budget £	2017/18 Revised Budget £	2017/18 Actual to End of December 2017 £	2017/18 Projected Full Year Variance £	Notes
TOTAL CAPITAL PROGRAMME (SBC Funded)		50,000	8,188,495	6,728,914	336	
TOTAL CAPITAL PROGRAMME (Partnership Funded)		1,664,800	3,646,895	1,890,319	0	
TOTAL CAPITAL PROGRAMME (Gross Total)		1,714,800	11,835,390	8,619,233	336	

SBC – internal funding from capital receipts and reserves.

\* P – S106 contributions and external capital grants.

#### Reconciliation of Original Budget to Revised Budget :-

	£
<b>Original Budget</b>	1,714,800
2016/17 rollovers	1,875,860
Cabinet Approvals/Authorised Virements	8,244,730
<b>Revised Budget</b>	<b>11,835,390</b>



<b>Cabinet Meeting</b>	<b>Agenda Item. 8</b>
<b>Meeting Date</b>	7th March 2018
<b>Report Title</b>	Draft Swale Economic Regeneration Framework
<b>Cabinet Member</b>	Cllr Mike Cosgrove, Cabinet Member for Regeneration
<b>SMT Lead</b>	Emma Wiggins
<b>Head of Service</b>	Charlotte Hudson
<b>Lead Officer</b>	Kieren Mansfield
<b>Key Decision</b>	Yes
<b>Classification</b>	Open
<b>Recommendations</b>	Subject to Cabinet approval, the draft Economic Regeneration Framework is published for an eight week consultation period, after which its contents will be reviewed.

## 1 Purpose of Report and Executive Summary

- 1.1 The report presents the consultative draft of the Council’s new Economic Regeneration Framework. This high level document seeks to set out a framework to which relevant Council services and other, partner organisations can refer in making their contribution to promoting growth, particularly within the local economy. Such growth will support the Council’s Medium Term Financial Strategy through business rate retention.
- 1.2 It is the intention for the Framework to be published for an eight week consultation and the report seeks approval for this to proceed.

## 2 Background

- 2.1 The Corporate Peer Challenge in April 2016 made a number of recommendations, the first of which was for the Council to “Develop and articulate a clear policy and programme plan for Regeneration and Economic Development.” The draft Economic Regeneration Framework (at Appendix I) seeks to address the policy element of this recommendation and sets out particular ‘areas of focus’ under four broad themes. The document is presented as a Framework for the period 2018-2021, with a view to a refresh at this time, to align with the Local Plan Review and the new spatial policy framework that this will set.
- 2.2 Overall the Swale economy has performed well, with substantial growth having been a feature of recent years. The Council has played an important role, making provision for such growth in its spatial planning and through a range of activity, including efforts to promote the Borough to the investment and business communities; positively supporting private sector investment; lobbying for and

securing government funding to help deliver infrastructure and providing a range of business support to encourage business start-up, growth and survival.

- 2.3 Much of the Framework's focus is to support the Borough's current trajectory and to maintain the pursuit of long-standing ambitions, not least improving access to the strategic road network and improved local access and choice for technical FE provision. It also seeks to address the points made by the Peer Review in respect of communicating the Swale brand and investment offer.
- 2.4 Whilst not a strictly like-for-like document, the Economic Regeneration Framework replaces the Council's previous Economic Development Strategy 'Open for Business'. The four priorities set out in the Framework are similar to those previously used, but the document reflects the progress that has been made and recognises the changing environment within which the Council's local ambitions are set. Aside from the economic uncertainties that persist and implications of Brexit, the Governments Industrial Strategy and policy drive for increased housing delivery are two key influences upon the future of the partnerships through which we work (such as the South east LEP) and the manner in which funding is distributed. There is also the emergence of the Thames Estuary Commission, overlaying the existing Thames Gateway initiative, and we await the publication of its report later this year.
- 2.5 Ultimately the Framework will be supported by action plans that will detail delivery and closely reflect the relevant service plans from across the Council. Delivery of the Framework will seek to make use of the Council's existing available resources and compliment this through strong partnership working and the pursuit of appropriate external funding and investment.
- 2.6 Outcomes will be measured through practical change as projects are progressed and completed and through both performance and local economic indicators. Those available to us and considered the most appropriate are set out in the document.

### **3 Proposal**

- 3.1 Subject to Cabinet approval, the draft Economic Regeneration Framework is published for an eight week consultation period after which its contents will be reviewed.

### **4 Alternative Options**

- 4.1 **Do nothing** - this is not recommended given the growth being supported by the Council and the contribution that is being made to the Council's Medium Term Financial Plan. Economic Regeneration is a corporate priority and no other organisation is as well placed to take a positive leadership role for the Borough, across the breadth of issues and opportunities that are highlighted.
- 4.2 **Status Quo** – The 'Open for Business' Strategy expired in 2016 and it is recommended that a new document setting a framework for the Council's

regeneration and economic development activity over the next three years would be beneficial, particularly a period within which we are likely to substantial uncertainty and change.

## 5 Consultation Undertaken or Proposed

- 5.1 It is recommended the draft Economic Regeneration Framework is published for an eight week consultation and presented to key groups, including the PDRC and the Swale Economy and Regeneration Partnership.

## 6 Implications

Issue	Implications
Corporate Plan	<p>The priorities the draft Economic Regeneration Framework sets out contribute substantially to all three of the priorities in the Corporate Plan.</p> <p><b>A Borough to be proud of</b> is supported by the securing of new investment and promoting Swale as a great location for investment and as a visitor destination</p> <p><b>A Community to be proud of</b> is supported by the business support activity, the encouragement of co-operation within the business community and the drive to secure relevant skills provision for local people and businesses.</p> <p><b>A Council to be proud of</b> is largely supported by the contribution that Economic Regeneration makes to the Council’s future financial sustainability through retained business rates.</p>
Financial, Resource and Property	<p>Delivery of the Framework will seek to use of the Council’s existing available resources and compliment this through strong partnership working, and the pursuit of appropriate external funding and investment. The creation of new commercial floor space, supported through the Council’s economic regeneration activity, contributes significantly to the Councils budget through retained Non-Domestic Rates. NDR has risen from £41,509,000 in 2013/14 to £47,542,000 in 2016/17, the largest growth in Kent. Areas of focus, particularly related to infrastructure, will also have wider implications for future housing delivery and the consequent impacts on future Council tax receipts. Whilst several service areas contribute to this agenda the core economic development activity costs are £441,000, with 5 FTE staff.</p>
Legal and Statutory	<p>Economic regeneration is not a statutory function of the local authority but the agenda set out in the draft Economic Regeneration Framework does link closely with the Local Plan (both delivery and the review), particularly under the Secure Investment priority.</p>
Crime and	<p>No specific implications are identified at this stage, although access to employment, skills and other opportunities will help enhance the</p>

Disorder	overall well-being of residents of the Borough.
Environmental Sustainability	Overall, the draft Economic Regeneration Framework is predicated on helping secure growth which has environmental implications for the Borough. The balance between these and the need for growth will largely be dealt with through the planning process. Specific elements, such as efforts to improve the provision of public transport will make a positive contribution as will the increase in local opportunities for residents, reducing the need to travel for leisure, employment and learning.
Health and Wellbeing	No specific implications are identified at this stage, although access to employment, skills and other opportunities will help enhance the overall well-being of residents of the Borough.
Risk Management and Health and Safety	None identified at this stage. It should be noted that delivery against the Economic Regeneration Framework is, in part, dependent upon the working relationship with government and other partners and the funding decisions that are made by the private sector and at a county, regional and national level. This in itself places important elements of delivery beyond the Council's immediate control, mitigated by our ability to make a strong case to decision makers. Where external funding is secured, for which the Council is the accountable body, appropriate controls will need to be in place to manage any risk of claw back, taking account of the terms placed upon the funding.
Equality and Diversity	As a high level document, no specific implications are identified at this stage.
Privacy and Data Protection	No specific implications are identified at this stage. Management of the information used to support enquiry management and engagement with the local business community will in particular need to have regard for the issues around privacy and data protection.

## 7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report
- Appendix I: *Draft Swale Regeneration Framework 2018-2021*

## 8 Background Papers

## **Appendix 1**

### **Swale Economic Regeneration Framework 2018-21 – draft for consultation**

#### **Introduction**

Over the last five years Swale has seen a significant increase in commercial activity with considerable inward investment. Making Swale a great place to work, earn and learn new skills is at the centre of our ambition. Over the next three years we will see considerable change as we push through our bold ideas for regenerating Sittingbourne Town Centre, help further expand Eurolink and Kent Science Park, with much emphasis on new infrastructure and much improved connectivity to the M2 and beyond.

Across all of our borough, we will need to recalibrate our efforts to compete in a global society in which Swale's diverse and thriving business sector can continue to successfully play its part in innovation, life sciences, export, tourism and engineering.

The regeneration of the Borough is a far-reaching agenda and involves a broad range of activity with which the Council is involved. Economic regeneration has a vital role to play as part of this wider picture and this document provides a framework to which both the Council and others can refer in making their contribution. The Council's activity will seek to

- Promote the Borough
- Leverage in external funding and investment
- Support Business
- improve local skills and choice
- Offering help where needed
- Working constructively with partners

With a further tightening of slim resources this is not without challenge as competition intensifies, but our aim is "to make a difference where it matters most". This requires agility and grip. Whilst there is always more to achieve, across Swale you can see the improvement, and this is what we aim to continue.

#### **Our Economy**

We understand our local economy well – both its strengths and its weak points. Overall we have seen growth, reflecting both our existing strengths in distribution and manufacturing as well as emerging sectors such as technical and scientific activities. The data below reflects the scale of the investment and change that has been secured. However this in itself brings with it new challenges. We recognise the need to

- ensure that infrastructure keeps pace with and continues to enable our growth ambitions
- address the lack of technical and vocational learning opportunities, in particular for young people, helping create a stronger, more adaptable workforce.
- expand the range of leisure and retail opportunities for the growing number of residents, workers and visitors.

- Stay in touch with our businesses to understand their needs and help them compete in an increasingly technology driven and global environment.

