

Subject: Core Strategy DPD – Submission to the Secretary of State for examination. Adoption of the Statement of Community Involvement	Status: For Publication
Report to: Council	Date: 15 th December 2010
Report of: Planning Manager	
Portfolio Holder: Regeneration	
Key Decision: No	
Forward Plan <input checked="" type="checkbox"/> General Exception <input type="checkbox"/> Special Urgency <input type="checkbox"/>	

1. PURPOSE OF REPORT

- 1.1. To seek approval from members to formally submit the Core Strategy DPD for Rossendale (known as The Way Forward) to the Secretary of State for examination by an appointed Planning Inspector, and its supporting documents.
- 1.2. Approval is also sought for the Council to adopt the revised Statement of Community Involvement.

2. CORPORATE PRIORITIES

- 2.1. The matters discussed in this report impact directly on the following corporate priorities:-
 - Delivering quality Services to our customers
 - Delivering regeneration across the Borough
 - Encouraging healthy and respectful communities
 - Keeping our Borough clean, green and safe
 - Promoting the Borough
 - Providing value for money services

3. RISK ASSESSMENT IMPLICATIONS

- 3.1. The only specific risk issues for members to consider arising from this report is that the Core Strategy is found to be unsound. However, it is the view of the Planning Manager that the document meets the tests of soundness as listed in the Report and that this risk is low.

4. BACKGROUND AND OPTIONS

- 4.1. As members will be aware the Core Strategy Development Plan Document (DPD) is being prepared and has undergone extensive consultation. The most recent consultation on the Proposed Submission Version of the document was undertaken for 6 weeks between 20th September and 1st November 2010, when representations were requested on the document's soundness. It was undertaken in accordance with Regulations 27 and 29 of the Town and Country

Planning (Local Development) (England) (Amendment) Regulations of 2008 which require Councils to consult on a proposed submission version of their Development Plan Documents, for a period of at least 6 weeks.

Representations were invited from each of the specified statutory bodies, general consultation bodies, as well as all other stakeholders, including residents, local businesses and developers, who had commented previously. Documents were deposited at Council offices and libraries, and were available online on the Council's website.

- 4.2. Soundness is defined in government guidance. To be found to be sound, a plan must be justified, effective and consistent with national policy. To be justified the plan needs to be based on a robust and credible evidence base and should be the most appropriate strategy when considered against reasonable alternatives. To be effective, it should be deliverable (which comprises having sound infrastructure delivery, no regulatory or national planning barriers to delivery, be coherent with proposals for neighbouring authorities, be signed up to by delivery partners, and be flexible and able to be monitored).
- 4.3. The consultation on the Proposed Submission version generated responses from 32 organisations (of which 4 were received after the deadline of 5pm on 1st November). Of these, 164 individual comments were received (as every point made by each respondent has been recorded separately). A third of these comments (55 representations) stated that they found the Core Strategy to be sound, almost half of all the representations received (70 representations) did not indicate specifically whether the document was sound but in general these comments have supported the document and offered potential wording changes to improve it. Only 39 representations (just over one fifth) stated that they considered either the overall document, or more often, that specific policies, were unsound.
- 4.4. There was general support for the Area Visions though some respondents wished to see more wording relating to environmental protection and changes to the maps. Not surprisingly it was the housing policies that generated the most number of objections in terms of provision, distribution and use of brownfield / greenfield land, and demonstrating viability for affordable housing. All but two policies (Policy 15 on Overnight Accommodation and Policy 21 on Supporting the Rural Economy and its Communities) received a representation, either in support or objecting to the policy. The main points raised in the consultation are discussed in the accompanying Consultation Statement.
- 4.5. Responses have been prepared to each representation received. In some cases where the soundness of the Core Strategy has not been questioned, and where it is agreed with the respondent that the changes would improve the document, it is proposed to include these in a "Schedule of Proposed Changes to the Core Strategy" which will be submitted with the Core Strategy for the appointed Inspector to decide whether these changes can and should be made.
- 4.6. It is also intended that discussions will be held with some objectors prior to the Examination Hearings to try and seek consensus and identify issues of common and uncommon ground between both parties, to help the Inspector.

- 4.7. It is the view of the Planning Manager that these representations do not, however, raise any points that will cause the Core Strategy to be found unsound, and that Rossendale's Core Strategy Development Plan Document (The Way Forward) and its associated documentation (including the Evidence Base, Sustainability Appraisal and Habitat Regulations Assessment) should be formally submitted for examination.
- 4.8. Following formal submission, intended to be December 2010, a Planning Inspector will be appointed on behalf of the Secretary of State to hold a public examination into the soundness of the Core Strategy. Based on the Planning Inspectorate's anticipated timetable it is likely that the examination will take place in March / April 2011. Subject to the Inspector finding the Core Strategy sound it is expected that the document will be adopted in summer 2011 and will be used to determine all planning applications in the Borough.
- 4.9. Another part of the Local Development Framework (LDF) is the Statement of Community Involvement (SCI). As members will recall the Statement of Community Involvement (SCI) sets out how the Council will consult with local and statutory stakeholders in the process of planning for the local authority area, both in producing development plan documents and in carrying out the development control function.
- 4.10. It has been necessary to review the SCI (which had been adopted in August 2007) since new Regulations made three significant changes to how the Local Planning Authority should consult with stakeholders in respect of the LDF. These included: (i) removal of the need to consult at "Options" and "Preferred Options" stages; (ii) no requirement to undertake Sustainability Appraisal on Supplementary Planning Documents (SPDs) and (iii) SCIs are no longer subject to examination by a Planning Inspector, as they are no longer considered to be a Development Plan Document.
- 4.11. The revised Statement of Community Involvement has been out for consultation (18th February-12th March and 14th May-25th June) and received a limited number of representations. These are listed in the accompanying Statement of Consultation document.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

The Financial implications arising from the development of the core strategy have been separately identified. Resources have been identified and a specific earmarked reserve created.

