



Rushcliffe
Borough Council

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Direct dial 0115 914 8511
Email constitutional.services@rushcliffe.gov.uk

Our reference:
Your reference:
Date: 5 September 2016

To all Members of the Council

Dear Councillor

A meeting of the CABINET will be held on Tuesday 13 September 2016 at 7.00 pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford to consider the following items of business.

Yours sincerely

Deputy Monitoring Officer

AGENDA

1. Apologies for absence.
2. Declarations of Interest.
3. Minutes of the Meeting held on Tuesday 12 July 2016 (pages 3 - 6).

Non Key Decisions

4. Revenue and Capital Budget Monitoring 2016/17 – Quarter 1 Update

The report of the Executive Manager – Finance and Corporate Services is attached (pages 7 - 13).

5. Statement of Community Involvement for Planning Policy and Planning Applications

The report of the Executive Manager – Communities is attached (pages 14 - 48).

6. Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

It is RESOLVED that the public be excluded from the meeting for consideration of the following item of business pursuant to Regulation 4

Rushcliffe Community
Contact Centre

Rectory Road
West Bridgford
Nottingham
NG2 6BU

In person
Monday to Friday
8.30am - 5pm
First Saturday of
each month
9am - 1pm

By telephone
Monday to Friday
8.30am - 5pm

Telephone:
0115 981 9911

Email:
customerservices
@rushcliffe.gov.uk

www.rushcliffe.gov.uk

Postal address
Civic Centre
Pavilion Road
West Bridgford
Nottingham
NG2 5FE



(2) of the above Regulations on the grounds that it is likely that exempt information may be disclosed as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

7. Potential relocation sites for Rushcliffe Depot

The report of the Chief Executive is attached (pages 49 - 54).

Key Decisions

None.

Budget and Policy Framework Items

None.

Matters referred from Scrutiny

None.

Membership

Chairman: Councillor J N Clarke

Vice-Chairman: Councillor S J Robinson

Councillors: R L Butler, J E Cottee, D J Mason, R G Upton

Meeting Room Guidance

Fire Alarm Evacuation: in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble in the Nottingham Forest car park adjacent to the main gates.

Toilets are located opposite Committee Room 2.

Mobile Phones: For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

Microphones: When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

**MINUTES
OF THE MEETING OF THE
CABINET
TUESDAY 12 JULY 2016**

Held At 7.00pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford

PRESENT:

Councillors J N Clarke (Chairman), J E Cottee, D J Mason, S J Robinson,
R G Upton

ALSO IN ATTENDANCE:

Councillors S J Hull, A MacInnes, G R Mallender

OFFICERS PRESENT:

A Graham	Chief Executive
P Horsfield	Monitoring Officer
PLinfield	Interim Executive Manager - Finance and Commercial
K Marriott	Executive Manager - Transformation
A Poole	Constitutional Services Team Leader

APOLOGIES FOR ABSENCE:

Councillor R L Butler, due to a very important Governor's meeting at Cotgrave
Candleby Lane School.

7. Declarations of Interest

There were none declared.

8. Minutes

The minutes of the meeting held on Tuesday 14 June 2016 were approved as
a correct record and signed by the Chairman.

9. 2015/16 Financial position

Councillor Robinson presented a report on the financial position for 2015/16.
He highlighted that there were revenue efficiencies against budget of £1.087
million which was in line with Quarter 3 projections. He explained that this
related in the main to £222,000 additional investment income, £184,000
regarding the Business Support Unit recharge for Council Tax and Housing
Benefits Administration – an arrangement which had been in place for 18
months, £154,000 in respect of the Housing Benefit function and slippage in
Strategic Growth funding of £80,000. Members were informed that the position
would allow the Council to insulate against uncertainties going forward.

Regarding Reserves, members were informed that there were a number of
movements in Reserves largely agreed as part of the budget setting process
and budget monitoring for 2015/16. Councillor Robinson explained that
reserves had been used for some large capital schemes in the year, for

example £3.655 million on the Arena development, £152,000 support for Broadband across the Borough and £440,000 to support Positive Futures over the next 4 years. Members were informed that a number of 'transfers in' had increased reserves significantly, including £1.8 million from the New Homes Bonus.

With regard to Capital expenditure, Councillor Robinson explained that the year-end Capital Programme provision totalled £16,348 million and that actual expenditure in relation to this provision totalled £7,050 million, giving rise to an underspend of £9.298 million. He recognised that this headline figure was large and explained that the position had arisen primarily due to a revision to the profile of main contractor payments on the redevelopment of Rushcliffe Arena and Bridgford Hall. Regarding the Arena, he informed Members that the project remained on target and also informed that the profile payments for Bridgford Hall commenced in April 2016.

Councillor Robinson explained that Nottinghamshire County Cricket Club expected to draw down the loan of £2.7 million in September 2016 subject to finalising the agreement. He informed Members that the underspend of £9.298 million was in line with predictions. He highlighted that, overall, the underspend placed the Council in a better position to meet the future financial challenges it faced, as it looked to improve services, enhance assets and grow the Borough; despite the difficult economic climate and on-going central government funding reductions. Councillor Robinson recognised the excellent work of The Executive Manager – Finance and Corporate Services and his team for their management of the Council's finances.

Councillor Cottee supported the comments, stating that although the underspend was large, it must be recognised that large capital projects were being progressed. Regarding the loan to Nottinghamshire County Cricket Club, he asked whether the payments of the loan would be staged. Councillor Robinson replied that they were and The Executive Manager – Finance and Corporate Services added that negotiations were currently being held and it was expected that loan payments would be staged over several years.

Councillor Clarke asked whether the change to the loan payment arrangement would result in a variance. The Executive Manager – Finance and Corporate Services explained that the profile would be changed to reflect the arrangement agreed during negotiations.

Councillor Robinson added that the income generated from the loan payments would also support the revenue position.

Councillor Clarke recognised large amounts of money had been highlighted from the report and asked Members to remember that there were a number of large projects underway which were ambitious, challenging and under control.

RESOLVED that Cabinet

a) Notes the 2015/16 revenue underspend position Appendix B and approves the associated changes to the earmarked reserves as set out in paragraph 4.4 and Appendix C;

b) Notes the capital underspend position and approves the capital carry forwards outlined in section 4.7 and Appendix D.

10. **Constitution**

Councillor Clarke informed Members that the item regarding the Constitution had been withdrawn. The Chief Executive explained that a report had been circulated to Cabinet as was scheduled on the Forward Plan. It had been brought to his attention that Members of Corporate Governance wished to reconsider the document at their next meeting on 8 September and then present it at Cabinet or Council. To ensure that the wishes of Corporate Governance Group were fulfilled, the item was withdrawn from the meeting.

RESOLVED to defer the discussion on the Constitution.

11. **Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

RESOLVED that the public be excluded from the meeting for consideration of the following item of business pursuant to Regulation 4 (2) of the above Regulations on the grounds that it is likely that exempt information may be disclosed as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

12. **Coach Gap Lane Asset Review**

Councillor Robinson presented a report on the proposed disposal of Coach Gap Lane, Langar which related to the private access road which served the Council's units and the rest of the Industrial Estate which was not owned by the Council. He informed Members that whilst the units generated an income to the Council, this would be off-set in the long term by the cost of maintaining the road.

He presented details of the units owned by the Council, and the rental income, much of which was a peppercorn rent with long term leases in place and an additional service charge. Members were informed that this arrangement was inherited by the Council when the site was acquired in 2000. Residents had used Coach Gap Lane to access Nottinghamshire County Council's recycling centre, but since its closure, vehicle movements related to the businesses that operated from the site (many of whom did not contribute to the service charge). The asset, owned by the Council solely for investment purposes, was not highly performing and did not generate a good income return for the Council. Maintenance of the road would present financial issues

Councillor Upton concurred with the comments made and recognised the significant costs required to maintain the road. Members recognised that the asset was surplus to Council's requirements.