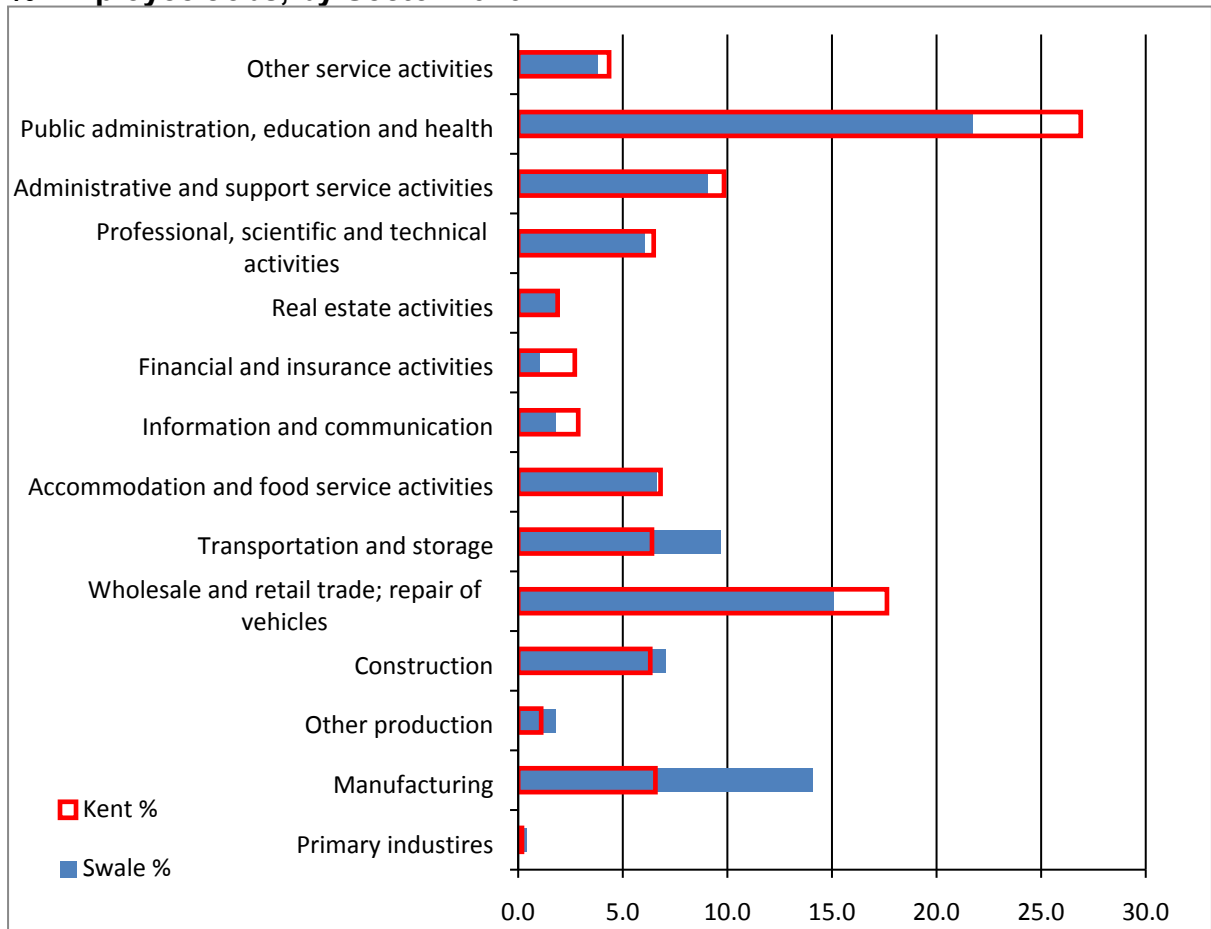
**Overview**

- 4,610 businesses
- An economy providing 49,000 jobs, a growth of 6,000 in the past 5 years
- 89% of all businesses have less than 10 employees and only 15 businesses employ more than 250
- 56% increase in new business starts in the five years to 2016 – with the best survival rates in Kent
- 14,000 new homes planned up to 2031
- 3 million square feet of commercial development, the highest level in Kent over the past decade

**Sectors**

- Concentrations in manufacturing and transport and storage
- 5 sectors account for over 90% of employment growth; manufacturing; construction; transportation and storage; professional, scientific and technical activities and business administration.

**% Employee Jobs, by Sector 2016**



*data excludes farm based agricultural jobs*

## Growth Highlights

- Swale's Industrial Hub, the biggest concentration of manufacturing in Kent, with Eurolink being Kent's largest business zone, home to 300+ companies

***Cook Kitchen** are a growing national brand, cooking and selling frozen ready meals that are made like you would at home. Based on Eurolink it has seen remarkable growth since starting in 1997.*

- The Port of Sheerness, one of the UK's largest bulk handling Ports handling 1.4m tonnes of goods. Peel Port's Masterplan is driving significant new investment and increasing land available for port use

*There is outstanding **maritime and naval heritage** associated with the Port. This is becoming part of a wider, diverse offer contributing to the Visitor Economy*

- Largest cluster of life sciences businesses in Kent, focused around Kent Science Park.

***AbBaltis**, supplies blood plasma to disease-testing firms, has grown rapidly since forming in 2010 and in 2015 received the Queens Award for export.*

- Queenborough & Rushenden, is a Major regeneration project providing 1100 homes and new commercial space. Phase 1 housing started and 1,000 jobs have been supported to date

***ALDI** are investing in new £50m distribution centre at Queenborough to join two other major national distribution centres in Borough - Morrisons in Sittingbourne and GIST, serving Marks and Spencer, in Faversham.*

- A growing Visitor Economy shows £193m spent by visitors and supporting 4,561 jobs. There are diverse destinations including beaches, towns, the North Kent Downs and Coastal Marshes

***Shepherd Neame**, Britains oldest brewer, with a visitor centre that has become an important part of the local visitor economy.*

## **Aims and Priorities**

Our aim is to continue to develop the right conditions to support and stimulate growth so that Swale is recognised as one of the most enterprising locations along the Thames Estuary - a great place to visit, invest, work, earn and learn. To deliver change over the next three years, our contribution is set out under four broad priorities

1. Promote Swale
2. Secure investment
3. Support Business
4. Provide Relevant skills

To deliver the outcomes required, support and investment from our partners is vital. Given the scale of change we are seeking, this document is a call to action at the sub-regional and national levels, with KCC, Government and its agencies and the South East LEP, all required to play their part. Nor will we lose sight of the 'local'. We will work with local bodies, including our local business partnership, and look at cross-cutting issues for Swale, whilst also recognising how different parts of the Borough present different challenges and opportunities. This includes our outstanding rural areas, which make a substantial contribution to our visitor economy and are seeing a growth in a broad range of SME's including a strengthening local food and drink sector.

Whilst these priorities, and our areas of focus under each, will guide the Council's efforts we will also remain responsive to issues and opportunities as they arise. Again, these will be both local, as partner organisations, residents and businesses bring forward issues and ideas and on a broader stage, including working with the priorities that come forward from the Thames Estuary Commission.

## **Promote Swale**

Promoting Swale's assets is critical to delivering our regeneration priorities. Appreciation of the Borough's facets and creating positive perceptions will enhance our ability to attract business investment and expand the visitor economy. Over time it will also boost development values, which in turn will help drive up quality and enable the private sector to contribute more substantively to the delivery of critical infrastructure.

## **Areas of Focus**

- Take advantage of the unique attributes of each area of Swale to promote the Borough as great place to invest, work, visit and live.
- Continue to develop and enhance the Swale Means Business web presence, using social and other media to develop new audiences
- Work with partners to develop and push shared stories about Swale as a great place in which to invest and do business.
- Build the area's reputation through the work of key bodies on the national and international stage including the Department for Trade and Investment, the Thames Estuary Commission, Visit England and the South East LEP.



- Promote local ‘success stories’ to reinforce the Swale Means Business branding
- Work with partners to provide networking opportunities that help raise the profile of the Borough

### **Secure investment**

In recent years Swale has successfully levered in substantial public and private sector investment, including £250m of government funding in local roads and the highest level of commercial development in Kent. Nonetheless, there is a need to ramp up our efforts and extend our ‘investment reach’ by creating the right conditions for growth.

#### ***Areas of Focus***

- Continue the review of the Local Plan, adopting a balanced approach which can deliver the required infrastructure, jobs and homes.
- Secure improvements to the strategic road network, particularly at Junctions 5 and 7 of the M2 and at key junctions along the A249
- Push for a new A2-M2 link, addressing issues on the A2 and creating the capacity for future growth
- Lobby and work with public transport providers to optimise and integrate local services and enhance access to London
- Promote and support the delivery of improved broadband and mobile services where we can, in particular to support the rural economy
- Provide a ‘team around the investor’ approach, utilising the experience and knowledge from across the organisation to grasp investment opportunities
- Create town centre environments which enable businesses to trade and create a mixed offer, to improve resilience and help meet the needs of our communities.

### **Support Business**

Whether starting or growing, small businesses are a major source of new investment and employment for Swale. There is a demand for services that will support them and provide opportunities that allow local businesses to network and influence. We aim to continue to deliver these with partners and will develop the offer so that it remains relevant.

As we embrace the global economy, the focus for our support will be placed on developing export markets; supporting ideas and innovation, developing a more skilled and technical workforce and bettering our local business environment.

#### ***Areas of Focus***

- Provide a support service and networking opportunities, for existing and start-up businesses that help them take forward ideas, develop their workforce, improve productivity and grow sustainably.
- Work with partners to provide information and workshops that will help businesses internationalise and export.

- Improve the supply of workshops, studios and office space for micro and start-up businesses.
- Support a pipeline of available commercial sites and premises across Swale, to serve expansion as well as new investment
- Encourage opportunities for small businesses to trade in our town centres, through the markets.
- Support the diversification and evolution of the tourism and leisure sector, with a particular focus upon local heritage and unique landscapes.
- Provide opportunities for local universities to assist business, with access to their facilities and expertise.

### **Provide relevant skills**

Improving access to a wider range of technical skills provision is fundamental to developing key sectors of our economy. At present 1,500 Swale students make lengthy journeys to pursue technical routes at Further Education Colleges but they are part of a much larger population of local young people for whom local opportunities are focused mostly around schools.

Alongside apprenticeships, a focused Further Education facility in Sittingbourne will help meet employer needs by creating more accessible opportunities for young people that are economically relevant, providing clear progression routes into local industry.

There also remains the need to address the deep-rooted basic skills issues, which are limiting opportunities for some residents. The Council will look to influence funders and providers so that those supported can secure progression to employment and training, rather than be trapped in a cycle of low attainment.

### ***Areas of Focus***

- Work with Canterbury and Mid-Kent College's to establish the business case and secure new, relevant FE provision in Sittingbourne
- Promote apprenticeships to both employers and local people.
- Where appropriate secure Local labour and apprenticeship outcomes from new developments in the Borough
- Encourage employers to become more involved with local schools, to build greater understanding of employer need and partnership working.
- Work with KCC and other key partners to identify how we can support efforts to provide more positive progression routes for local people facing skills challenges.

### **Outcomes**

Outcomes will be measured through both practical change and through local economic and growth indicators, benchmarked against the rest of Kent, the south east and the UK as whole where possible. These will reflect what is happening in the economy and in the workforce in particular and assist our understanding of the impact of interventions are making not only on the borough, but also for local people. We will also stay in touch with and be responsive to local business needs.

