

Statement of Community Involvement





February 2022

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1. Executive Summary

- 1.1 Sandwell Metropolitan Borough Council has been innovative and proactive toward its approach to Planning. As a result, the borough has experienced significant regeneration to its buildings, public spaces, shops and attractions. To ensure that a balanced and sustainable approach for the future of Sandwell is achieved, the Local Planning Authority (LPA) will continue to hold early engagement, working closely with communities, businesses and stakeholders.
- 1.2 The LPA is committed to delivering excellent services to our local residents, businesses and service users and we see consultation as a vital part of this service. We know that by engaging with our customers, we can help deliver better quality development which meets their needs and those of future generations. This document sets out our approach to consulting with you during the planning process and understanding your views.
- 1.3 The LPA will be guided by the followingkey initiatives, that will aim to increase the accessibility and consistency across all of its documents:
 - Use a variety of written, verbal and technological communication methods when undertaking consultation for planning documents, for example: letters, emails, press releases, exhibitions, workshops and social media.
 - Where possible avoid holiday periods and/or special events that may reduce participation.
 - Documents will be clearly written in plain English (except for where technical expressions are required).
 - Copies of relevant documents and/or summaries will be made available where possible
 - Consultations periods will meet the statutory requirement for a minimum of six weeks
 - Comments and feedback raised from consultation will be analysed and summarised. The results will then be considered, and a response formulated detailing how the issues raised will be addressed in the planning document (where relevant).
 - Consultation on planning applications will adhere to the government regulations as a minimum and for larger/sensitive applications additional consultation will be undertaken.
 - Comments received from planning applications will be summarised and considered in the Planning Officer's Report before a planning application is determined.

2.Introduction

- 2.2 The Statement of Community Involvement (SCI) has been produced, in accordance with the Planning and Compulsory Purchase Act 2004, Section 18. This document also reflects the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Localism Act 2011 and the National Planning Policy Framework.
- 2.3 Planning shapes the places where people live and work. It seeks to ensure that there are jobs, homes, shops, parks and other important facilities available to everyone, while at the same time protecting and improving the environment.
- 2.4 The National Planning Policy Framework (NPPF) paragraph 16 states that "...plans should be shaped early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees."
- 2.5 As the planning system has the potential to affect everyone, it is only right that communities within Sandwell should be able to contribute to the preparation of plans and policies. It is equally important for communities to be involved in the process of development management (which deals with planning applications).
- 2.6 Strong community involvement improves the quality and efficiency of decision making in Sandwell. This Statement of Community Involvement sets out how the Local Planning Authority will involve stakeholders such as; the public, developers, businesses and other agencies in the preparation of its planning policy documents and the determination of planning applications.
- 2.7 Sandwell Metropolitan Borough Council as the local planning authority is responsible for the preparation of the planning documents for Sandwell. The following documents make up the Local Development Framework; Local Development Scheme (LDS), Black Country Core Strategy, Area Action Plans, Development Plan Documents and Supplementary Planning Documents.
- 2.8 This SCI updates and supersedes the existing SCI which was adopted in 2016 and has been prepared following government legislation relating to the coronavirus (Covid-19) pandemic. We will review and amend the SCI as necessary to reflect any future changes including in relation to the ongoing coronavirus (Covid-19) situation.
- 2.9 Further information can be found at: http://www.sandwell.gov.uk/info/200275/planning and buildings/950/planning policy

3. Consultation Process

- 3.1 There is a legislative requirement to illustrate how and to what extent the public have been involved in the drafting and delivery of planning documents and guidance. This is achieved through the production of the Statement of Community Involvement setting out what community involvementhas been carried out at each stage. Without a Statement of Community Involvement an inspector could reject the planning document.
- 3.2 There are several benefits of early involvement which include:
 - Increased public ownership of planning projects and planningdecisions
 - Increased awareness of residents and businesses desires andambitions for the borough.
 - Increased opportunities for collaborative working between key stakeholder groups.

3.3 Duty to Cooperate

There is a duty to cooperate in the plan making process with neighbouring councils and government bodies. The council will endeavour to assist partners wherever possible throughout the formation of the plan making process. Sandwell Metropolitan BoroughCouncil has a strong working relationship with neighbouring boroughs (Appendix 1). An example of this is the creation and adoption of the joint Black Country Core Strategy and the ongoing collaborative working on its successor document, the Black Country Plan.