RESOLVED that the Council dispose of its freehold interest at Coach Gap Lane, Langar via property auction.

The meeting closed at 7.15 pm.

CHAIRMAN

Report of the Executive Manager – Finance and Corporate Services

Cabinet Portfolio Holder Councillor S J Robinson

1. Summary

- 1.1. This report presents the budget position for revenue and capital as at 30 June 2016 the details of which were considered by the Corporate Governance Group on 8 September 2016. Given the current financial climate it is imperative that the Council maintains due diligence with regards to its finances and ensures necessary action is taken to maintain a robust financial position.

2. Recommendation

It is RECOMMENDED that Cabinet note the projected revenue and capital budget positions for the year of £227k and £3,538k, respectively, in efficiency savings.

3. Reasons for Recommendation

- 3.1. To demonstrate good governance in terms of scrutinising the Council's on-going financial position and compliance with Council Financial Regulations.

4. Supporting Evidence

Revenue Monitoring

- 4.1 The revenue monitoring statement by service area is attached at **Appendix A** with detailed variance analysis as at 30 June 2016 attached at **Appendix B**. This shows an underspend against profiled budget to date of £199,000 and a projected efficiency saving for the year of £227,000. It is anticipated that this will continue to improve throughout the remainder of the year as managers continue to drive cost savings, and raise income, against existing budgets.
- 4.2 As documented at **Appendix B** the financial position to date reflects a number of positive variances including employee cost savings; increased income from investment properties; the lack of current calls made on the contingency budget; and additional green waste income. There are several negative variance, the main one being in relation to a fall in expected planning income, particularly due to a reduction in solar farm applications.

Capital Monitoring

4.3 The updated Capital Programme monitoring statement as at June 2016 is attached at **Appendix C**. A summary of the projected outturn and funding position is shown in the table below:-

CAPITAL PROGRAMME MONITORING - JUNE 2016			
EXPENDITURE SUMMARY	Current Budget	Projected Actual	Projected Variance
	£000	£000	£000
Transformation	11,034	10,984	(50)
Neighbourhoods	1,919	761	(1,158)
Communities	327	297	(30)
Finance & Corporate Services	14,435	12,135	(2,300)
Contingency	250	250	0
	27,965	24,427	(3,538)
FINANCING ANALYSIS			
Capital Receipts	(4,538)	(2,922)	1,616
Government Grants	(4,776)	(4,776)	0
Other Grants/Contributions	(1,403)	(1,281)	122
Use of Reserves	(2,517)	(2,517)	0
Internal Borrowing	(14,731)	(12,931)	1,800
	(27,965)	(24,427)	3,538
NET EXPENDITURE	-	-	-

4.4 The projected outturn on the capital programme remains lower than the budget, with a £3.538 million underspend for a number of reasons as detailed below. The original Capital Programme of £18.7 million has been supplemented by a net brought forward of £9.2 million giving a revised total of £27.9 million. This is an ambitious capital programme which will see the completion of two major redevelopment scheme; Bridgford Hall and the Arena. A Capital Contingency sum of £250,000 has been included to allow for flexibility in the overall programme.

4.5 Transformation

The projected actual of £10.9 million will continue to be refined as the cost commitments and profiling of works associated with Cotgrave Masterplan become clearer. The acquisition of strategic properties in Cotgrave will continue and works will commence on the Multi-service Centre and Employment Land. Significant grant support has been secured from Growth Deal Funding for Cotgrave Town Centre and Employment Land (£3 million). A further £2.5 million of Growth Deal Funding has been allocated to development of Land North of Bingham which should commence in the year. Contract works are well underway at Bridgford Hall with completion planned for the end of the financial year. The second tranche of the contribution to Nottinghamshire Broadband has been released. Works planned under the Information Systems Strategy are underway supporting technologies

associated with the move to the Arena. A small provision has been made in the event of necessary health and safety enhancement works to the Civic Centre prior to the move.

4.6 Neighbourhoods

A variance of just over £1 million is projected at this early stage in the year. This primarily relates to support for Registered Housing Providers (659,000) as there are currently no grant commitments. A second programme of garage site developments and the continuation of the rural exception sites is still being explored. In addition, the Council is looking at other methods of delivering social housing in the Borough although this work is still in the early stages. Additional funding has also been awarded from the Better Care Fund allowing additional grant monies to be made available for Disabled Facilities Grants (DFGs), a Handyperson Adaptation Service and Assistive Technology (Home Alarms and small scale alterations to allow vulnerable people to stay in their own homes). A total sum of £126,000 brought forward from 2015/16 for DFGs and top-ups can be returned to Capital Contingency as it is unlikely to be needed. This decision will be taken in a later report. There is a projected underspend of £373,000 on the vehicle replacement programme as this is closely managed to get the maximum economical use out of the existing fleet.

4.7 Communities

Delivery of the Communities Capital Programme is largely on target with the exception of Capital Grant Funding. The projected actual for this is based on known grant commitments and an application pending and there is still £30,000 available for allocation. Works to Play Areas planned at Boundary Road, Greythorne Drive and West Park have not yet commenced.

4.8 Finance & Corporate Services

The projected actual is £12 million which is £2.3 million short of the planned programme. This reflects the understanding that the new loan for Nottinghamshire County Cricket Club will be requested over 3 years instead of one lump sum. In addition, there are no commitments against the monies originally included in the programme and intended for loans to small businesses which have now been tipped in to the Asset Investment Strategy pot. Works have not yet been scoped for the Arena Car Park following vacation by the contractor at the completion of the build works. There have been no requests for Capital Contingency support at this stage although there may be cost pressures associated with BLC artificial turf pitch as the initial contract works have shown some problems arising from the condition of the sub-surface.

4.9 Summary

The report overall projects overall efficiency savings for both revenue and capital. It should be noted it is early in the financial year and opportunities and challenges can arise which may impact on the projected year-end position. There remain external financial pressures from developing issues such as the impact of the localisation of business rates, welfare reform, and continued financial pressures on individuals, businesses and partners; with heightened risks as a result of BREXIT. Against such a background it is imperative that the Council continues to keep a tight control over its expenditure, identifies any impact from income streams and maintains progress against its Transformation Strategy.

5 Risk and Uncertainties

- 5.1 Failure to comply with Financial Regulations in terms of reporting on both revenue and capital budgets could result in criticism from stakeholders, including both members and the Council's external auditors.
- 5.2 Areas such as income can be volatile according to external pressures such as the general economic climate. For example Planning income is variable according to the number and size of planning applications received.

6 Implications

6.1 Finance

Financial implications are covered in the body of the report.

6.2 Legal

None

6.3 Corporate Priorities

Changes to the budget enable the Council to achieve its corporate priorities.