Indicators used will include:-

Total number of businesses	Annual
No of businesses directly supported	Quarterly
Business survival rates	Quarterly
No of Employee Jobs	Annual
No of Jobs supported	Quarterly
Commercial floor space completions	Annual
Housing completions	Annual
Unemployment (including age and duration)	Monthly
Average wage by workplace	Annual
Average wage by residence	Annual
Qualifications levels16-64	Annual

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<b>Cabinet Meeting</b>	<b>Agenda Item: 9</b>
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<b>Meeting Date</b>	7 <sup>th</sup> March 2018
<b>Report Title</b>	Active Lives Framework
<b>Cabinet Member</b>	Cllr Ken Pugh, Cabinet Member for Housing and Wellbeing
<b>SMT Lead</b>	Emma Wiggins, Director of Regeneration
<b>Head of Service</b>	Charlotte Hudson, Head of Economy and Community Services (Interim)
<b>Lead Officer</b>	Russell Fairman, Community Sport and Physical Activity Officer
<b>Recommendations</b>	1. To adopt the Active Lives Framework 2017 – 2022.

## 1 Purpose of Report and Executive Summary

- 1.1 This report provides Cabinet with an update on the draft Active Lives Framework 2017 – 2022 following the consultation between 1<sup>st</sup> December 2017 and 31<sup>st</sup> January 2018 and seeks approval for the adoption of the Active Lives Framework.
- 1.2 The report also highlights the work that has been developed and positive progress made against the previous Sport & Physical Activity Framework (SPAF).

## 2. Background

- 2.1 The 2012 SPAF “Move Ourselves” was adopted and provided a platform for Sports Development to enable and facilitate the Sport & Physical Activity sector in Swale, moving from a direct delivery partner. The reduction in staff and budget allocation initially reduced the Councils visibility but with the Sports Grants the Community Officer is able to engage, support and provide a valuable service to SPA community organisations.
- 2.2 The 2012-17 SPAF focused on six objectives and has successfully made progress against all of them. Some of the key achievements are detailed on page 5 on the draft Active Lives Framework.
- 2.3 The 2012 – 17 SPAF also had a number of targets to measure impact but due to significant changes in collection through Sport England’s Active Lives survey there are no comparable figures. However, the data that is available is documented in the revised Active Lives Framework on Page 6.
- 2.4 The new Active Lives Framework led by Cabinet Member for Housing and Health and Wellbeing was presented to SMT, Cabinet and PDRC and open to a consultation to review the proposed direction. There has been a change in the

national approach from traditional sector support to develop sport for sport sake to explore how SPA can support more active and healthier lifestyles in the wider community, demonstrated with Sport England's strategy - 'Towards an Active Nation' and the KCC Kent Sport Team's strategy of 'Towards an Active County'.

2.5 The Swale Active Lives Framework – Towards an Active Swale 2017- 2022 (attached in Appendix I) has thus been developed and focuses on the following key priorities:

- **Active You** – offering activities that are in the right places at the right time and will enable residents of all abilities to participate and challenge themselves in a supportive environment.
- **Active and Healthier Lives** - development of programmes and campaigns that help residents understand the benefit that an active life can have on their health.
- **Active Facilities** – making the best use of the facilities available in Swale including open spaces, land and water, ensuring they are as accessible and affordable as possible to encourage participation and usage.
- **Active Training** – identifies opportunities through SPA to develop activity specific skills and general learning to support the social and personal development of the volunteers delivering opportunities in Swale.
- **Active Partnerships** – ensuring the SPA infrastructure in Swale is strong with almost 300 known organisations offering activities but the cultural differences can provide barriers to partnership work, opportunities should be explored to help develop partnerships.
- **Active Promotion** – co-ordinating the promotion of the benefits of a more active lifestyle with activity at the heart of the message will raise the profile and recognition of the SPA partners.

2.6 The consultation provided support for the six priorities with minor amendments to change 'Active Learning' to 'Active Training' as it was thought at PDRC that learning linked to schools rather than support for the SPA volunteers and coaches; with 'Active Together' changing to 'Active Partnerships' to reflect combined working relationships.

2.7 PDRC also highlighted the need to raise the profile of health as part of the framework and 'Active You' and 'Active and Healthier Lives' have altered to include both physical and mental health references. 'Active Partnerships' now raises the link with Health and SPA sectors.

2.8 Progress against the delivery of this framework will be measured through Sport England's Active Lives survey which now breaks the population into 'Active' and 'Inactive' with the latter taking part in less than 30 minutes of exercise/activity a week. This is now forming the new focus for Sport England's work to address 'Inactivity' and improving 'Healthier Lifestyles' whilst continuing to support the traditional 'Sporting' Offer.

### 3 Proposal

2.9 To adopt Active Lives Framework – Towards an Active Swale 2017 – 2022.

### 4 Alternative Options

2.10 To not adopt the revised Active Lives Framework; this is not recommended as there are significant health inequalities in the borough, which SPA can have a significant impact. The framework also ensures the delivery of the Council's Sport Development function is prioritised on these areas of greatest need.

### 5 Consultation Undertaken or Proposed

2.11 Two consultation events in March 2017 along with an online consultation were held with the SPA sector. Internally Planning, Housing, Open Spaces and Property Services were consulted.

2.12 The draft Active Lives Framework was open to consultation between 1st December 2017 and 31<sup>st</sup> January 2018, two networking sessions were held for partners in January 2018 and it was reviewed by PDRC on the 17<sup>th</sup> January 2018.

### 6 Implications

Issue	Implications
Corporate Plan	The support to the Voluntary and Community Sector support the Corporate Priority, 'A Community to be Proud of'.
Financial, Resource and Property	The priorities of the Active Lives Framework will be largely delivered within the network of partners and their existing resources. Internally it will be within the current Economy and Community Services team and budgets; providing the conduit to identify and co-ordinate any external resources.
Legal and Statutory	None identified at this stage.
Crime and Disorder	Sport and Physical Activity can provide a successful diversion from Anti-Social and criminal Behaviour; supporting troubled families.
Environmental Sustainability	None identified at this stage.
Health and Wellbeing	Increased activity within inactive residents will have an impact on the individual's health and wellbeing; SPA can support this and currently Sport England is leading the sector to explore how the SPA offer can be evolved contribute to the Health sector priorities.

Risk Management and Health and Safety	Not directly but the framework will help raise awareness of the Health and Safety and Governing Bodies of Sport requirements.
Equality and Diversity	The Active Lives Framework is a high level strategy which seeks to support SPA partners directly and indirectly to ensure provision of programmes meet requirements and assess implications for all groups to engage.
Privacy and Data Protection	Any data held by the SPA function of the Council will adhere to the Council's policies to secure personal and sensitive information.

## 7 Appendices

The following documents are to be published with this report and form part of the report

- Appendix I: Swale Active Lives Framework – Towards an Active Swale 2017-2022
- Appendix II: Active Lives Consultation Overview Dec 2017 to Jan 18

## 8 Background Papers

- 8.1 Swale Borough Council Move Ourselves – A Sport & Physical Activity Framework for Swale 2012 - 17  
<http://www.swale.gov.uk/spa-framework>





# Towards an Active Swale

Swale Active Lives Framework 2017 – 2022



**Swale**  
BOROUGH COUNCIL

# Foreword



I am pleased to introduce the Swale Active Lives Framework that sets out our vision for the borough and how all stakeholders can play their part in enabling our residents to be active and thus lead a more healthy and sustainable lifestyle. This framework builds upon the success of the Sports and Physical Activity Framework for Swale 2012 – 2017 with a greater focus on the 23.9% of individuals in our communities that are currently inactive.

Whilst it is important to continue to support the organisations, clubs and residents that are running, supporting or participating in current and traditional activities in the borough, the Council needs to follow the lead organisations in the Sport & Physical Activity (SPA) sector to investigate how it can adapt its and the local provision within the SPA network to increase activity levels and the wellbeing of residents.

We believe by working holistically across the public, private and voluntary sector we can all contribute to the health of the borough. So if it is from gaining motivation to start to live a healthier lifestyle or the aspirations of those to compete at an elite level of sport this framework provides opportunities for organisations to get involved and help work 'Towards an Active Swale'.

**Cllr Ken Pugh,**  
Cabinet Member for Housing and Wellbeing

# Introduction



The Council adopted the Sport and Physical Activity Framework for Swale 2012 – 2017 (SPAFS) in July 2012, to act as an enabler to various sports activities and initiatives in the Borough with the aim of increasing participation and addressing the high levels of inactivity. The Framework has evolved into the 'Active Lives Framework' to explore how Sport and Physical Activity (SPA) can contribute to the wider health and wellbeing for our residents.

The Active Lives Framework remains the overarching document for SPA in the borough and drives the strategic priorities that SPA provision delivers against. It draws together the suite of strategies both that Swale Borough Council has developed and those from external bodies to review the existing priorities for the borough.

The Active Lives Framework takes forward the direction of SPA work of the Council to ensure that positive achievements help address the issues of inactivity and increase participation. During the life of the SPAFS

there has been a shift in government and the Sports Governing Bodies thinking towards SPA, recognising that 'sport' for the enthusiast is a key focus but less formal options of their sport can be used to help inactive residents to become more active.

The Framework provides the local SPA partners and network with a strategic document they can utilise to review their programmes to make them more inclusive, with a real opportunity to tap into resources that are focused on those at risk of health issues due to an inactive lifestyle and helping to encourage an Active Swale.

## Methodology

The Active Lives Framework has been developed by:

- Drawing on data and research available and through consultation with Active Swale Network.
- Analysing the key national, regional and local strategic drivers that influence and can be influenced by the Active Lives Framework in Swale.

The Active Lives Framework sets out:

- A Vision for promoting Active Lives in Swale for all levels and abilities.
- Ways for the SPA network to support each other to sustain and increase participation.
- How the SPA network can work together, adapt and grow to encourage inactive individuals to make a positive change to their lifestyle.
- How success can be measured.



# Sport and Physical Activity Framework for Swale 2012 – 2017

The 2012-17 SPAF focused on the following 6 objectives:

## 1. Provide the right activities in the right places to the right people



2. Encourage active and healthier lives through regular participation in sport and physical activity

3. Provide accessible, affordable and good quality facilities and places to participate in sport and physical activity

4. Enable opportunities to develop skills, learning and achieve potential through sport and physical activity

5. Work with the voluntary and community sector and education sector to be more involved and increase participation in sport and physical activity

6. Raise the profile and recognition of sport and physical activity in contributing to wider outcomes



# Delivery Highlights

During 2012 – 2017 the SPA partners have delivered a wide range of programmes and activities to enhance and develop activity in Swale. Some of the highlights include:

- Reallocation of Council resources to provide an 'enabling and facilitating' role. This new focus has enabled the Council to be more responsive to the needs of SPA partners, supporting over 40 different partners when called upon to assist with their issues and priorities;
- Creation of a Sports Grant Scheme of £20k per annum, since 2014 the scheme has distributing 68 grants of up to £1000 to local organisations to help increase participation in their programmes;
- Piloted a Physical Activity Health Trainer Programme to increase physical activity within the Health Trainer programme, 731 inactive residents were supported to be more active;
- Transfer of Assets from Council ownership to local football organisations;
- Continued funding for local leisure provision at Sheerness, Sittingbourne and Faversham;
- Annually support the Swale Youth Development Fund (SYDF) with a grant of £3,690 that compliments their own fundraising to distribute to young people with talent in Swale;
- Re-establishment of the School Games Organiser in the Sittingbourne and Sheppey school sport area to manage a programme of activities; whilst establishing links with the East Kent Coastal School Games Organiser that supports Faversham Schools;
- Since 2014 the Council has managed the Sport England Satellite Club Programme in Swale to develop community links with schools securing over £30k to support after school activities;
- Active Swale breakfast network and evening sessions have been provided covering funding, coach/volunteer training, research, Elite performer support, Kent School games;
- Established Sittingbourne Parkrun with 1800 participants in the first year;
- Local businesses have engaged with the Kent Healthy Business Awards and the 'Workplace Challenge' to address the health and wellbeing of their staff;
- Faversham FC have secured external funding to develop the facilities at Salters Lane;
- Efforts of volunteers within all clubs to maintain and increased participation in SPA;
- Volunteers have re-established the Swale School Football Association to help raise the profile of talented players in Swale;
- Isle of Sheppey Sailing Club developing plans to improve the club facility and access to its programmes;
- Brents Residents Association fund raising to install an outdoor gym in Faversham;
- Millfield Allotment Association developing a club house to provide opportunities all year and weathers.