3.4 Minimum Standards for consultation

The legal requirement for consultation on planning documents is setout in government regulations.

In summary the regulations require the council to:

- Place all relevant documentation and supporting material on the council's website so that it is easily accessible and can be inspected. This will be made available at www.sandwell.gov.uk.
- Ensure relevant documentation and supporting material is available in convenient and appropriate locations which includes the council offices.
- Supply copies of the planning document and other relevantmaterial to statutory bodies
- Abide by the six weeks minimum statutory guidance for consultation on planning documents

Supplementary Planning Documents will be consulted on for aminimum of six weeks.

3.5 Coronavirus

The coronavirus (Covid-19) pandemic presents new challenges to undertaking consultation work in Sandwell. This has had repercussions

for our consultation events, posting site notices, and for publishing hard copies of development planning documents at the Council House. The government, in recognition of this, have published regulations and new planning practice guidance relating to consultation. This updated SCI aims to provide a means of engagement with the local community despite the challenges of Covid-19 and helps to maintain a comprehensive consultation process in challenging times.

4 Methods of consultation

- 4.1 There are some key challenges related to increased digitalization and with the on-going coronavirus pandemic;
 - Some people have difficulty in accessing the internet and struggle to navigate online to find the relevant consultation documents they want to respond to.
 - A number of planning documents can be technical and lengthy and slow internet access restricts the ease with which people can use these documents.
 - An inability to hold consultation events in person, due to Coronavirus restrictions
- 4.2 To help overcome this challenge, we may use a range of methods for the consultation process. The types and methods used will vary depending on the complexity of the issue and the number of people that are likely to be affected. Such methods could include;

• Telephone/email¹

Have officers available to provide assistance via the telephone and/or via email to help the public locate and understand the documents

Face to Face¹

Have officers available to provide assistance with documents and queries by appointment and at organised events

Local Press

In certain circumstances the LPA is required to publicise planning documents and planning applications through press releases and adverts. A statutory notice would need to be advertised. Information will be made available at key stages in the consultation process. The notices will include details such as; the length of the consultation and its commencement and finishing time and dates, the location of any documents and the purpose of the consultation. It will also identify any events arranged for community involvement. These will generally be published in the Express & Star, and Sandwell Chronicle.

Exhibitions and Presentations²

In certain circumstances exhibitions and presentations will be used. This will allow the LPA to present their findings, explain the process involved and invite further discussion. This method allows the local community and businesses to talk directly to officers, to understand what the proposed plans may mean for them. The benefit of this type

¹ Due to working arrangements, officers will be available as necessary, not all the time

² where physical events are planned, we will use accessible venues and facilities for exhibition events which will allow for any social distancing guidelines to be followed and to have documents available in accessible formats on request.

³ There may be a charge for this provision

of engagement is that it provides an opportunity for the public to contribute to the debate and access information.

Workshops²

Workshops may be held to encourage greater participation and interaction as they often yield more focused and detailed feedback. This form of public involvement is well suited to groups such as businesses, developers and underrepresented minority groups. The aim of each workshop will be to facilitate clear and detailed discussion, which often creates a mutually positive outcome. However, this will be subject to the level of resources and staffing available to undertake the activity.

• Internet: E-government

In accordance with government regulations all documents will be available on the council's website. An email contact address will be provided where comments can be made direct to the LPA. This has proven to be a popular method of communication, as it is more convenient and enables correspondence to be recorded.

Libraries

A copy of consultation documents will be placed in all six of the Borough's main libraries, where the subject matter concerns the whole of the borough. For area specific plans, these will be placed in the local libraries. Internet access may also be available within the libraries so that people are able to view documents and submit comments on line.

Social Media

Social media has become a popular method of communication particularly as users can voice their opinions through a platform that is easily accessible and instant. Furthermore, it allows officers to gauge initial responses and respond to issues sooner and more efficiently.

Hard Copies³

Upon request, a copy of the Local Plan will be provided to residents who do not use the internet during consultation stages, where possible.

Letters, Newsletters or Leaflets

Letters, newsletters or leaflets will state the purpose of the document orplan, and detail the process being undertaken. It will also include opportunities for involvement and detail matters such as the length of the consultation, the venue and location of any associated events, contact details and any other relevant information

Additional Consultation

There will be occasions where extra consultation will be required, particularly when dealing with planning documents or applications that have a sensitive or far-reaching impact upon communities and

businesses. Therefore, additional consultation will be undertaken whennecessary and could include; attendance at external meetings, workshops, events, focus groups, guided site visits, media releases and social media.