6.4 Other Implications

None

For more information contact:	Name; Peter Linfield Executive Manager - Finance and Corporate Services 0115 914 8439 email plinfield@rushcliffe.gov.uk
Background papers Available for Inspection:	CGG 8 September 2016, Revenue and Capital Budget Monitoring 2016/17 – Quarter 1 Update
List of appendices (if any):	Appendix A – Revenue Outturn Position 2016/17 – Quarter 1 Appendix B – Revenue Variance Analysis Explanations Appendix C – Capital Programme 2016/17 – Quarter 1 Position

Revenue Outturn Position 2016/17 – Quarter 1

	Q1 Position - excl recharges			Total Costs				Variation Explanation (see also Appendix B)
	Budget YTD £'000	Actual YTD £'000	Total Variation £'000	Budget £'000	Projected Outturn £'000	Total Variation £'000	Variation %	
Communities	118	140	22	2,738	2,854	116	4	Reduction in large scale planning applications
Finance and Corporate Services	5,749	5,678	(71)	3,682	3,436	(246)	(7)	Contingencies not called upon
Neighbourhoods	201	171	(30)	4,709	4,646	(63)	(1)	
Transformation	790	670	(120)	306	293	(13)	(4)	
Net Service Expenditure	6,858	6,659	(199)	11,435	11,229	(206)	(2)	
Capital Accounting Adjustments				(1,591)	(1,588)	3	0	
Revenue contribution to capital				158	158	0	0	
Transfer to/(from) Reserves				1,033	1,260	227	0	Revenue surplus £206k, S31 grants £24k
Total Net Service Expenditure				11,035	11,059	24	0	
Central Government Grant				(1,064)	(1,064)	0		
Localised Business Rates (includes SBRR)				(2,072)	(2,072)	0		
Collection Fund Surplus				(79)	(79)	0		
Council Tax Income				(5,753)	(5,753)	0		
Specific Grants (including NHB)				(2,067)	(2,091)	(24)		S31 grants (NHB New Burdens £14k & Transition Grant £6k)
Council Tax Freeze Grant				0	0	0		
Total Funding				(11,035)	(11,059)	(24)	0	
Gross Budget Deficit				(0)	0	0	(0)	

Revenue Variance Explanations

ADVERSE VARIANCES	Projected Outturn Variance £'000
Communities	
Community Parks & Open Spaces - New car parking charges not anticipated to be realised until 2017/18	20
Development Control - Reduction in number of large scale applications - £100k. New pre-application charging not due to commence until September 2016	115
Finance & Corporate Services	
Insurances - Additional payment for the Risk Management Fund	10
Neighbourhoods	
Homelessness - Restructure costs	15
Tanker Services - Loss of income from Metropolitan contract	15
Transformation	
Industrial Sites - NCC have vacated Coach Gap Lane premises	12
Total Adverse Variances	187
FAVOURABLE VARIANCES	Projected Outturn Variance £'000
Communities	
Local Development Framework - Local Plan expected to slip with possible carry forward into 2017/18	(25)
Finance & Corporate Services	
Finance – Staff vacancies and additional income from NSDC insurance work	(59)
EMT - Restructuring savings	(22)
Contingencies - Contingency dependant on risks identified	(119)
Council Tax - Staff vacancies	(11)
Neighbourhoods	
Waste Collection & Recycling - Green waste income above target (£35k) and savings on diesel (£7k)	(45)
Fleet & Garage - Fewer repairs due to use of newer vehicles	(20)
Transformation	
Investment Properties - Additional rental income at The Point	(70)
Total Favourable Variances	(371)
Sum of Minor Variances	(22)
TOTAL VARIANCE	(206)

Capital Programme 2016/17 – Quarter 1 Position

CAPITAL PROGRAMME MONITORING - JUNE 2016						
	Original Budget	Current Budget	Budget YTD	Actual YTD	Projected Actual	Variance
		£000	£000	£000	£000	£'000
TRANSFORMATION						
Cotgrave Masterplan	5,200	1,565	207	5	1,565	0
Land North of Bingham	2,800	2,800	0	0	2,800	0
Eaton Place Toilet Improvements	33	33	0	0	33	0
Cotgrave Multi-Service Centre	0	1,348	231	3	1,348	0
Colliers Way Industrial Units	0	20	0	0	20	0
Cotgrave Employment Land	0	2,642	452	38	2,642	0
Bridgford Hall Refurbishment	1,410	2,192	375	195	2,192	0
Civic Centre Enhancements - General	0	50	0	0	0	(50)
Nottinghamshire Broadband	83	83	83	83	83	0
IS Strategy	107	301	25	15	301	0
	9,633	11,034	1,373	339	10,984	(50)
NEIGHBOURHOODS						
Support for Registered Housing Providers	250	659	0	3	0	(659)
Wheeled Bins Acquisition	60	60	60	42	60	0
Disabled Facilities Grants	521	467	117	94	401	(66)
Discretionary Top Ups	0	130	0	0	70	(60)
Handyperson Adaptation Service	0	30			30	0
Assistive Technology	0	20			20	0
Vehicle Replacement	981	553	150	148	180	(373)
	1,812	1,919	327	287	761	(1,158)
COMMUNITIES						
Community Partnership Reward Grants	0	25	0	0	25	0
Nottinghamshire Cricket Club - Grant	90	90	0	0	90	0
Capital Grant Funding	48	128	32	27	98	(30)
Play Areas/Special Expense	50	50	0	0	50	0
West Park Fencing and Drainage	34	34	0	0	34	0
	222	327	32	27	297	(30)
FINANCE & CORPORATE SERVICES						
Car Park Pay and Display Machines	60	60	0	0	60	0
BLC Artificial Turf Pitch	165	165	8	0	165	0
Rushcliffe School Contribution	90	90	0	0	90	0
Arena Car Park Improvements	55	55	0	0	55	0
Arena Development	6,555	10,865	1,609	1,505	10,865	0
NCCC loan 2015-16	0	2,700	0	0	900	(1,800)
Asset Investment Strategy	0	500	0	0	0	(500)
	6,925	14,435	1,617	1,505	12,135	(2,300)
CONTINGENCY						
Contingency	150	250			250	0
	150	250	0	0	250	0
TOTAL	18,742	27,965	3,349	2,158	24,427	(3,538)

Report of the Executive Manager - Communities

Cabinet Portfolio Holder Councillor R L Butler

1. Summary

- 1.1. The Statement of Community Involvement (SCI) sets out the Borough Council's policies on community involvement in planning policy preparation and the determination of planning applications. A draft SCI was published and consulted on over an eight week period ending on 24 March 2016. A total of eight organisations and individuals submitted representations.
- 1.2. The representations received have been considered and a number of revisions to the draft SCI are proposed in response. It is recommended that the revised SCI be adopted for use in the preparation of planning policy and the determination of planning applications.

2. Recommendation

It is RECOMMENDED that Cabinet adopts the revised draft Statement of Community Involvement for Planning Policy and Planning Applications.

3. Reasons for Recommendation

- 3.1. The Statement of Community Involvement for Planning Policy and Planning Applications will, if adopted, set out the Council's policies on community involvement in planning policy preparation and the determination of planning applications. It would replace the existing, 2007 Statement of Community Involvement.

4. Supporting Evidence

- 4.1. Section 18 of the Planning and Compulsory Purchase Act (2004) requires local planning authorities to prepare a Statement of Community Involvement (SCI). The SCI must set out how persons and organisations, who appear to the authority to have an interest in matters relating to development in the area, will be involved in the Council's plan making and development management functions.
- 4.2. The Council adopted its first SCI in June 2007 and this document has governed the public participation undertaken since then, including the preparation of the Local Plan Part 1: Core Strategy.