*Photo courtesy of James Bell*

# The SPAFS 2012 - 17 measures

The SPAFS listed success measures that would use research undertaken by external partners to gauge how Swale is performing in regards to SPA and Health indicators. A number of the measures were directly taken from research undertaken by Sport England either through their Active People survey, that was replaced in 2016 by Sport England with the 'Active Lives' survey or specific programmes of work. As a result of the change in the survey and how the figures are reported we are unable to provide direct comparisons to some of the measures.

Measure	Baseline	Most recent data		Commentary
		Result	Year	
<b>Increased participation of adults in sport and physical activity</b>				
Original measures: Adults with zero days of physical activity per week At least 30 mins of physical activity per week At least 5 x 30 mins of physical activity per week	51.9% 10.5% 11.5%	Not available Not available Not available		Original measures were drawn directly from Sport England's Active People survey. This was replaced in 2015 by the Active Lives survey, from which the new measures are drawn. The change in survey methodology means that recent results for most original measures are unavailable.
New measures: Inactive (under 30 mins activity per week) Fairly Active (30 - 149mins of activity per week) Active (150+ mins of activity per week)	23.9% 14.7% 61.4%	Not available Not available Not available	2015/16 2015/16 2015/16	
<b>Other Measures</b>				
Child obesity rate	18.1%	17.1%	2014	
Adult obesity rate (Swale Borough)	30.2%	30.9% 24.1%	2014	Swale CCG East Kent Coastal CCG
Satisfaction with sport and leisure facilities	49%	60%	2015/16	Taken from Sport England's Local Sport Profile
Quality accreditations secured: • Quest at Leisure Centres • Green Flags • Quality Coast Award / Blue Flags • Club Mark	2 2 2 58	2 2 2 52	2016 2016 2016 2013	Blue Flag replaced Quality Coastal Award
Adults regularly volunteering to deliver sports and physical activity at least an hour a week	6.2%	10.1%	2012/14	Active People survey for 2014/16 insufficient response to provide result
Sports Leaders identified Sports Makers recruited	250 120	250 1,015	2011/12 2013	County programme ended in 2012 Kent only total provided – National Join In campaign replaced post-Olympic volunteer programme

# Current Situation

## Swale Context

- Swale is made up of countryside, coastal and urban areas and has 3 distinct parts: Faversham, Sittingbourne and Isle of Sheppey plus a large rural hinterland.
- Swale is the third most deprived local authority area in Kent.
- The population is estimated to increase from 142,528 to 158,961 by 2025, most notably the 65+ age group. This ageing population is likely to increase the need for different and more accessible low impact sport and leisure provision. Keeping this ageing population active will help to prevent high-cost health conditions.
- There are pockets of severe deprivation, with 18 neighbourhoods amongst the most deprived nationally; 14 of these are located on the Isle of Sheppey. 23.1% of children are currently living in poverty, significantly worse than the national average of 19.2.
- In the Census 2011 - 92.9% of Swale's residents classify themselves as White British, 2.6% as White Other, 0.6% as White Irish, 1.2% Mixed/multiple ethnicity, 1.2% as Asian/Asian British and 1.0% Black/African/Caribbean/Black British. The diversity of the borough is increasing.



## Sport and Physical Activity



- Active Lives survey (released Jan 2017) classifies 23.9% of adults in Swale as 'Inactive' doing less than 30 minutes in a week; this is above the national average of 22%.
- Active Lives survey (released Jan 2017) classifies 14.7% of adults in Swale as 'Fairly Active' taking part in 30-149 mins of activity compared to 12.6% Nationally; 61.4% are classified as 'Active' taking part in 150+ of activity compared nationally with 65.4%.
- Low cost, subsidised activities and family-friendly activities are the most popularly cited when asking for views on how to get more people active.

## Health and well being

- Significant health inequalities exist, with a 11.7 year difference in life expectancy between the two ends of the deprivation scale.
- In 2014 the adult obesity rates in Swale CCG (Sheppey and Sittingbourne) was 30.9% with Canterbury and Coastal Kent CCG (which incorporates Faversham) at 24.1%, with the England figure at 24.1%. The worst figure for a CCG area in England was 30.9%.
- 69% adults have excess weight, worse than the national average of 64.8%.
- 17.1% of children are obese, which is slightly better than the national average of 19.1%.



- Barriers to participation include lack of information of what is available, time constraints, cost, access, travel constraints, childcare requirements, ill health, and a lack of motivation.
- Local sport profile identifies that associated Health cost of physical inactivity is over £2m.

## SPA Infrastructure



Photo courtesy of Boughton Bowls Club

- In 2015, 59.6% of those using local sports provision were satisfied.
- 22.4% of residents in 2015/16 are currently members of or regularly join activities of sports and recreation clubs.
- There are 204 known sports clubs in Swale and 159 partners that are linked to the Active Swale Network.
- 52 sports clubs have completed or renewed their Clubmark accreditation.
- There are 285 sports facilities in Swale.
- The Local Sports Profile identifies there are 55 sports related businesses in Swale contributing £48m economic value of health benefits of participating in sports.

## What you said

A consultation was held during March 2017 with the SPA network and feedback was provided as to whether the existing vision and priorities were the right ones to guide the Council in the next 5 years with regards to SPA. The 25 partners that attended the two open sessions and the nine that completed the electronic survey all indicated that both the vision and priorities were still relevant and identified areas of focus for 2017–22. In addition to SPA network consultation other public sector agencies and Council departments were consulted. The summary of the feedback is detailed below:

- There is a desire to help increase activity levels but the capacity of the facilities and volunteers focuses on ensuring the current members are provided for rather than helping inactive residents take up a sport.
- For clubs to offer a non-traditional, non-competitive sport alternative there would need to be investment of resources to ensure the needs of the inactive are met.
- Support from the Health sector would need to be provided to ensure clubs and organisations are offering an appropriate activity as well as helping promote and motivate the inactive to try activities.
- Club facilities play an important role in the borough to provide local opportunities and the ability of the owners to diversify their offer to supplement income without detracting from the sport offer.
- Swale has a mix of private, public and voluntary sector facilities that provide a range of opportunities.
- Small grants through the Council are easy to access and adaptable to ensure it is used to meet the needs of the club / organisation.
- Recruiting and maintaining the volunteer workforce of a club is a consistent pressure for a committee, support with both sport specific and general club management courses is a constant requirement.
- Linking with schools is proving difficult due to the cultures i.e. volunteers having full time jobs and working during school hours.
- There needs to be the ability for voluntary clubs and schools to communicate and develop opportunities to support each other in both promotion of sport and the benefits it can have for students mentally and physically.
- The marketing of SPA in the Borough needs to be developed to ensure that digital and social media is better used to promote the activities and benefits of being active and a healthier lifestyle.





# Strategic Fit

The national and local drivers the ALF needs to take into account of have been analysed to ensure that the ALF priorities are in line with the strategic direction and outcomes being pursued by partner agencies. Table 1 on page 6, provides a summary of the strategies:

National/ Regional	Local
<ul style="list-style-type: none"> <li>• Sporting Future: A new Strategy for an Active Nation (Cabinet Office, 2015)</li> <li>• Towards an Active Nation Strategy 2016 - 2021(Sport England)</li> <li>• Moving More, Living More (Cabinet Office, 2014)</li> <li>• Everybody Active Every day (PHE, 2014)</li> <li>• Change4Life campaign (PHE)</li> <li>• Strategic Plan for the next 4 years: Better outcomes by 2020 (PHE, 2016)</li> <li>• Childhood Obesity Strategy (Cabinet Office, 2016)</li> <li>• Towards an Active County – Kent Sport Strategic Framework for Sport in Kent &amp; Medway.</li> <li>• Kent’s Joint Health and Well Being Strategy 2014 – 2017 (currently being reviewed)</li> </ul>	<ul style="list-style-type: none"> <li>• Making Swale a Better Place: Corporate Plan 2015-2018</li> <li>• Swale’s Local Plan</li> <li>• Health and Well Being Improvement Plan</li> <li>• Playing Pitch Strategy – 2016 - 2026</li> <li>• Open Spaces &amp; Play Strategy – 2017- 2022</li> <li>• Indoor &amp; Built Facility sports Strategy 2015 - 2025</li> <li>• Equalities Scheme 2016 - 2020</li> </ul>



# The Vision

That the residents of Swale are encouraged, motivated, informed and have the opportunity to be more active and healthier. Enabling them to live life to the full, be happy and well, reaching their full potential.

## The Priorities

### Active You

This priority is about offering activities that are accessible to both rural and urban residents at the right time and will enable individuals of all physical and mental abilities to participate and challenge themselves in a supportive environment.

Partners wanting to contribute to this priority could:

- Provide welcoming and supportive environments that focus on the needs of the customer.
- Offer opportunities for residents with physical, mental health and life limiting needs.
- Promote being active as well as playing sport.
- Provide activities that safely raises the heart rate and gets you moving.
- Work with other organisations and agencies to enhance your offer.
- Explore opportunities within the workplace.
- Understand what creates barriers for people to join in and what support can be provided to overcome them.



### Active and Healthier Lives

This priority is about the development of programmes and campaigns that help residents understand the benefit that both an active life and healthy diet can have.

Partners wanting to contribute to this priority could:

- Raise awareness and campaigning to inform behaviour change and create more resilient habits that will cement more active and healthier lifestyles
- Explore partnership opportunities to engage with non-traditional SPA organisations to widen the scope of the local SPA offer
- Provide opportunities to engage with families of participants to become more active with multi-generational opportunities
- Link with national campaigns and events that showcase local and national examples of good practice to cover all aspects of a healthier lifestyle
- Identify new technologies that will help raise the awareness of the benefits and results of being active
- Promote the social benefits of volunteering within local community organisations
- Use of health and activity campaigns, programmes and opportunities to promote positive benefits to residents, i.e garden and grow schemes, cycle and walking routes/paths.