Feedback

All responses made, in respond to verbal or written communication will be fully considered in the preparation of any planning document. The LPA aim to response to all queries and concerns in the shortest time possible. However, for complex and significant issues that may arise as a result of feedback, response time may be extended, in order to provide a full and comprehensive response. Feedback will be given either directly at meetings, or by letter, email, telephone, newsletter or the press (if appropriate or requested). In addition, a report will be submitted to the relevant Cabinet Members. All responses will be treated in line with GDPR

Planning Aid England

Planning Aid England is a charitable organisation that provides independent and professional planning advice and support to individuals and communities. Planning Aid can give help and support to individuals and communities who wish to put forward their views at the start of the planning process, or alternatively respondto particular proposals.

Planning Aid England Contact: 0330 123 9244

Email: advice@planningaid.rtpi.org.uk http://www.rtpi.org.uk/planning-aid/

4.3 <u>Coronavirus (Covid-19)</u>

The coronavirus (Covid-19) pandemic has led to the Government providing social distancing guidance in order to reduce the spread of coronavirus. This included new statutory regulations and planning practice guidance produced in the wake of the pandemic. This has and will continue to impact on the manner in which Sandwell MBC can engage with the local community.

- Face to face consultation exhibitions must adhere to any social distancing guidelines in force with stakeholders and participants being expected to wear facial coverings to prevent the spread of the virus and floor markings are being used to improve adherence to these measures where possible.
- Local action groups may be asked to send individual representatives to ask questions on behalf of their group (rather than having a larger number of group members attend) to limit the number of people in each gathering and thus maximising the number of groups able to be represented at face to face consultations.
- Virtual exhibitions and digital consultations are being considered by

Sandwell MBC as a way of reaching more people who are unable to attend in person. The LPA is aware that government guidelines are constantly being updated and may be subject to change.

- 4.4 The ongoing pandemic and temporary legislative changes that have been introduced in response to the pandemic will result in the LPA consulting and engaging in new and different ways. Future consultations may need to be carried out using approaches that have regard and conform to the councils Engagement Strategy. A range of approaches and options are being considered and some or all could be used as part of any future approach to consultation alongside other methods. Such approaches could include:
 - Press releases and material Utilisation of the range of printed and electronic local media outlets including local papers, local magazines and other publications, local electronic news formats and sites, and the increased use of social media;
 - Borough wide communications which could tie in with consultations and/or promote the LPA's consultation database to ensure people sign up to receive notification as soon as consultations are published;
 - Notices placed alongside household bins; and
 - Video and online presentations providing overviews of consultation documents and explaining how people can engage in the consultation. These can then be released via the LPA's website and social media channels.

5 How to comment

- 5.1 Comments should be in writing and will be recorded. Any correspondence will be taken into consideration by the LPA and determined in accordance with national and local planning policies. Whilst the planning authority will always seek to reach a consensus on proposed planning documents and schemes, this may not always be possible, particularly when responses are received from conflicting interest groups.
- 5.2 The LPA will require written comments for the formal stages of consultation; this should be made on a representation form provided by the LPA. Alternatively, the form can be made available online or as an email, to be completed and sent back electronically. Upon request, LPA officers will complete forms for those who may experience difficulties in makingwritten representations e.g. language or visual impairment.

6 How the LPA will respond to comments on planning documents

- 6.1 Community involvement is an integral and continuous part of the planning system. The purpose of the system is to enable those who wish to take part, the ability to influence how policies and proposals develop. As part of this process, effective and continuous feedback will be undertaken by the LPA.
- 6.2 The LPA will formulate a report after each consultation event, whichwill detail background information on the proposal or plan. Furthermore, the LPA will consider any comments received and address how concerns will be dealt with. Often, these representations will be summarised, if a number of comments are similar in nature or relate to a particular concern.
- 6.3 All responses received will be fully considered in the preparation of any proposal or plan. Any comments received will be responded to at the formal consultation stage.
- 6.4 The LPA maintains an extensive list of specific consultees, local groups and individuals which are used during the preparation and consultation stages. The LPA has already developed strong links with community groups in Sandwell. Furthermore, the LPA is always looking to reach sections of the community who are underrepresented. Therefore, the LPA will utilise the most appropriate methods that enable participation for everyone.