- 4.3. Its replacement with a new SCI is considered appropriate in order to reflect regulatory changes since the first SCI was published and to refer to current practice in respect of both planning policy preparation and the determination of planning applications.
- 4.4. A replacement draft SCI was published in January 2016 and consulted on over an eight week period ending on 24 March 2016. A total of eight representations were received, including from the three statutory environmental bodies (Highways England, Historic England and Natural England), parish councils (Aslockton, East Leake, Barton in Fabis and Tollerton) and one resident.
- 4.5. A summary of all representations received is set out at **Appendix 1**. The comments are grouped on the basis of those relating to development plan and supplementary planning documents preparation and those which concern the process of determining planning applications.
- 4.6. The statutory environmental bodies welcomed the involvement methods, but did not make detailed comments. Responses from the parish councils raised concerns regarding their involvement in the planning application process, most notably pre-application consultation, S106 discussions, and the delegation of applications to officers, speaking at planning committee and the publication/consultation of amendments to permitted developments.
- 4.7. Alongside the summary of comments at **Appendix 1** is a proposed response to each one. In response to some of the comments made, it is considered that a limited number of revisions to the draft SCI are justified. These and other relatively minor revisions have been incorporated into the revised draft SCI at **Appendix 2**.
- 4.8. The Local Development Framework Group, at its meeting on 18 July 2016, considered the revised draft SCI and recommended to Cabinet that it be adopted.

5. Other Options Considered

- 5.1. Cabinet could choose not to adopt the revised draft Statement of Community Involvement for Planning Policy and Planning Applications. This option is considered inappropriate as the 2007 SCI would not take account of regulatory changes since the first SCI was published or refer to current practice in respect of both planning policy preparation and the determination of planning applications.

6. Risk and Uncertainties

- 6.1. The Council's existing Statement of Community Involvement is now more than eight years old, within which time there have been a number of changes to the planning system which have had a bearing on the process of consultation in respect of both the local plan making and planning application determination. It would therefore be unsatisfactory to continue to place reliance on the existing SCI and not aim to replace it with a new revised version.

7. Implications

7.1. Finance

There are no direct financial implications arising from this report.

7.2. Legal

It is a statutory requirement for the Council to have a Statement of Community Involvement in place covering community engagement in relation to development plan preparation and the determination of planning applications.

7.3. Corporate Priorities

The adoption of the Rushcliffe Local Plan, which the revised SCI would assist in achieving, is a key element of the Council's corporate priority of supporting economic growth to ensure a sustainable, prosperous and thriving local economy.

7.4. Other Implications

None.

information contact:	Planning Policy Manager 0115 914 8457 email rmapletoft@rushcliffe.gov.uk <hr/>
Background papers Available for Inspection:	Rushcliffe Statement of Community Involvement - Adopted June 2007 http://www.rushcliffe.gov.uk/planningpolicy/localplan/communityinvolvement/
List of appendices (if any):	Appendix 1: Summary of consultation representations Appendix 2: Revised Draft Statement of Community Involvement for Planning Policy and Planning Applications

Appendix 1: Summary of consultation representations

1. Consulting on Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs)

Question: Do you agree or disagree with the consultation methods identified in the Draft Statement of Community Involvement? If you disagree, please explain why and how the Draft Statement of Community Involvement should be changed.

Organisation/ Individual	Agree/ Disagree	Comment Details	Draft Response/Recommended Change
East Leake Parish Council	Comment	Para 2.4 bullet 3. Consultation on Neighbourhood Plans is laid down by the Neighbourhood Planning (General) Regulations 2012, which includes some stages undertaken by the local planning authority.	Noted
Highways England	Comment	Welcomes the range of methods which the Council intends to consult with stakeholders including community events, meetings, press releases and websites. This should ensure that the entire cross section of the community has the opportunity to comment upon consultation documentation. It also notes that the Council is to consult with infrastructure providers throughout the consultation process, and this is assumed to include Highways England, and this is also welcomed.	Noted
Historic England	-	No comment	Noted
Natural England	Comment	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. No specific comments to make on this consultation.	Noted
Tollerton Parish Council	Comment	The parish council does not consider there to have been sufficient early engagement from the borough	Tollerton Parish Council is a statutory consultee and as such was consulted during the formulation

Organisation/ Individual	Agree/ Disagree	Comment Details	Draft Response/Recommended Change
		<p>council on the methodology or appropriateness of the proposals for Tollerton and would welcome further discussion on future sustainable development within both the village and wider parish before the plans are adopted - to ensure that opportunities for neighbourhood led planning remain available to Tollerton residents.</p> <p>The parish council would also wish to see greater engagement on the sustainability of proposed developments on the road network.</p>	<p>of the adopted Core Strategy (Local Plan Part 1). The adopted Core Strategy includes significant development within Tollerton Parish, which the Land and Planning Policies Development Plan (Local Plan Part 2) will not fundamentally change.</p> <p>The Issues and Options consultation provides an early engagement opportunity for consultees to comment on policy issues either not addressed within the Core Strategy or required to deliver Core Strategy policies.</p> <p>Tollerton Parish Council was sent paper copies of all the consultation documents and responded during the 8 week consultation period.</p> <p>Rushcliffe Borough Council is happy to engage further with the Parish Council in respect of future development within Tollerton Parish.</p>
Anne Toombs	Agree	Yes	Noted

2. Consulting on Planning Applications

Question: Do you agree or disagree with the consultation methods identified in the Draft Statement of Community Involvement? If you disagree, please explain why and how the Draft Statement of Community Involvement should be changed.

Organisation/ Individual	Agree/ Disagree	Comment Details	Draft Response/Recommended Change
Barton in Fabis Parish Council	Disagree	<p>Current methods heavily biased in favour of developers against local communities and locally elected parish council representatives. The following amendments are proposed:</p> <p>Para 3.3 bullet point 3 should read:</p> <p><i>“Prior to the submission of more significant applications, applicants are required to engage with the community including Town / Parish Councils and to demonstrate how the views of local communities have been taken in to consideration, or to justify why such views have not been accepted”</i></p>	<p>The Localism Act includes provisions to introduce, through secondary legislation, requirements to undertake consultation with the public prior to submitting a planning application. To date, this requirement has only been enacted for applications involving wind turbines. Therefore, it is not obligatory under legislation to undertake pre application consultation, other than for wind turbines.</p> <p>RBC cannot make it an obligatory requirement through the SCI, it can only be encouraged.</p> <p>However, paragraph 3.15 has been added under Developer Community Involvement which reads:</p> <p><i>“Where pre-application consultation has been undertaken with the community, the application shall demonstrate how the views of the local communities have been taken in to consideration, or justify why such views have not been taken in to account.”</i></p>

Organisation/ Individual	Agree/ Disagree	Comment Details	Draft Response/Recommended Change
		<p>SCI/Council should also:</p> <p><i>“Require that all planning applications for larger developments are complete and accurate in every respect before submission.”</i></p> <p>Para 3.7 (Section 106 negotiations) should read:</p> <p><i>“Section 106 negotiations will always involve consultation with and involvement of town/parish councils”</i></p>	<p>National requirements identify the necessary documentation which must support a planning application. RBC does not believe it is necessary to duplicate these requirements in the SCI.</p> <p>Furthermore, ensuring all applications are complete and accurate is not the purpose of the SCI.</p> <p>The current wording in the draft SCI states ‘The Section 106 negotiations will not normally involve consultation with or the involvement of the general public or town/parish councils’. This does not preclude involvement of Parish Councils.</p> <p>RBC accept that compliance with legal requirements for section 106 obligations and their complexity can result in lengthy and time consuming negotiations. Due to legal and confidentiality requirements Parish/Town Councils are often excluded from these negotiations. However, this does not preclude them commenting on issues that they may wish to be included in a section 106 when they are consulted on a planning application in the usual</p>