# Active Facilities

This priority focuses on making the best use of the facilities available in Swale including open spaces, land and water, ensuring they are as accessible and affordable as possible to encourage participation and usage.

Partners wanting to contribute to this priority could:

- Provide facilities that are safe, good quality, multi-sport, accessible and affordable
- Create the right outdoor and indoor spaces to be active
- Work in partnership to utilise facilities and open spaces
- Utilise new technologies in conjunction with existing facilities to widen provision
- Support existing and new opportunities to transfer facilities to community organisations
- Review facility use and diversifying the offer to community
- Support improvement of facilities
- Promote the full range of community facilities within Swale
- Enhance facilities through the utilisation of developer contributions as per the requirements identified in Open Spaces and Play Strategy, Playing Pitch Strategy and Built Facilities Strategy



# Active Training

This priority identifies opportunities through SPA to develop activity specific skills and general learning to support the social and personal development of the SPA Network to deliver opportunities in Swale.



Partners wanting to contribute to this priority could:

- Raise awareness of the commitment and benefits of having skilled coaches
- Explore and promote opportunities for skill/workforce development
- Encourage volunteering within SPA providers to inspire others
- Offer support for new and existing SPA partners

# Active Partnerships

This priority is about ensuring the SPA infrastructure in Swale is strong with almost 300 known organisations offering activities but the cultural differences can provide barriers to partnership work, opportunities should be explored to help develop partnerships.



Partners wanting to contribute to this priority could:

- Develop partnerships between organisations for shared outcomes
- Create links between the voluntary and both primary and secondary education providers to raise awareness of the benefits of a more active and healthier lifestyle
- Share information on partner's activity priorities to increase participation
- Create links and offers between Health and SPA sectors to lead healthier lives
- Support borough networks that encourage partnership working
- Share knowledge and experiences to motivate residents to be more active

# Active Promotion

This priority is about co-ordinating the promotion of the benefits of a more active lifestyle with activity at the heart of the message will raise the profile and recognition of the SPA partners.

Partners wanting to contribute to this priority could:

- Contribute to a wider marketing brand of SPA within Swale
- Engage with national campaigns and events to promote healthier lifestyles
- Incorporate new technologies to help promote the SPA network.
- Contribute towards a system to review information and promotion of SPA
- Advertise and update their activity offer for the borough



# Activities and Case Studies



## parkrun UK in Sittingbourne Project

To establish a 5km running route in Milton Creek Country Park

### Cost

£6,000 to establish.  
Free for all participants.

### Support

Swale Borough Council  
Friends of Milton Creek  
Parish Hall/Church  
KCC – Kent Sport

### Achievements

Over 2,860 different participants have taken part between February 2016 to February 2018.  
Average of 20 volunteers a week supporting the runners and event.



## Boughton Bowls club Project

Resolve planning and build new club house

### Cost

Club House Build - £153,000.

### Support

Viridor Credits  
Swale Borough Council  
Kent County Council  
Club Members  
Community of Boughton-Under-Blean

### Achievements

Club House funded, built and opened on 21st April, establishing a permanent home for bowls in Boughton-under-Blean.



## Health Trainer project Project

Three year pilot to increase activity levels in clients linked to the Kent Community Health Foundation Trust.

### Cost

£108,000 to fund the pilot  
Free for clients to access

### Support

Funding and delivery –

- National Lottery & Sport England
- Swale Borough Council
- Kent Community Health Foundation Trust

### Achievements

731 inactive residents have taken part during the 3 years of the project – 2014 to 2017.  
10,664 sessions attended by the inactive residents, an average of 14.5 sessions per person.



# Satellite Club Funding – Sport England Project

Support Kent Sport to secure Sport England Satellite Club funding to create Secondary School and Community Club links in priority sports identified by the schools in Swale.

## Cost

In kind contribution for secondary school facilities and staff time

## Support

Sport England  
Kent Sport  
Swale Borough Council  
Secondary Schools in Swale  
Identified Community Clubs  
Governing Bodies of Sport

## Achievements

All secondary schools in Swale have engaged with the programme and collectively secure £40k since 2014.

Helped establish Heads of PE meetings 3 times a year.

737 participants through the programme since 2014



# Swale Borough Council Sports grants Project

To provide small grants for local organisations to increase participation and activities available to residents.

## Cost

£56,100 distributed in 68 applications

## Support

Swale Borough Council

## Achievements

Equipment included in 40 applications

Training for volunteers included in 18 applications

New activities established within 15 applications



# Outcomes/Success Measures

## SPA Indicators

The Sport England 'Active Lives Survey' has replaced the 'Active People Survey' and is new way to measure sport and activity throughout England providing data on the levels of activity at a local, regional and national level.

Activity Levels		Swale	Kent	England	5 year target
Inactive	0-30 mins	23.9%	21.4%	22.0%	↓
Fairly active	31-149 mins	14.7%	13.0%	12.6%	↑
Active	150 mins +	61.4%	65.6%	65.4%	↑

## Health Indicators

The following information has been taken from both the KCC Public Health Observatory that provides 'Analysis, knowledge and evidence to improve health and wellbeing across Kent: starting well, living well and ageing well'; and the Sport England Local Sport Profile tool.

Measures	Swale	Kent	5 year target
Reception year obesity	9.4	8.7	↓
Year 6 obesity	18.9	18.29	↓
Reception year excess weight	23.6	21.6	↓
Year 6 excess weight	33.7	32.8	↓
Excess weight in adults (including obesity BMI >25kg/m <sup>2</sup> )	69%	65.5%	↓
Life expectancy at birth	79.4	80.8	↑
Life expectancy ay 65 years	18.85	19.61	↑
Mental Health contact rate (16-64)	27.91	28.31	↑
Mental Health contact rate (65+)	65.09	60.02	↑

## Be involved

We all have a role to play in encouraging and motivating more people to choose to be more active, more often. It is hoped that the Active Lives Framework will be adopted by key agencies involved in SPA in Swale. We welcome contact from any organisation interested in playing its part.

## How to use the Framework

The Active Lives Framework has been developed to help support partners to both sustain their current provision and explore options to adapt and develop their programmes to help increase opportunities for inactive residents. It will be through partnership working and aligning SPA organisations priorities that the network will be able to maximise resources.

The Active Lives Framework will help:

- Evidence the role SPA can take to support healthier lifestyles
- Support organisations to take ownership of SPA provision
- Build on existing and encourage new partnerships
- Diversify partners programmes to meet changing needs of the sector
- Provide a focal point for the SPA network
- Promote equality and safeguarding good practise in provision
- Sustain organisations and celebrate the SPA heritage in Swale
- Identify funding sources to invest in SPA in Swale
- Put the varying needs of the user at the centre of services and activities

## Further information

If you would like to help achieve the priorities set out in the Active Lives Framework or for more information on the Active Swale Network then contact:

Russell Fairman – Community (SPA) Officer  
Swale Borough Council  
russellfairman@swale.gov.uk

## Contacting Swale Borough Council

The Customer Service Centre deals with all enquiries across the Council; it should be your first stop when contacting us.

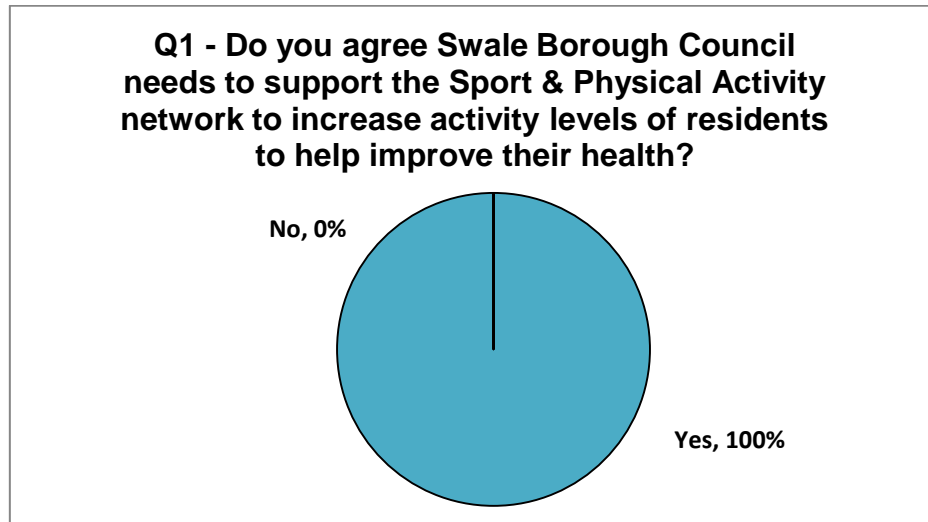
If you would like alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request. Please contact the council at:

Swale Borough Council  
Swale House, East Street  
Sittingbourne  
Kent, ME10 3HT

**Customer Service Centre** ☎ **01795 417850**

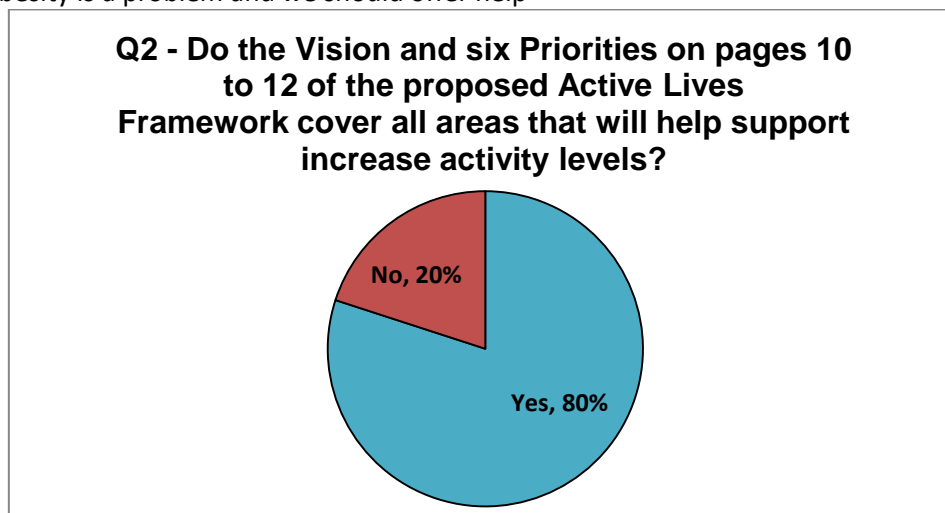


## Review of the proposed Active Lives Framework Consultation between 1<sup>st</sup> December 2017 and 31<sup>st</sup> January 2018



### Comments:

- It is important from Primary thru Secondary School and beyond that health with activity is important for all. If we grow with it if we stay with it
- Obesity is a problem and we should offer help