- 6.5 The planning authority works closely with other departments within the council, which enables a co-ordinated and encompassing approach, These include:
 - Councillors and Ward Members
 - Town and Neighbourhood Managers
 - Internal department (Public Heath, Personalised Travel Planning, Environmental Heath and Parks)
 - External Partners (Serco, The Access Alliance, Black Country LEPetc.)

7 Stakeholders

- 7.1 The term stakeholder has a broad definition, but it is often referred to as any individual or organisation with an interest, for example:
 - Groups and organisations with a 'stake' in a particular area or issue
 - Community groups, residents, young people, elderly, refugees, asylum seekers, people with low literacy, gay, lesbian, bisexual and transgender groups (as an example).
 - Those promoting or carrying out business
 - Those involved in the development industry, such as House Builders
 - Different parts of Sandwell Metropolitan Borough Council and associated organisations
 - Statutory bodies
- 7.2 A planning consultation database with the contact names of all stakeholders will be compiled, detailing who will be involved in theplanning process. Individuals or organisations can request to be included on to this database by email, letter or telephone. The database will be managed in accordance with all current legislation relating to the protection of sensitive personal information. Further information can be found on our website https://www.sandwell.gov.uk/info/200198/data protection and freed om of information
- 7.3 The statutory requirements for community involvement in the preparation of planning documents are set out in government regulations and are designed to ensure that the process is as open and transparent as possible.

8 Key stages for planning documents

8.1 The key stages for community involvement in the preparation of the Local Plan and supplementary planning documents are shown in the diagrams below followed by an explanation of each document. The LPA encourage engagement at the early stages of consultation, as this is the best opportunity for people to have their views taken into account.

Key stages for planning documents

Figure 1: Key stages in preparing our Local Plan

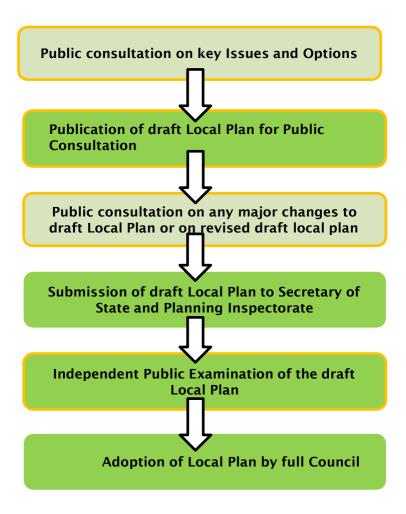
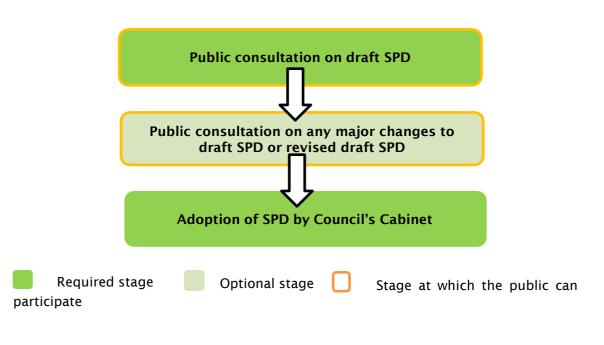


Figure 2: Key stages in preparing our Supplementary Planning Documents(SPD)



Local Development Scheme Statement of Community Black Country Core Strategy Involvement to be replaced by Black Country Plan on adoption **Annual Monitoring Report Local Development** Policy based DPDs Plan 7 **Proposals Map** Site Specific DPDs Supplementary Planning Area Action Plans Documents

Figure 3: Components of the Local Plan

8.2 Sustainability Appraisal

A Sustainability Appraisal (SA) must be undertaken as part of the Local Plan process. The purpose of the SA is to assess the social, environmental and economic effects of the Local Plan. The first stage of the SA is the production of a scoping report to identify the key sustainability issues for the area. Following the scoping report, subsequent versions of the SA are produced to accompany each stage of the plan making process and published for consultation at the same time.

8.3 Development Plan Documents

Development Plan Documents are planning policy documents which form part of the Local Plan. They outline the key development goals of the local development framework. They help to guide development within a local planning authority area by setting out the detailed planning policies, which planning officers use to make their decisions on planning applications. All DPDs must be subject to rigorous procedures of community involvement, consultation and independent examination, and adopted after receipt of the inspector's binding report.