Organisation/ Individual	Agree/ Disagree	Comment Details	Draft Response/Recommended Change
		<p>Para 3.8 (decisions and delegation) should include an additional exception:</p> <p><i>“Where a town/parish council disagrees with the officer’s recommendation.”</i></p> <p>Para 3.9 (speaking at planning committee) should state that:</p> <p><i>“Parish / Town councils are permitted to speak on relevant applications for a maximum of 5 minutes”</i></p> <p>Para 3.14 (early community involvement) should state that:</p> <p><i>“Prior to the submission of a planning application especially for larger developments (such as below) applicants are required to engage with the community including Town / Parish Councils and to demonstrate</i></p>	<p>way.</p> <p>No changes proposed</p> <p>The delegation of planning application decisions to officers cannot be altered through the SCI. This can only occur through changes to the Council’s Constitution.</p> <p>No changes proposed</p> <p>Planning Committee procedures cannot be amended through the SCI. This could only be achieved through changes to the Constitution.</p> <p>No changes proposed</p> <p>Paragraph 3.15 has been added:</p> <p><i>“Where pre-application consultation has been undertaken with the community, the application shall demonstrate how the views of the local communities have been taken in to consideration, or justify why such views have</i></p>

Organisation/ Individual	Agree/ Disagree	Comment Details	Draft Response/Recommended Change
		<p><i>how the views of local communities have been taken in to consideration, or to justify why such views have not been accepted”</i></p> <p>RBC should keep communities up to date regarding meeting between officers and developers. The SCI should include the following:</p> <p><i>“RBC officers will keep comprehensive minutes / notes of all meetings held by officers / councillors with developers of larger development. These will be published on the RBC website and made freely and readily available to Parish / Town councils, subject to normal commercial confidentiality”</i></p>	<p><i>not been taken in to account.”</i></p> <p>Pre-application discussions are normally undertaken in confidence and may involve commercially sensitive information. For these reasons, RBC would not publish details or pre-application discussions on the website. Furthermore, some discussions may not result in the submission of an application and publication of discussions in these circumstances may attract abortive comments from residents and create additional work for officers. RBC does not consider that the SCI should include a requirement for officers to keep comprehensive minutes/notes of meetings. This is an internal procedural matter.</p> <p>No changes proposed</p>
East Leake Parish Council	Disagree	<p>Para 3.5</p> <ul style="list-style-type: none"> • Third bullet on page 9 – are comments submitted by email taken into account? This should be made clear. • It should be made clear that comments will be made public on the website. • Footnote numbering is incorrect. 	<p>Amend fourth bullet point to read:</p> <p><i>“The preferred and most efficient way for comments to be submitted is through the Council’s website at https://planningonline.rushcliffe.gov.uk/online-applications/. However, comments submitted by email to developmentcontrol@rushcliffe.gov.uk or by post</i></p>

Organisation/ Individual	Agree/ Disagree	Comment Details	Draft Response/Recommended Change
		<ul style="list-style-type: none"> Neighbourhood Plans should be listed as a material consideration. <p>Para 3.6 (amendments to applications) Lack of transparency regarding amendments and variations. Changes to benign applications occur under the radar with greater negative impacts on the community. E.g. Homes within the Kirk Ley development increased by 50% under a variation to two conditions.</p> <p>Planning website can be difficult to use. More should be done to ensure that the overall descriptions are</p>	<p><i>will also be taken into account. All comments received from Statutory Consultees, Borough Councillors, Town/Parish Councils and residents etc. will normally be displayed on the website."</i></p> <p>Neighbourhood Plans, once adopted, form part of the Council's Development Plan (Local Plan). They do not require a separate listing as local planning policy is identified as a material consideration in the fifth bullet.</p> <p>No changes proposed</p> <p>If an amendment results in increased or adverse impact, we would normally undertake further consultation. The example referred to by the Parish Council was the subject of a new Section 73 planning application which was subject to consultation in the same way as for the original application. It was also determined by the Development Control Committee, when it was resolved to refuse permission, and ultimately allowed at appeal following a Hearing. RBC does not agree that these amendments were dealt with 'under the radar'.</p> <p>Noted</p>

Organisation/ Individual	Agree/ Disagree	Comment Details	Draft Response/Recommended Change
		<p>informative at each stage and a summary of amendments provided, rather than being buried in the plans.</p> <p>Para 3.7 (developer contributions) Town and parish councils should have the opportunity to be more actively involved in negotiating S106 agreements at the initial stage. PC is infrastructure provider in some cases, or connects other providers into the process (e.g. village halls) and should be consulted. Involvement at the next stage is too late, as no contribution will have been included to cover the items of local infrastructure.</p> <p>Repayment period should be consulted upon to ensure sufficient time is agreed to build new infrastructure.</p> <p>Para 3.8 (delegated decisions) Larger developments, especially where officer's</p>	<p>The current wording in the draft SCI states 'The Section 106 negotiations will not normally involve consultation with or the involvement of the general public or town/parish councils'. This does not preclude involvement of Parish Councils.</p> <p>RBC accept that compliance with legal requirements for section 106 obligations and their complexity can result in lengthy and time consuming negotiations. Due to legal and confidentiality requirements Parish/Town Councils are often excluded from these negotiations. However, this does not preclude them commenting on issues that they may wish to be included in a section 106 when they are consulted on a planning application in the usual way.</p> <p>No changes proposed</p> <p>The delegation of planning application decisions to officers cannot be altered through the SCI. This</p>

Organisation/ Individual	Agree/ Disagree	Comment Details	Draft Response/Recommended Change
		<p>recommendation disagrees with the parish councils, should go before planning committee.</p> <p>Para 3.9 (speaking at planning committee) Members of the public should be given opportunity to speak at planning committee. This would require careful control with strict time limits.</p> <p>Para 12 (amendments) Welcome opportunity for consultation at the discretion of officers and hope that this will be exercised whenever there is an impact on local communities.</p> <p>Para 13 (early community involvement) 100 homes is too high a threshold for pre-app consultation.</p>	<p>can only occur through changes to the Council's Constitution.</p> <p>No changes proposed</p> <p>Planning Committee procedures cannot be amended through the SCI. This could only be achieved through changes to the Constitution.</p> <p>No changes proposed</p> <p>Noted</p> <p>The Localism Act includes provisions to introduce, through secondary legislation, requirements to undertake consultation with the public prior to submitting a planning application. To date, this requirement has only been enacted for applications involving wind turbines. Therefore, it is not obligatory under legislation to undertake pre application consultation, other than for wind turbines.</p>

Organisation/ Individual	Agree/ Disagree	Comment Details	Draft Response/Recommended Change
			<p>Paragraph 3.14 states that RBC ‘recommend and would encourage early involvement with the community before submitting a planning application, but particularly for larger developments.’ This does not preclude pre-application consultation on smaller applications. In circumstances where a proposal of less than 100 units is likely to prompt significant interest from the local community, developers are encouraged to undertake pre-application consultation.</p> <p>Paragraph 3.14 has been amended as follows:</p> <p><i>“If a proposal is likely to prompt significant community interest, we recommend and would encourage early involvement with the community before submitting a planning application, particularly for larger developments, such as:”</i></p>
Natural England	Comment	<p>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>No specific comments to make on this consultation.</p>	Noted
Tollerton Parish	Disagree	The council agrees with the requirements for	Due to the statutory timescales for the