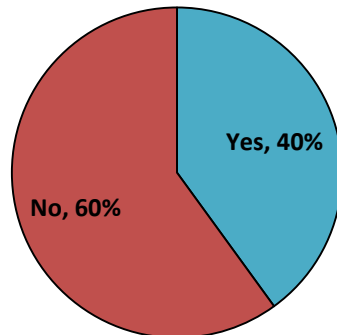


### Comments:

- "Multi-use facilities are excellent, but priority sports and activities where there is greatest demand from the local Swale community would benefit from additional support in creating sole or dual use-only facilities that complement each other, but do not interfere with each other's training time/space (i.e. bowls green & squash club, sharing land and club house/building and toilets).
  - Using campaigns is excellent, but events, open days, or free / low cost activities available in public spaces, combined with social environments (i.e. BBQ areas alongside a playing field or assault course/boot camp/rounders game for example) is likely to appeal to a wider audience and entice people to take part in physical activities. "
- Only through Sustained support

## Review of the proposed Active Lives Framework Consultation between 1<sup>st</sup> December 2017 and 31<sup>st</sup> January 2018

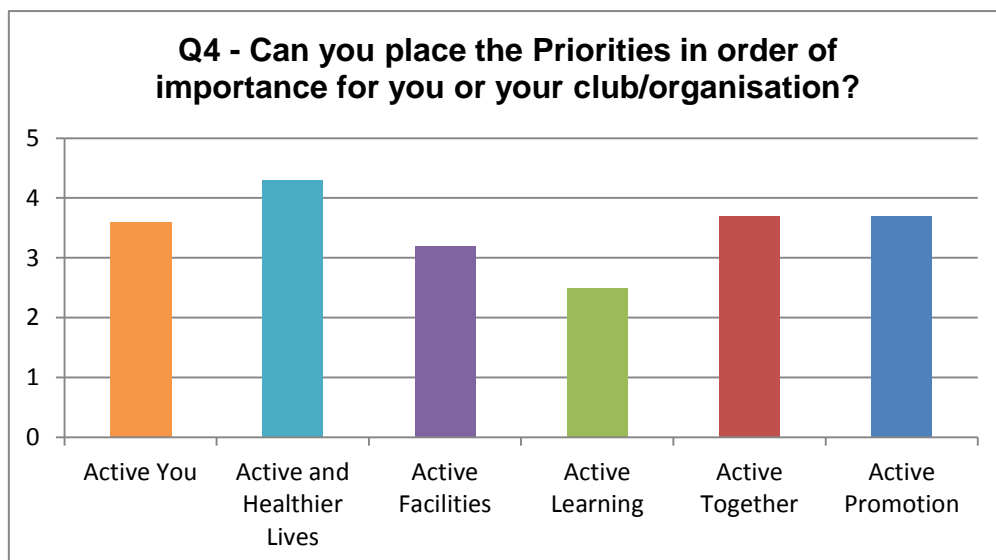
**Q3 - Is there anything missing from the Vision and Priorities that you would like to see included?**



**Comments:**

- Ensure developers deliver promised green spaces and leisure areas including child play areas and that SBC do not allow developers to change these promises.
- Build a long term Swale team structure to encourage/develop Others who can improve and exchange views.

**Q4 - Can you place the Priorities in order of importance for you or your club/organisation?**

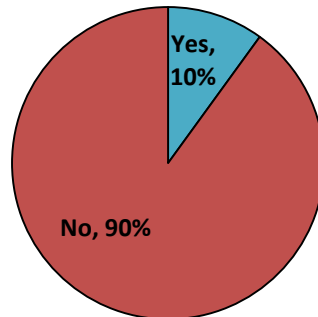


**Comments:**

- None provided

## Review of the proposed Active Lives Framework Consultation between 1<sup>st</sup> December 2017 and 31<sup>st</sup> January 2018

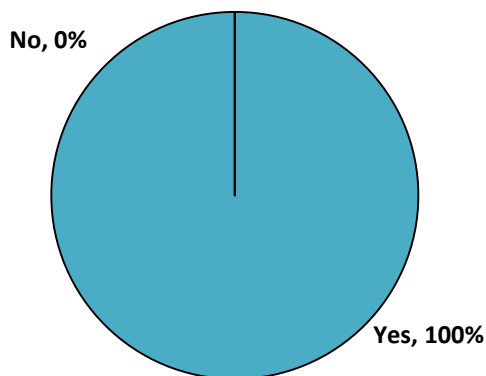
**Are there any potential unintended negative consequences to groups with protected characteristics from implementing the Active Lives Framework 2017-22**



### Comments:

- Rural communities could have focus on their area rather than coming out to 'town facilities' as their support to encourage 'townies' to what is available for free – walks (countryside.shore) animal/bird watching etc(walk maps available)

**Is the document presented so you are able to understand the priorities?**



### Comments:

- Its an excellent document
- Very necessary for healthy future for all

### Q 7 - Do you have any other general comments?

- One of the issues which prevents us from planning for the medium term is that we only get notified of our annual grant settlement in February prior to the financial year to which the grant relates. We would welcome a 3 year grant settlement thus enabling us to undertake some meaningful , medium term ,financial planning.
- It is on the right track and hopefully will be built on over the coming years

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<b>Cabinet Meeting</b>	<b>Agenda Item. 10</b>
<b>Meeting Date</b>	7 March 2018
<b>Report Title</b>	Draft London Plan: Consultation by Mayor of London
<b>Cabinet Member</b>	Clr Gerry Lewin Cabinet Member for Planning
<b>SMT Lead</b>	Emma Wiggins
<b>Head of Service</b>	James Freeman
<b>Lead Officer</b>	Gill Harris
<b>Key Decision</b>	No
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. Members note the content of the draft London Plan;</li> <li>2. The Mayor of London be thanked for the invitation to comment on the draft London Plan</li> <li>3. The detailed matters at Appendix I to this item be noted and endorsed as the Council's detailed responses to key policies in the draft London Plan, which have been sent to the Mayor to meet the consultation deadline of 2 March.</li> </ol>

## **1 Purpose of Report and Executive Summary**

- 1.1 This report outlines the key contents of 'The London Plan: The Spatial Development Strategy for Greater London - Draft for Public Consultation December 2017' and proposes a response to the Mayor's consultation on this. The plan covers a wide range of issues from high level strategic policy issues affecting the Wider South East (WSE) including infrastructure; the approach to setting housing targets and how they will be met, to very detailed design and standard setting to guide production of the London Borough's Local Plans.
- 1.2 The report and response suggested from Swale focuses on the strategic issues (including the housing targets) and how these might impact on districts outside London going forwards and potential implications for our own Local Plan process. Members may also be interested to note that a joint response to the Mayor has also been prepared from Kent Leaders and the South East England Councils group. These raise similar issues and strong concerns to those raised in this report, specifically around the impact of potential London overspill on Kent services, facilities, transport networks and the funding challenges for providing appropriate supporting infrastructure .
- 1.3 The consultation closes on 2 March, so a Swale response, with a covering letter from the Leader of the Council has been sent to ensure the deadline is achieved,

with endorsement of that response to be confirmed through agreement of the recommendations of this Cabinet item.

## **2 Background**

- 2.1 The draft London Plan is unique insofar it sets out the overall development strategy for London for 2019 – 2041. The housing targets however are only set for the first ten years and the Plan acknowledges that will need to be a review of housing targets before 2029. The draft Plan also provides a context for the Local Plans to be produced by the London Boroughs and for determining planning applications (for which both the Boroughs and the Mayor are responsible). The Plan is a new plan rather than a review.
- 2.2 The London Plan process is subject to slightly different statutory requirements than those for ordinary district local plans. The Mayor has responsibilities in respect of engagement on the London Plan, but districts have a Duty to Cooperate with the Mayor in producing their local plans. Engagement has taken place during the preparation of this London Plan through ‘summits’ which all local authorities in South East have been invited to (and which Swale has had Member representation at); the South East England Councils group and more regular officer level meetings where progress has been reported through the Kent Planning Officers Group and As a result, this has resulted in draft plan which now has specific reference to the Wider South East; the likely impact of the draft London Plan proposals and the Mayor’s intention to work with partners there. This can be seen as an improvement on previous adopted London Plans and is welcomed, but as this report suggests, it is questionable as to whether key development challenges with impacts beyond London itself have been resolved or at least the means to resolve them have been adequately identified.
- 2.3 The draft London Plan now under consideration is also subject to a more streamlined process than district local plans. Consequently, this is the only stage of public consultation (closing on 2 March 2018) on the full draft of the London Plan before it will be submitted to the Planning Inspectorate for Examination in Public (EIP). The EIP is anticipated in autumn 2018, with invited participants from those responding to this consultation.
- 2.4 The draft London Plan runs to over 500 pages and sets out a range of strategic policies which are likely to affect districts in the WSE; development targets for the next 10 years; environmental policies; and very detailed design policies and design standards for London Boroughs to take up in their local plans. The overall focus is on the theme of ‘Good Growth’ which is about accommodating significantly higher growth targets whilst protecting not only the Metropolitan Green Belt within London from change, but also non green belt ‘metropolitan open land’. This is to be achieved primarily through increasing development densities at all town centres and suburban Boroughs. The Plan also seeks to retain and employment and expand economic functions in a series of 47 Opportunity Areas identified for ‘most significant change’ (para 2.0.3).

## Meeting London's Housing Needs

- 2.5 The technical evidence produced by the Mayor in support of the Plan identifies a housing need of 66,000 dwellings per annum (dpa) (paras 2.3.1 and 4.1.1). This is a substantial increase on the 29,000 dpa in the currently adopted London Plan. However this new need figure has been produced by alternative methodology to the standard now being proposed by HCLG for local planning authorities (including the London Boroughs). The HCLG figures set out a need for 72,400 dpa for London.
- 2.6 The Housing Land Availability Assessment for London suggests capacity for 65,000 dpa for the period 2019 – 2029 and this has been adopted as the target for the first ten years of the plan period. Whilst the Mayor's intention to meet the majority of the need within London for this period is to be supported, there are a number of concerns.
- 2.7 On the basis of the Mayor's own evidence, there is at least a 1,000 dpa shortfall in delivery amounting to 10,000 dwellings over the first ten years of the draft Plan, even assuming that the delivery targets can be met. No precise indication is given as to how or where outside London this may be met other than the Mayor's intention to work with 'willing partners' in WSE. No evidence is put forward for the remainder of the plan period to 2041, leaving uncertainty as to how much housing need there is or how it would be met for the period beyond 2029. There is no indication of what happens if delivery targets within London are not being met in the interim.
- 2.8 Should the new HCLG methodology be imposed for this Plan through the Examination in Public, the deficit in London's housing land supply could be as much as 74,000 dpa over the next ten years (approximately equivalent to seven good sized new settlements).
- 2.9 Any planning authority seeking to depart from the HCLG methodology will be expected to robustly justify and evidence its position. Even if the GLA based 66,000dpa assessment of need is accepted, this is likely to put London on a different statistical basis to other planning authorities within the WSE and is likely to create ambiguity and weakness for WSE authorities in preparing their own local plans and demonstrating that account has been taken of outmigration from London in their own needs assessments.
- 2.10 As a minimum, there appears to be a need for a robust mechanism within the London Plan as to how the basic 1,000 dpa shortfall is to be addressed; and if the delivery targets identified are not being met, what actions would be taken to ensure that any unmet need is met outside London. How would it be ensured that there is appropriate infrastructure in place to support them? After the London Plan is adopted, how would such scenarios would play out in practice through the Duty to Cooperate with the Mayor, given that the Duty is incumbent on districts engaged in local plan preparation?