8.4 <u>Area Action Plans</u>

Area Action Plans are a type of Development Plan Document which focus on a specific area subject to significant change, providing specific proposals, planning policy and guidance

8.5 <u>Supplementary Planning Documents</u>

Supplementary Planning Documents (SPDs) are designed to support and add further guidance to policies in the Local Plan. These documents are prepared with the involvement of the local community and interested parties. The consultation period will be a minimum of six weeks. Whilst they are not subject to independent examination they are adopted by the Council under the authorisation process.

8.6 <u>Interim Planning Statement</u>

An interim planning statement provides updated guidance in advance of a formal review of the Local Plan. Interim Planning Statements will be prepared where changed circumstances are of such magnitude that it cannot await a formal review of the Local Plan. Preparation will take account of the most up to date information and requirements for an area/subject. The interim planning statement should be treated as a material consideration but is non-statutory and does not form part of the Local Plan.

8.7 Community Infrastructure Levy

The Community Infrastructure Levy (CIL) allows local authorities to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of infrastructure that is needed for development. The Community Infrastructure Levy (Amendment) Regulations 2012 apply to the production of CIL. The LPA adopted its CIL Charging Schedule in April 2015.

The first stage of consultation on CIL is the Preliminary Draft Charging Schedule which takes place over a six-week period. The next consultation stage is the publication of the Draft Charging Schedule. It is consulted on for a six-week period and any person can make representations and if requested to do so they will be heard before the Inspector at the CIL examination. If the LPA makes significant changes to the Draft Charging Schedule following the publication stage then it will produce a 'statement of modifications' which is advertised for a four week period. Prior to adoption, the Charging Schedule will be examined in public by an independent inspector.

9 Consultation on planning applications

- 9.1 Sandwell Council is the local planning authority responsible for making decisions on planning applications. These can include construction of new developments, extensions and the change of use to land and buildings. It also receives applications for other consents covered by planning legislation such as the display of advertisements, works to listed buildings and somedemolitions. This is referred to as the development management process. Planning applications are determined in accordance with the policies and proposals in the Local Plan.
- 9.2 The LPA advise those intending to submit planning applications for large scale developments to consult with local communities and Ward Councillor's before making their planning applications. This will help to streamline the planning process, once an application has been received. Categories of development defined as 'major' can be found inthe Town and Country Planning (General Development Procedure) Order 1995.
- 9.3 There are minimum statutory requirements for publicising planning applications, which are set out in the Town and Country Planning (General Development Procedure) Order 1995. The LPA must writeto all owners or occupiers of land adjoining the application site or display a notice on or near the site.
- 9.4 Adjoining land is defined in the regulations as any land or property which;
- Has common boundary with the application site, however short;
- Touches the application site at any point e.g. at a corner;
- Is across an entry from the application site; and
- Any flat directly below, above or abutting the application property (Itmay include separate units within the application site, for example aselfcontained flat above a shop).
- 9.5 For major applications not in accordance with the Local Development Framework, the LPA is required to publish a notice in the local paper (Express & Star). There is a minimum period of 21 days forpeople to make comments on a planning application. Statutory bodies such as Historic England will be allowed further time to comment where this is prescribed by legislation.
- 9.6 Complying with the statutory requirement will not necessarily ensure that all owners and occupiers, who might reasonably consider themselves to be directly affected, will be notified. The LPA willconsider sending additional notifications, where there is a reasonable prospect of the proposal impacting on another party. For example, a front extension to a property or where a development may affect the wider community and/or area.

9.7 Planning applications are available for public viewing on the council's website via the "Planning – Public Access Link. http://www.sandwell.gov.uk/info/200275/planning_and_buildings/2266/planning_applications

Or in person at;

Planning Department offices: Sandwell Council House, Freeth Street, Oldbury B69 3DE

- 9.8 The responsibility for making decisions on planning applications is held by the Planning Committee. However, the vast majority of planning applications (currently around 90%) are in fact dealt with by officers using delegated powers (They are reported to Planning Committee for information purposes only).
- 9.9 Planning Committee is a public meeting and the opportunity is usually given for interested persons to speak (for five minutes) at the discretion of the Committee Chair. Meeting dates are approximately every four weeks and information is available online via the council website. However, if you are unable to attend the meeting in person, there is now an online live stream facility that can be accessed through the council's website.