Organisation/ Individual	Agree/ Disagree	Comment Details	Draft Response/Recommended Change
Council		<p>submission of comments to satisfy the borough council's development control committee scheduling and asks the borough council to consider the requirements of parish councils that meet monthly. The council requests that the borough council give a guarantee that parish council consultees be afforded a month to respond to ensure that such applications can be considered publicly and appropriately.</p> <p>Para 3.8 (delegated decisions) The borough council should also consider referring applications to the development control committee where the parish council disagrees with the officer recommendation or the local Member.</p>	<p>determination of planning applications and the increasing emphasis from Government on speed of determination, RBC cannot commit to an 'across the board' agreement to give Town/Parish Councils a month to respond to consultations. However, we recognise that some Town/Parish Councils do not meet as regularly as others and have previously agreed to requests for 'reasonable' extensions of time. This issue was addressed in a letter RBC sent to Town and Parish Councils dated 20th October 2015.</p> <p>No changes proposed</p> <p>The delegation of planning application decisions to officers cannot be altered through the SCI. This can only occur through changes to the Council's Constitution.</p> <p>Ward Member comments do trigger committee consideration where their view differs with officer recommendation.</p> <p>No changes proposed</p>

Organisation/ Individual	Agree/ Disagree	Comment Details	Draft Response/Recommended Change
		<p>The borough council should add an additional exception to delegated decision making: Where the local council disagrees with the officer recommendation with regard to policies of a “made” neighbourhood development plan it should be referred to the development control committee.</p> <p>Para 3.7 (section 106 agreements) The Council disagrees with the proposal that S106 or CIL negotiations will not involve consultation with town and parish councils. Parish councils provide infrastructure important to the community and should be involved in this process at an early stage.</p>	<p>The Neighbourhood Plan alongside the Local Plan is a material consideration which informs the decision. It should not be used as a trigger for committee consideration.</p> <p>No changes proposed</p> <p>The current wording in the draft SCI states ‘The Section 106 negotiations will not normally involve consultation with or the involvement of the general public or town/parish councils’. This does not preclude involvement of Parish Councils.</p> <p>RBC accept that compliance with legal requirements for section 106 obligations and their complexity can result in lengthy and time consuming negotiations. Due to legal and confidentiality requirements Parish/Town Councils are often excluded from these negotiations. However, this does not preclude them commenting on issues that they may wish to be included in a section 106 when they are consulted on a planning application in the usual way.</p> <p>No changes proposed</p>
Anne Toombs	Agree	Yes	

Organisation/Individual	Comment Details	Draft Response/Recommended Change
	Local information can prove very beneficial.	when the suitability and deliverability of all the sites is reviewed annually.
Tollerton	<p>The parish council does not consider there to have been sufficient early engagement from the borough council on the methodology or appropriateness of the proposals for Tollerton and would welcome further discussion on future sustainable development within both the village and wider parish before the plans are adopted - to ensure that opportunities for neighbourhood led planning remain available to Tollerton residents.</p> <p>The parish council would also wish to see greater engagement on the sustainability of proposed developments on the road network. There should be further engagement to identify and develop appropriate road safety measures for the expected increase in</p>	<p>Tollerton Parish Council is a statutory consultee and as such was consulted at every stage during the formulation of the adopted Core Strategy (Local Plan Part 1). The adopted Core Strategy includes significant development within Tollerton Parish, which the Land and Planning Policies Development Plan (Local Plan Part 2) will not fundamentally change.</p> <p>The Issues and Options consultation provides an early engagement opportunity for consultees to comment on policy issues either not addressed within the Core Strategy or required to deliver Core Strategy policies.</p> <p>Tollerton Parish Council was sent paper copies of all the consultation documents and responded during the 8 week consultation period.</p> <p>Rushcliffe Borough Council is happy to engage further with the Parish Council in respect of future development within Tollerton Parish.</p> <p>Further engagement on the delivery of the Strategic Allocation within Tollerton Parish will occur through the development control process. Given the scale of the proposal, it is expected</p>

Organisation/Individual	Comment Details	Draft Response/Recommended Change
	<p>traffic flows through Tollerton as the result of development proposed in the plan.</p> <p>PC disagrees with the proposal that S106 or CIL negotiations will not involve consultation with town and parish councils. Parish councils provide infrastructure important to the community and should be involved in this process at an early stage. Following the passing of the Localism Act and localism policies of other local authorities, parish councils are increasingly regarded as an important service deliverer for local communities and should be consulted on S106/CIL negotiations.</p>	<p>this will include pre-application consultation.</p> <p>The current wording in the draft SCI states ‘The Section 106 negotiations will not normally involve consultation with or the involvement of the general public or town/parish councils’. This does not preclude involvement of Parish Councils.</p> <p>RBC accept that compliance with legal requirements for section 106 obligations and their complexity can result in lengthy and time consuming negotiations. Due to legal and confidentiality requirements Parish/Town Councils are often excluded from these negotiations. However, this does not preclude them commenting on issues that they may wish to be included in a section 106 when they are consulted on a planning application in the usual way.</p>

**Appendix 2: Revised Draft Statement of
Community Involvement for Planning
Policy and Planning Applications**

Notes:

Proposed revisions are identified within the document as 'track changes'. Generally, this means that text that is in green and underlined is proposed new text and text that is in ~~red and crossed through~~ is proposed for deletion.



**Rushcliffe
Statement of Community
Involvement for Planning Policy
and Planning Applications**

Date TBC

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1. Introduction

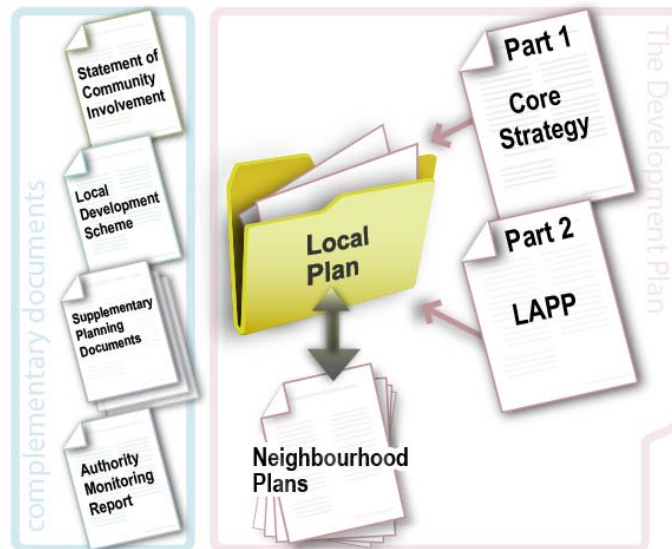
- 1.1 This ~~draft~~ Statement of Community Involvement sets out Rushcliffe Borough Council's proposed policies on community involvement in planning policy preparation and the determination of planning applications. This Statement ~~will~~ replaces the previous adopted version of the Statement of Community Involvement prepared in 2007. It ~~will~~ exceeds the minimum legal requirements for consultation set out in the Planning Acts and regulations.
- 1.2 For community involvement to be successful it must involve an inclusive approach based on the differing needs of the various parts of the community. The Council therefore wishes to use the most effective means to enable people to be informed and to contribute throughout the plan-making process. The aim is to ensure that all groups in the Borough are involved in the process early enough for people to be able to have an input, and to address the needs of those groups of people who traditionally have not been involved in the process but may have specific needs to be met or addressed. It is important that all views are sought, not just those of people with a direct interest in a land use proposal.

2. Planning Policy

Local Plan

- 2.1 Paragraph 155 of the Government's National Planning Policy Framework states that:
- “Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.”*
- 2.2 The Local Plan sets out how the Borough will develop in the future. It comprises a set of planning documents collectively called Development Plan Documents and in combination these constitute the Development Plan as shown in the diagram below. These plans are subject to a statutory process including community involvement.
- 2.3 In addition to the views of the general public, they must be supported by

a number of evidenced based technical documents including a Sustainability Appraisal, Equalities Impact Assessment and Habitats Regulations Assessment. Development Plan Documents are also subject to an independent examination.