- 2.11 The scale of development implied by the new targets is a massive step change for London, but on top of the increased HCLG targets for all districts, it also raises serious questions about the capacity and ability of the building industry to actually deliver such targets across the WSE, year in, year out.
- 2.12 Policy H2 also sets out an intention for small sites (up to 0.25 hectares / 25 dwellings) to make a key contribution and sets out small site targets for the London Boroughs to address through their Local Plans. The focus on small sites to meet substantial portion of the housing targets is supportable in principle, but it is questionable as to whether these sites will provide comprehensive infrastructure to support housing growth; and is perhaps too prescriptive to actually set targets for them to be observed by the London Boroughs. Issues with under – delivery of housing or provision of appropriate infrastructure support could lead to further pressure on districts in WSE beyond London, where capacity is already overstretched in terms of both infrastructure and development land.

#### Meeting London's Affordable Housing Needs

- 2.13 Policy H5 page 180 is the main policy dealing with affordable housing for London and is seeking 50% of all new housing as affordable. Provision is sought on site, but off site provision or commuted sums are allowed for in 'exceptional circumstances. There are concerns if London does not achieve its overall housing targets; or achieve the affordable targets within those market sites which are delivered, there could be repercussions for districts outside London. If land in Swale is utilised for London affordable housing provision, this could reduce local development opportunities and thus the provision of affordable homes to Swale residents. Swale already has problems with homelessness in Kent and pockets of deprivation. With the London policy requirement (H5) to provide 50% of new build as affordable, failure to provide it within London, could have potential impacts on public services, including the Housing Options Team.
- 2.14 There is currently limited cross boundary partnership working with London authorities and we would be concerned about the impact on already overstretched public services including health, education and social services.
- 2.15 The draft London Plan must therefore ensure that the required range and mix of private and affordable housing is delivered within London. London Boroughs should be required to deliver affordable homes within a reasonable vicinity of their area to avoid significant migration into Kent and potential for further overloading of stretched public services.

#### Collaboration with Wider South East and Strategic Infrastructure Policy

- 2.16 Policy SD2 deals in general with collaboration in the WSE. Working with partners across regions, including London is important to deliver challenging development requirements in the most sustainable way, particularly through new infrastructure provision, so the Mayor's stated intention to work with partners on such



challenges is supportable in principle. However, Policy SD2 also goes onto support joint working with WSE partners based on consistent technical evidence; and supports recognition of long term trends in migration in the development of local plans outside London. The draft London Plan is already predicated on a different methodology on housing needs assessment (para 2.2.9 states that this includes demographic projections for the whole of the UK) which will be at odds with the new HCLG methodology within months. WSE partners will therefore find it impossible to be consistent with both the London Plan and national planning policy and practice guidance in their own local plan evidence bases.

- 2.17 Policy SD2 (C) also states that the Mayor will comment on plans outside London as part of the district's Duty to Cooperate 'insofar as they bear strategically on London'. It is unlikely that any single district local plan could have an overbearing strategic impact on London. This statement does need clarification and confirmation that any comment the Mayor may wish to make on a local plan would be proportionate and not result in plan soundness issues which are potentially beyond the capacity of a district to mitigate. The supporting text appears to leave locally specific cross boundary issues to the Duty to Cooperate between the relevant London Borough and its neighbour(s). These 'locally specific' issues do not appear to be defined and their cumulative effects could potentially be significant in terms of achieving the Mayor's overall strategy and have knock on effects beyond the districts concerned (for eg the displacement of housing need from Green Belt authorities to districts in WSE).
- 2.18 Policy SD3 deals with growth locations in the WSE and beyond. The policy wording and supporting text (paras 2.3.1-2.3.8) seeks joint working with willing partners beyond London to explore if there is potential to accommodate more growth in sustainable locations outside the capital, (whilst reaffirming the aim to meet most of the need within the capital). Para 2.3.5 states '*This partnership work could help deliver more homes, address housing affordability and improve economic opportunities outside London. The focus is on locations that are (or are planned to be) well connected by public transport and where development can help meet local growth aspirations as well as wider requirements. Recognising that investment in public transport can often bring significant benefits to wider areas, such partnerships could focus on optimising rail capacity between London, the wider regions and beyond. Another area of focus could be proposals for new/garden settlements with good links to London.*'
- 2.19 A series of 13 'initial' infrastructure priorities are shown in Fig 2.15 of the plan in a radial pattern around London. Those affecting North Kent and Swale include
- the Thames Estuary Ports (including Sheerness);
  - the Lower Thames Crossing and Thames Gateway Kent;
  - Elizabeth Line Extension and HS1 (London - North Kent – Channel Tunnel).
  -

- 2.20 No detail is offered on new settlements, although it is indicated that some discussions are under way (not with Swale) and the door is 'open' to others who would wish to negotiate with the Mayor
- 2.21 This general theme is followed through in Policy T3 (Transport capacity, connectivity and safeguarding), with a general commitment to development of effective transport policies and projects in development plans to support the sustainable development of London and WSE. However, no detail is supplied beyond the nominated regional scale schemes in Fig 2.15. The fact remains that districts outside London are struggling to accommodate their own growth targets and ensure that there is adequate supporting infrastructure (as evidenced for example by the Swale Local Plan Implementation and Delivery Schedule 2017 and the draft Kent Growth and Infrastructure Framework 2017. This is not just transport and social infrastructure, but could also extend to the need for major new utilities investment. Few districts will be able to accommodate additional growth from London, without major contributions to necessary infrastructure and this may not necessarily be 'regional' in scale.

#### Metropolitan Green Belt Policy and Housing

- 2.22 Policy G2 covers the approach to London's Green Belt (which extends out for 15 – 20 miles from the edge of the built up area into West and North Kent districts, but not as far as Swale). The Mayor's policy is that the London side of the Green Belt boundary will not be reviewed to accommodate development London's needs. This is quite prescriptive and does not allow for any flexibility in the London Borough's local plans to meet their development needs. It is inevitable that development pressure will be displaced into adjacent districts. Within Kent, these districts also have Green Belt and as they are facing significant increases in their own development targets, are being forced to undertake Green Belt reviews. Even this may be insufficient to meet needs and displacement of development pressure outwards to non Green Belt authorities such as Swale, Medway and Maidstone may be expected.
- 2.23 This policy is likely to result in land of higher environmental value in districts beyond the Green Belt coming under development pressure (than sites of lesser value within the Green Belt itself) and may also result in more and longer commuting journeys to London. This does not appear to be a particularly sustainable option. It is therefore questionable as to whether there is compliance with the National Planning Policy Framework on reviewing Green Belt boundaries as part of sustainable settlement patterns – evidence of such needs to be provided. Whilst the need for appropriate protection of the Metropolitan Green Belt to avoid coalescence of settlements is recognised, the policy as drafted is too rigid, is likely to lead to unsustainable development patterns and should be objected to.
- 2.24 Policy G3 deals with Metropolitan Open Land. Although this policy concept has been established in previous London plans and includes some land of significant heritage or environmental value, it does effectively elevate it to Green Belt policy

status. The policy is couched in similar prescriptive terms, and raises similar issues for sustainable development patterns across a wider area. Policy G4 deals with local green and open space. Although less prescriptive than Policies G2 and G3, it does start with a statement that precludes any loss of these categories of land and again may result in less sustainable development options with impacts beyond London itself.

- 2.25 In summary, a new London Plan is necessary to deal with the growth challenges facing the capital. Such is London's influence, it will have repercussions for planning throughout the WSE. In particular, failure to ensure provision of sufficient housing and infrastructure; and a rigid approach to Green Belt review is likely to influence local plan preparation in Kent, including Swale. This could be through involvement by the Mayor himself; through Duty to Cooperate with other neighbouring districts; or by developers seeking to take advantage of the situation to realise their development ambitions in districts in the WSE. The degree of connection across London and WSE to tackle these matters is not yet fully resolved in the draft London Plan, with key policies appearing to pull in different directions.

### **3 Proposals**

- 3.1 It is important that the Council responds to the issues raised by the draft London Plan, and at least seeks further clarification on how the Mayor intends to deliver the development targets proposed in the plan and how he intends to work with partners in the WSE in practice. The issues are likely to affect Swale in the near future as the Council progresses its own Local Plan review and is required to demonstrate that the Duty to Cooperate with the Mayor (and indeed other Kent Districts who will also be impacted by the London Plan) has been carried out.
- 3.2 Recommendations are therefore that :
1. Members note the content of the draft London Plan in respect of its potential impact on WSE;
  2. The Mayor of London be thanked for the invitation to comment on the draft London Plan
  3. The detailed matters at Appendix I to this item be noted and endorsed as the Council's detailed responses to key policies in the draft London Plan, which have been sent to the Mayor to meet the consultation deadline of 2 March.

### **4 Alternative Options**

- 4.1 The draft London Plan is raising some important issues which affect the whole of the WSE region, not least as to how the very challenging development targets for all planning authorities within and outside London will be met over the next two or three decades. It is important that Swale voices its concerns on these matters, as

there are still significant areas of uncertainty in the draft London Plan, which could affect Swale's own planning process in the future.

- 4.2 Members could opt not to respond to this consultation on the draft London Plan. However, the London Plan is subject to slightly more streamlined statutory process and there will be no other opportunity for comment before this plan is submitted to the Planning Inspectorate for Examination in Public. Whilst (as with all EIPs) there is no guarantee that Swale BC would be invited to attend the EIP hearings, by making representations at this stage, the Council will at least have registered its concerns. These could be supplemented by written representations to the EIP in due course. For these reasons, not responding to the Mayor's consultation is not recommended.

## 5 Consultation Undertaken or Proposed

- 5.1 The London Plan is prepared by the office of the Mayor of London. Swale BC is itself a consultee on this plan and consequently has no responsibilities for consulting others in this instance.