10 Pre-application Consultation

10.1 The LPA already encourages applicants to enter into pre-application discussions to establish whether the principle of the development is acceptable, and to clarify the level of detail and type of information required to enable the application to be properly determined. Proposals are assessed rigorously against policies relatingto such matters as land use, design, traffic and environmental effects.

11 Prior Approval

11.1 Guidance notes have been produced to assist applicants and agents in preparation of notification applications. For further advice please contact the planning department on 0121-569-4054/55 or email planning@sandwell.gov.uk

Appendix 1: Consultation bodies

Specific Consultation Bodies

In accordance with government regulations the following specific consultation bodies must be consulted where the council considers that they may have an interest in the subject of the proposed planning document:

- o The Coal Authority;
- o Adjoining Local Planning Authorities (Dudley Metropolitan Borough Council, Wolverhampton City Council, Walsall Metropolitan Borough Council, Solihull MetropolitanBorough Council, Coventry City Council and Birmingham City Council).
- o The Environment Agency;
- o National Highways;
- o The Historic Buildings and Monuments Commission for England (Historic England);
- o Natural England;
- o West Midlands Integrated Transport Authority (ITA)
- o Electronic communications companies and those who own or control apparatus in Sandwell:
- o Severn Trent Water PLC;
- o South Staffs Water:
- o Relevant gas and electricity companies;
- o Homes England;
- o Sandwell Metropolitan Borough Council Lead Local Flood Authority;
- o West Midlands Police; and
- o Office of Rail Regulators.

General Consultation Bodies

In accordance with government regulations the following general consultation bodies must be consulted where the Council consider it appropriate:

- o Voluntary bodies whose activities benefit any part of the borough;
- o Bodies which represent the interests of different racial, ethnic, or national groups;
- o Bodies which represent the interests of different religious groups in the borough;
- o Bodies which represent the interests of disabled people in the borough; and
- o Bodies which represent the interests of persons carrying on business in the borough.

These include organisations such as:

- o Connexions:
- o Black Country Chamber of Commerce; and
- o Black Country Local Enterprise Partnership.

Government Departments

The following Government Departments will be consulted where appropriate:

- o Home Office;
- o Department for Communities and Local Government;
- o Department for Education;
- o Department for Environment, Food and Rural Affairs;
- o Department for Transport;
- o Department for Business Innovation and Skills;
- o Department of Health;
- o Ministry of Defence;
- o Department of Work and Pensions;
- o Ministry of Justice; and
- o Department for Culture, Media and Sport.

Other Consultees

The following agencies and organisations will be consulted where the Council consider itappropriate. Some of these will be consulted as 'general consultation bodies'.

- o ACERT- Advisory Council for the Education of Romany and other Travellers
- o Age UK;
- o Black Country Archaeological Service;
- o British Geological Survey;
- o Campaign for Better Transport;
- o Canal & River Trust;
- o Centre for Ecology and Hydrology;
- o Church Commissioners for England;
- o Community Groups;
- o Electricity, Gas, and Telecommunications Undertakers, and the National Grid Company;
- o Equality and Human Rights Commission;
- o Freight Transport Association Ltd;
- o Health and Safety Executive;
- o Home Builders Federation:
- o West Midlands Fire and Rescue Service:
- o Local Access Forum;
- o Local Tenants and Residents Groups;
- o Local Transport Authorities;
- o Local Transport Operators;
- o National Housing Federation;
- o National Off ender Management Service;
- o National Rail Infrastructure Limited:
- o Network Rail:
- o Passenger Transport Authorities;
- o Passenger Transport Executives;
- o Post Office Property Holdings;
- o Rail Companies and Rail Freight Groups;
- o Road Haulage Association;
- o Royal Society for the Protection of Birds;
- o Sport England;
- o The Crown Estate:
- o The Theatres Trust:

- o The Victorian Society,
- o The Woodland Trust;

Please note, this list is not exhaustive and also relates to successor bodies where re- organisations occur.

Statutory planning application consultees

- o The Health and Safety Executive;
- o The relevant railway network operator;
- o The Local Highway Authority;
- o The Coal Authority;
- o The Environment Agency;
- o The Historic Buildings and Monuments --- (Historic England);
- o Natural England;
- o The Theatres Trust;
- o Sandwell Metropolitan Borough Council Lead Local Flood Authority;
- o Secretary of State for Environment, Food and Rural Affairs;
- o Sport England; and,
- o Canal & River Trust.

Produced by

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