2.4 The Development Plan Documents in Rushcliffe include:

- Local Plan Part 1: Core Strategy – setting out the overarching spatial vision and identification of strategic sites
- Local Plan Part 2: Land and Planning Policies – sets out policies for the management of development against which planning applications will be considered and non-strategic allocations
- Neighbourhood Development Plans – The Localism Act 2011 gave local communities powers to develop their own planning policies for their areas. Consultation methods on these documents are decided by the local body responsible for the neighbourhood plan, not Rushcliffe Borough Council.

2.5 Supplementary Planning Documents give further explanation and detail to Local Plan policies. They are subject to statutory procedures including community involvement but are not subject to independent examination.

2.6 Other documents that support a Local Plan include:

- Local Development Scheme - sets out the programme for the preparation of Development Plan Documents and also lists supplementary planning

documents to be prepared

- Statement of Community Involvement (this document)
- Local Plan Monitoring Report

Local Plan Consultation Principles

2.7 We will abide by the following principles when consulting on the Local Plan:

- We will involve the public and consultees at the earliest opportunity when producing documents;
- Consultation will be transparent, open and accessible to all sections of the community, enabling the community to engage with the planning system, not just those who are familiar with it;
- The consultation process will allow local communities and consultees to see how ideas have developed at various stages with effective feedback; and
- Wherever possible consultation will be carried out in tandem with other community engagement initiatives.

Consultation on Development Plan Documents and Supplementary Planning Documents

2.8 Rushcliffe Local Plan Part 1: Core Strategy was adopted in December 2014. This key planning policy document contains housing and employment targets and their distribution across Rushcliffe, and overarching strategic policies on design, housing mix and tenure, green infrastructure, biodiversity and infrastructure. It also identifies strategic development sites which are critical to the delivery the majority of development proposed in the Core Strategy.

2.9 Whilst policies within the adopted Core Strategy are the primary consideration when determining planning applications, further detailed policies are required to guide and deliver development. These will be contained within the Local Plan Part 2: Land and Planning Policies. This document will also be accompanied by a detailed proposals map for the Borough which will identify non-strategic housing and employment allocations, new infrastructure, the Green Belt boundary, retail areas and heritage and Green Infrastructure assets.

2.10 The Government does not set out precise detail of how a council should prepare a Local Plan but rather considers councils are best placed to decide the exact process and how to engage with their communities. However, the

regulations¹ do prescribe certain stages where the public are to be consulted and this is shown in the appendix.

2.11 The following consultation methods exceed the requirements as set out in the regulations:

Who we will consult

- Statutory organisations including parish councils and neighbouring authorities, infrastructure providers and government bodies as legally required or otherwise appropriate;
- Organisations representing local geographical, economic, social and other communities or other relevant interests;
- Local businesses, voluntary and other organisations;
- Others who have expressed an interest in the subject matter; and
- The general public.

How we will consult

- We will contact appropriate organisations and individuals directly;
- We will publicise consultations by methods such as leaflets, websites, posters, press releases, displays, working with existing community groups, attending community events and joint consultations;
- We will leave consultation documents on display at locations open to the public (Rushcliffe Community Contact Centre and libraries);
- If requested, and applying any reasonable charges, we will give consultation documents to community groups, councils and statutory organisations;
- We will consider organising events such as stakeholder meetings or workshops; and
- We will publish comments received and/or provide a summary as soon as possible. We will explain how these comments have been considered when decisions are taken.

When we will consult

For Development Plan Documents (DPDs)

- We will, where necessary, ask for views on issues, ideas and information from appropriate organisations, individuals or communities;
- After considering any initial comments we will consult on documents which explain issues to be considered and which may also include potential options; and
- We will consider the need to prepare documents for additional consultation stages setting out further options, information or a preferred

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012

- option or other useful content; and
- We will formally publish the proposed submission document for representations prior to independent examination.

For Supplementary Planning Documents (SPDs)

- We will, where necessary, ask for views on issues, ideas and information from appropriate organisations, individuals on communities;
- After considering any initial comments we will consult on a draft version of the Supplementary Planning document
- After considering the responses to the draft we will consider the need for further consultation; and
- Once we consider there has been enough community involvement we will adopt the Supplementary Planning document

Duty to cooperate

2.12 The 'duty to cooperate' as set out in the Localism Act (2011) requires local planning authorities, county councils and other public organisations (including the Environment Agency and Highways England) to engage with one another and consider joint approaches to plan making.

2.13 Rushcliffe is located within Nottinghamshire and shares its boundaries with six other local authorities: Charnwood, Erewash, Melton, North West Leicestershire and Nottingham City. Nottinghamshire County Council is also a major service provider. It is important for us to communicate with our partner organisations, particularly regarding cross-boundary and county-wide issues. We also take part in regular discussions through the following forums:

- Nottinghamshire Planning Officer Group (NPOG); and
- Greater Nottinghamshire Joint Planning Advisory Board (JPAB)

2.14 We will continue to work closely with our partners to deliver planning in Rushcliffe and fulfil the requirements under the duty to cooperate.

Seldom Heard Groups

2.15 We are committed to providing fair and equal access to planning services. Resources will be directed towards those 'seldom heard groups' identified in Equality Assessments to ensure those affected by the plan have a chance to be involved and to ensure we meet our statutory obligations under equalities legislation.

- 2.16 We will provide information in a variety of formats, including Braille, large print, and other languages on request. If this is not possible we will work with the group or individual to provide information and obtain views through alternative inclusive methods.

3. Planning Applications

- 3.1 Planning decisions can often be controversial. There will often be good reasons for and against any development and the Borough Council must apply planning criteria in a reasonable manner. The important issue is to make the decision making process as clear, transparent and inclusive as possible. It is important to realise that the number of objections to a proposal is not a determining factor and applications can only be refused for clear planning- related reasons.
- 3.2 Rushcliffe Borough Council is not responsible for determining all planning applications within the Borough. Nottinghamshire County Council control certain categories of applications, such as minerals and waste developments – and in these cases, they will be responsible for any consultation.

Pre-application stage

- 3.3 The aim of pre-application engagement is to encourage discussion before a formal application is made. The process can help to identify improvements and overcome objections at a later stage. At the pre-application stage, we will:-
- Publish and update advice about the information required when submitting planning applications on the Borough Council's website;
 - Actively encourage and hold pre-application discussions with prospective applicants whatever the scale of development proposed. For the larger proposals or those which may give rise to local controversy, on sensitive sites or of a significant scale, consultation may be carried out with technical consultees such as Nottinghamshire County Council as Highways Authority and the Environment Agency; **and**
 - Encourage the applicants of more significant applications to engage with the community including holding exhibitions and other events to publicise their proposals; **and**
 - Encourage all landowners/property owners to discuss their proposals with their neighbours and where appropriate the wider community before submitting an application.
- 3.4 Whilst the Borough Council does not charge for general advice on the

planning system and application process, charges will be made for pre-application advice on specific proposals. Details of charges made for providing pre-application advice are set out on the Council's website².

Planning application stage

How we will publicise planning applications

- 3.5 We are required by law³ to give publicity to all planning applications and applications affecting Listed Buildings and Conservation Areas. The statutory publicity requirements for planning and heritage applications are set out in the following table:-

Type of Development	Publicity Required
<ul style="list-style-type: none"> • Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement; • Applications involving a departure from the development plan; or • Development affecting a public right of way 	Posting of a site notice and notice in a local newspaper.
Major Development (a) 10 or more dwellings or, where the site is 0.5 ha or more; and (b) for all other uses, floor space of 1000 sq. metres or more or site area of 1 ha or more.	Notice in local newspaper and either a site notice or neighbour notification letter.
Minor Development (all other development)	Site notice or neighbour notification letter and publicised on the Council's web site .
Listed Buildings and development in Conservation Areas	Notice in local newspaper and site notice.