## 6 Implications

Issue	Implications
Corporate Plan	Potential impact in future on a Borough to Be Proud of through influencing the Swale Local Plan review.
Financial, Resource and Property	None identified at this stage
Legal and Statutory	None identified at this stage
Crime and Disorder	None identified at this stage
Environmental Sustainability	The London Plan and development challenges it entails for London and WSE do raise issues over whether a sustainable development strategy has been proposed and this is dealt with in the body of the report.
Health and Wellbeing	None identified at this stage
Risk Management and Health and Safety	None identified at this stage
Equality and Diversity	None identified at this stage

Privacy and Data Protection	None identified at this stage
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## **7 Appendices**

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: Draft London Plan (December 2017): Swale Borough Council Detailed Response

## **8 Background Papers**

The London Plan – The Spatial Development Strategy for Greater London Draft for Public Consultation (December 2017) can be viewed at:

<https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan?source=vanityurl>

## Appendix I

### Draft London Plan (December 2017): Swale Borough Council Detailed Response

London Plan para / Policy No.	Swale BC Comment	Notes
Policy GG 2/ para 1.2.1	Conditional Support	<p>The Mayor seeks to accommodate rapid growth of 49,000 jobs per annum and 65,000 dpa (out of a need for 66,000dpa) through creating places of higher density and mixed land uses where local facilities and amenities are within walking distance. Whilst a practical and ambitious approach, we note that this includes intensification of land use in outer London which will be 'pro-actively explored. Given the intention not to review Green Belt and Metropolitan Open Land, we query how effective this will be in delivering the targets. Policy GG4 and Policy H2 also indicates a heavy reliance on small sites, and we question the certainty of delivery from such sites, given the scale of need.</p> <p>As London is also a major focus for commuters, we question whether encouraging job growth on this scale is sustainable in the context of the WSE as it will encourage additional growth in commuting journeys from beyond the Green Belt. Green Belt Review appears a necessary component of this ( see comments on Policy G2).</p> <p>Whilst some of these principles can be supported we are unconvinced as to whether it is sustainable or deliverable. The Plan needs to provide further evidence of how these objectives will be delivered.</p>
Policy GG5 /para 1.4.8	Conditional Support	<p>At Para 1.4.8 the Mayor acknowledges the contribution of WSE to the London and UK economy, but the means by which this will be promoted is not spelled out clearly in Policy GG5 (cross referencing other relevant policies may be helpful in this).</p>
Policy SD2 Collaboration in the WSE	Conditional Support	<p>The principle of a policy on collaborative working with WSE partners is to be supported. However, greater clarity is required on how Policy SD2 will be applied in practice.</p> <p>To date there has been no attempt to identify or establish working relationships with districts who could be potential willing partners for growth, or how the Mayor intends to work with WSE partners on regional challenges and shared strategic concerns. The Mayor should explain further how he will</p>

		<p>implement the aim of Policy SD2 Clause B for 'consistent technical evidence'. GLA have already created their own demographic projections (para 2.2.9) and development targets on a different basis to non London authorities. This already creates a conflict with national policy for WSE authorities in progressing their own local plans, as they will not be able to be in accordance with the London Plan and national planning policy. This is not effective and risks unsoundness.</p> <p>To ensure that joint working can progress and remains constructive, more could be said on how the Mayor will respond in terms of the Duty to Cooperate which district local planning authorities are required to observe. Since it is unlikely that any individual local plan in WSE would have a significant impact on delivery of targets and the strategic planning of London, we would expect that the Mayor's comments on any such local plan would be proportionate and appropriate.</p>
Policy SD3 Growth Locations in WSE and Beyond Fig 2.15	Conditional Support	<p>Para 2.3.4 -5 references the need to work with willing partners outside London to explore the potential for accommodating growth in more sustainable locations outside the GLA area. Recognition of joint working and exploration potential mutual benefits can be supported.</p> <p>However, the focus is on locations which are or could be well connected by public transport and / or proposals for new settlements. Figure 2.15 focuses on 'initial' radial transport infrastructure corridors for improvement.</p> <p>Further detail needs to be written into the plan on how this could operate, as Swale, in common with many other districts are struggling to accommodate their own growth targets and ensure that there is adequate supporting infrastructure (as evidenced for example by the Swale Local Plan Implementation and Delivery Schedule 2017 and the draft Kent Growth and Infrastructure Framework 2017. Few districts will be able to accommodate additional growth from London, without major contributions to necessary infrastructure. Some of this may not necessarily be of a regional scale of importance, but is none the less vital, and all the more difficult to achieve in areas where viability is much more challenging than London.</p>
Policy H1 Increasing	Object	<p>Para 1.4.4 notes that ten-year housing targets have been developed for all London Boroughs and are to</p>

<p>Housing Supply/ Table 4.1 (also para1.4.4) Increasing Housing Supply</p>		<p>be used as the basis for their development plan documents and are not required to take note of nationally derived local need figures. No explanation is given for this and immediately creates a discrepancy in the evidence base between London and WSE for gauging housing need and targets in development plans. Para 4.1.7 states that the targets are based on a pan-London Strategic Housing Land Availability Assessment, rather than the Strategic Housing Market Assessment including demographic change specified at para159 of the NPPF. This will no doubt be exploited by developers, to the detriment of authorities preparing local plans both within and outside London.</p> <p>The housing target of 66,000dpa is only identified for the first ten years of the plan period (to 2029). There is no indication of what the target may be beyond this date or how and where they would be met for the remainder of the Plan period to 2041. Local planning authorities will be looking beyond 2029 in their own local plans (Swale’s currently adopted plan already goes to 2031).</p> <p>During the preparation of the London Plan, the Mayor’s officers have briefed WSE authorities that there was likely to be a significant shortfall in housing land supply within London against identified need. Whilst the shortfall appears to have been held at 1000 dwellings per annum, this is on a much larger housing target than in the adopted London Plan. The identified shortfall of 1000 dpa, still amounts to 10,000 dwellings over the lifespan of this target. The shortfall is likely to be even larger if London planning authorities are required to take on board the new HCLG methodology for calculating need. For London this is 72,000dpa. This would imply a very significant shortfall in the provision of this plan and begs the question of where, when and how this may be expected to be addressed.</p> <p>We therefore question the overall deliverability of even the proposed target, especially when coupled with the rigid approach to Green Belt and open space policies and the specifications for delivery from small sites. A less prescriptive approach may enable the London Boroughs to seek more pragmatic and sustainable solutions.</p> <p>The uncertainty around the veracity of the target itself and London’s ability to deliver it could have a knock on effect to WSE authorities who are struggling to</p>
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		meet extremely challenging adopted (and likely prescribed HCLG targets of their own), not least in terms of potential for disruption of the plan making process and their ability to deal with plan led development and infrastructure.
Policy H5 Affordable Housing	Conditional Support	<p>There are concerns if London does not achieve its overall housing targets; or achieve the affordable targets within those market sites which are delivered, there could be repercussions for districts outside London. If land in Swale is utilised for London affordable housing provision, this could reduce local development opportunities and thus the provision of affordable homes to Swale residents. Swale has problems of homelessness and with pockets of deprivation. With the London policy requirement (H5) to provide 50% of new build as affordable, failure to provide it within London could have potential impacts on public services, including the Housing Options Team. There is currently limited cross boundary partnership working with London authorities and we would be concerned about the impact on already overstretched public services including health, education and social services.</p> <p>The London Plan must therefore ensure that the required range and mix of private and affordable housing is delivered within London. London Boroughs should be required to deliver affordable homes within a reasonable vicinity of their area to avoid significant migration into Kent and potential for further overloading of stretched public services.</p>
Policy G2 London's Green Belt	Object	<p>The need for appropriate protection of the Metropolitan Green Belt is recognised. However, a London plan which is rigid and does not allow for flexibility at the level of London Borough plan making, risks an increase in pressure elsewhere, especially the non- London Green Belt authorities. The latter are facing GB reviews in their own local plans to accommodate massive increases in development targets.</p> <p>This could well result in the release of land with higher landscape or biodiversity value than some of the degraded sites the Mayor notes to be retained. Rigid retention of all London MGB land is also likely to have the effect of displacing development pressure to districts beyond the MGB, where again land of significant environmental value recognised in Local Plan policy is already coming under pressure.</p>

		<p>We would query whether this is the most sustainable option in environmental terms across London and WSE.</p> <p>Retention of all London MGB and displacement of housing development pressure to WSE is also likely to increase the number of commuters facing longer journeys into London which is unsustainable in itself and places more pressure on already overburdened transport systems.</p> <p>We consider that a less prescriptive approach enabling the London Borough's to review MGB where appropriate, would be more realistic and ease this pressure.</p> <p>We would also question whether the Mayor's approach on this matter responds effectively to para.84 in the NPPF which states:</p> <p><i>84. When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.</i></p> <p>We should expect to see evidence from the Mayor's office on this matter.</p>
Policy G3 Metropolitan Open Land	Object	<p>Whilst we note that the concept of Metropolitan Open Land has been established in previous London plans and some of it has significant environmental and or heritage value, we would query what basis there is to afford it similar policy protection as MGB.</p> <p>All of the issues raised for Policy G2 apply with such a prescriptive approach.</p>
Policy G4 Local Green and Open Space	Object	<p>Whilst not quite as prescriptive at Policy G3, we query whether it is internally consistent, with Clause A appearing to preclude any loss, whilst the rest of the policy does imply that it could be considered. If Clause A prevails, then all of the points made in respect of Policy G2 and G3 apply.</p>
Policy T3 Transport Capacity,	Conditional Support	<p>The principles of this policy are supportable.</p> <p>However, no detail is supplied beyond the nominated regional scale schemes in Fig 2.15. The fact remains</p>

Connectivity and Safeguarding	that districts outside London are struggling to accommodate their own growth targets and ensure that there is adequate supporting infrastructure (as evidenced for example by the Swale Local Plan Implementation and Delivery Schedule 2017 and the draft Kent Growth and Infrastructure Framework 2017. Few districts will be able to accommodate additional growth from London, without major contributions to necessary infrastructure.
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## Recommendations for approval

Local Development Framework Panel – 8 February 2018

### **Minute No. 487 – Statement of Community Involvement – Results of Consultation and Adoption**

- (1) That the report be noted and also that the Local Authorities (Functions and Responsibilities) Statutory Regulations required a Full Council resolution to adopt the SCI.
- (2) That the draft responses to the consultation in Appendix I be noted.

### **Minute No. 488 – Report on High Level Strategic Options for Housing Growth and Implications for Swale Local Plan Review**

- (1) That the consultants' report at Appendix I to this item be noted and its content taken into account in progressing the Local Plan Review;
- (2) That the scope of options identified in the report at Appendix I are appropriate for initial stakeholder engagement workshops be agreed;
- (3) That a consultation paper drawing upon the consultants' report at Appendix I be prepared for engagement (including workshops) on the development challenges for Local Plan Review;
- (4) That a supplementary document canvassing the scope for new settlements (based on a prospectus of basic requirements for such) be prepared;
- (5) The draft papers for recommendations 3 and 4 are brought back to the next Panel meeting for agreement for this engagement;
- (6) That provisional dates are arranged for a series of stakeholder engagement workshops to support the engagement process; and canvass the idea of new settlements;
- (7) Members' views are invited on whether they have any specific policy topics (particularly core policies or development management policies) which they would wish to see in the Local Plan Review, which could be trialled in the consultation paper at recommendation 3.

### **Minute No. 489 – Local Plan Programming 2018 – 2022**

- (1) That the overall approach and key milestones for adopting a new Local Plan set out at Appendix 1 to this report are agreed: and
- (2) That these milestones are used to draft a new Local Development Scheme for recommendation (via a future Panel meeting) for adoption.

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