How we will consult

- Additional publicity and/or neighbour notification will generally be undertaken, over and above the statutory requirement, dependent on the nature and scale of the development proposal. Anyone can comment not

² <http://www.rushcliffe.gov.uk/developmentcontrol/applyingforplanningpermission/pre-applicationadvice/>

³ Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and The Planning (Listed Buildings and Conservation Areas) Regulations 1990.

just those who have received a letter. All planning applications are available for inspection on the Borough Council's web site at www.rushcliffe.gov.uk and electronically at the Rushcliffe Community Contact Centre in West Bridgford during office hours or online. The availability of information on major planning applications will be considered on a case by case basis and if it is judged necessary information will be made available at places additional to the Council offices.

- We will consult various specialists and relevant organisations including statutory consultees⁴ such as the Environment Agency and Natural England and other organisations as appropriate such as the town/parish council/meeting and district and parish councils which adjoin Rushcliffe Borough.
- There is a statutory consultation period of 21 days. After that period a decision may be taken, but any comment received before the application is decided will generally be considered. Where applications are to be considered by the Development Control Committee, any comments received after the agenda has been finalised will be reported to Members of the Committee in a Schedule of Late Representations. However, any comments received after noon on the working day before the date of the meeting will not be reported to the Committee.
- ~~Comments can be sent by letter or through the Planning On-line System on the Council's website⁵.~~
- The preferred and most efficient way for comments to be submitted is through the Council's website at <https://planningon-line.rushcliffe.gov.uk/online-applications/>. However, comments submitted by email to developmentcontrol@rushcliffe.gov.uk or by post will also be taken into account.⁵ All comments received from Statutory Consultees, Borough Councillors, Town/Parish Councils and residents etc. will normally be displayed on the website.
- Comments should consider 'material planning considerations'. Examples include:
 - Local and national planning policy and guidance
 - Loss of light or overshadowing
 - Impact on residential amenity
 - Impact on listed buildings and conservation areas
 - Heritage and nature conservation
- Examples of issues that are not material planning considerations include: loss of property value, the loss of a person's private view or a boundary

⁴ ~~As set out in Schedule 4 to the Town and Country Planning (Development Management Procedure) (England) Order 2015.~~

⁵ As set out in Schedule 4 to the Town and Country Planning (Development Management Procedure) (England) Order 2015.

ownership dispute.

Amendments to Applications

- 3.6 There is no statutory requirement to consult on amendments to applications. Where amendments to applications are negotiated which satisfy objections no further consultation will be undertaken. Where amendments are made before the decision is taken which significantly affect individuals then reconsultation may be undertaken. Normally a shorter period of 7 to 14 days will be given for further responses. Where there are significant changes needed the application should ideally be withdrawn and resubmitted as a fresh application. In this case there is one “free go” with no further planning fee within 12 months of the submission of the original application for applications by the same applicant and relating to the same site which are of similar character or description of development.

Developer Contributions

- 3.7 Developments over a certain size may require the developer to pay financial contributions to address the impacts of the development on local infrastructure such as schools, medical facilities and highway improvements, etc. There may also be a requirement to provide affordable housing. These contributions will be sought as part of a Section 106 legal agreement or Community Infrastructure Levy where one is in place. During consideration of the application, consultations and negotiations will be undertaken with infrastructure providers to determine the level of contributions required. The Section 106 negotiations will not normally involve consultation with or the involvement of the general public or town/parish councils. Once the contributions have been paid to the Borough Council, further consultations will be undertaken with infrastructure providers to ensure that the money is spent appropriately, this may, where appropriate, involve consultation with the town/parish council/meeting for the area where the development is taking place.

The Decision

- 3.8 Borough Council has delegated the taking of decisions on planning applications to designated officers, except where:
- a Ward Member disagrees with the officer’s recommendation;
 - there is a declaration of interest by a Ward Member;
 - the applicant/agent is the Borough Council or County Council (except for minor proposals), a Borough Councillor or a Senior Officer; or
 - where a non-standard Section 106 Legal Agreement is required.

- 3.9 In the above cases the application is referred to the Development Control Committee (presently made up of 17 Borough Councillors, including 2 Members of the Committee in an ex officio non-voting capacity) which meets approximately every 4 weeks. The agenda papers are available 5 working days before the meeting from the Council offices or from the Council's website. Members of the public can attend the meeting and listen to the debate.
- 3.10 After the decision the applicant/agent will receive a decision notice detailing conditions and reasons for approval or reasons for refusal. A copy of the decision notice is kept on file and is available for viewing on the website.
- 3.11 To check on the progress of a planning application:
- Contact the Development Control Team on 0115 9819911
 - Use the Council's planning on-line system: <https://planningon-line.rushcliffe.gov.uk/online-applications/>

After the Decision is made

- 3.12 There is a formal application process to deal with relatively minor changes to approved plans, these are referred to as non-material amendments. In addition, there is a formal application process to discharge the requirements of conditions of a planning permission. There is no statutory requirement to publicise or undertake consultation on these applications and any publicity or consultation will be undertaken at the discretion of officers.

Developer Community Involvement

- 3.13 At the pre-application stage we consider that developers can have a crucial role in engaging local communities with the planning process. Carrying out a Community Involvement Exercise will help the community understand what is being proposed and also give them opportunity to voice any concerns.
- 3.14 If a proposal is likely to prompt significant community interest, ~~W~~we recommend and would encourage early involvement with the community before submitting a planning application, ~~but~~ particularly for larger developments, such as:-

- Industrial and commercial development of 1500+sqm;
- Residential development of 100+ dwellings / 3+ hectares;
- All major infrastructure projects; and

- All new educational or institutional buildings and extensions of 1000+sqm.

3.15 Where pre-application consultation has been undertaken with the community, the application shall demonstrate how the views of the local communities have been taken in to consideration, or justify why such views have not been taken in to account.

4. Further Information

- 4.1 If you wish to know more about the Statement of Community Involvement or any aspect of the planning policy or planning applications, please contact us at the address shown below. Information on the Local Plan and the development plan process is also available on the Borough Council's website.

By post: Rushcliffe Borough Council
 Civic Centre
 Pavilion Road
 West Bridgford
 Nottingham
 NG2 5FE

By telephone: 0115 981 9911

By e-mail: localdevelopment@rushcliffe.gov.uk for planning policy
 developmentcontrol@rushcliffe.gov.uk for planning applications

Website: www.rushcliffe.gov.uk/planningpolicy for planning policy
 www.rushcliffe.gov.uk/developmentcontrol for planning applications

Appendix

Stages of the preparation of a Development Plan Document

Development Plan Document Stage	Consultation
Early tasks	This is an initial survey and evidence gathering stage, which will help identify issues which need to be addressed, and the initial document preparation stage.
Pre-submission (regulation 18)	This is a key stage of plan development and community engagement is required. The Council will consult on issues and options in the early stages of this process and will continue to engage with stakeholders and the community throughout the pre-submission stage using a variety of methods.
Pre-submission Consultation or publication stage (regulation 19)	This stage involves a formal consultation on the final proposed submission document, when the Council will invite all interested parties to submit representations. The consultation will last six weeks. The Council will consider any representations received.
Submission (regulation 22)	The Council will formally submit the development plan document to the Secretary of State for independent examination.
Examination	Interested parties can seek to make representations to the independent Planning Inspector.
Adoption	This is a formal process for Rushcliffe Borough Council to adopt the documents as part of the Local Plan.