6. MONITORING OFFICER

At an independent examination the Inspector has to be satisfied that the DPD meets the legal requirements under the 2004 Act and is sound. If the Inspector is so satisfied, then the DPD can proceed to adoption. However, there are other possible outcomes of the Examination. The most serious would be finding of unsoundness in relation to a critically important part of the Core Strategy leading to a recommendation that it should be withdrawn.

7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

7.1. No Human Resource implications

8. CONCLUSION

8.1. It is considered that both the Core Strategy and the Revised Statement of Community Involvement are sound documents. The Core Strategy (and associated documentation) can now be formally submitted to the Secretary of State on Tuesday 21st December for examination. The Revised Statement of Community Involvement can be adopted by the Council to guide the planning process.

9. RECOMMENDATION(S)

9.1. Approval is granted for Rossendale’s Core Strategy DPD “The Way Forward” to be formally submitted to the Secretary of State for examination, together with the Schedule of Proposed Changes and other documents which need to accompany submission of the Core Strategy, including the Evidence Base studies and the Sustainability Appraisal and Habitats Regulation Assessment.

9.2 Authority is delegated to the Planning Manager in consultation with the Portfolio Holder for Regeneration to agree any minor amendments to the wording in the Core Strategy during the examination of this Development Plan Document.

9.3 Approval is granted for adoption of the revised Statement of Community Involvement.

10. CONSULTATION CARRIED OUT

10.1. Consultation has been carried out on several stages during preparation of the Core Strategy, as well as on related Evidence Base studies. Earlier in the process the Council had consulted on Issues and Options consultations, including specifically on the Area Visions, as well as policy areas. *The Proposed Way Forward* consultation was undertaken in November / December 2009. The purpose of this was to consult on the options that the Council had been considering as being the most appropriate for the Borough. A further round of bespoke consultation was undertaken in May 2010 on specific policies where changes had been made as a result of the consultation undertaken in November / December 2009. *The Proposed Submission Version of the Core Strategy* was consulted upon for 6 weeks from September to 1st November.

10.2 The Revised Statement of Community Involvement has undergone two periods of consultation in March / April and then again in during May / June 2010.

11. COMMUNITY IMPACT ASSESSMENT

Is a Community Impact Assessment required Yes No

Is a Community Impact Assessment attached Yes web No

- 11.1 Although the Sustainability Appraisal undertaken of the Core Strategy considers social, environmental and economic impacts of the policies, it has also been considered necessary at this stage in the preparation of the Core Strategy to undertake a CIA.
- 11.2 A CIA has been undertaken for the Statement of Community Involvement, and is attached.

12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required Yes No

Is a Biodiversity Impact Assessment attached Yes web No

- 12.1 The Sustainability Appraisal undertaken of the Core Strategy considers social, environmental and economic impacts of the policies. A Habitat Regulations Assessment has also been undertaken which considers impacts of the policies in relation to sites of international nature conservation value within 25 km of Rossendale. A separate BIA has been prepared at this stage of preparation of the Core Strategy.
- 12.2 The Statement of Community Involvement sets out the Council’s approach to consultation and has no impacts on Biodiversity. Consequently it has not been deemed necessary to undertake a Biodiversity Impact Assessment.

Contact Officer	
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Service / Team	Forward Planning
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Background Documents

Document	Place of Inspection
<p>CORE STRATEGY</p> <ul style="list-style-type: none"> • Core Strategy: Submission Version • Core Strategy Sustainability Appraisal • Core Strategy Habitat Regulations Assessment • Core Strategy Consultation Statements • Proposed Changes to the Proposals Map <p>STATEMENT OF COMMUNITY INVOLVEMENT</p> <ul style="list-style-type: none"> • Revised Statement of Community Involvement • Statement of Community Involvement – Consultation Statement 	<p>Online at www.rossendale.gov.uk/corestrategy</p> <p>One Stop Shop</p>

Core Strategy DPD Document	http://www.rossendale.gov.uk/downloads/F2_Submission_Core_Strategy_DPD_2011-2026.pdf
Components of the Core Strategy	http://www.rossendale.gov.uk/downloads/F2_Submission_Core_Strategy_DPD_2011-2026 - Key Diagram and Strategic Objectives.pdf
Statement of Community Involvement	http://www.rossendale.gov.uk/downloads/F2_Statement_of_Community_Involvement_SCI_2010.pdf

Community Impact Assessment

Checklist & Signature Sheet

This should be commenced at the start of the Community Impact Assessment (CIA) process.

Name of Strategy/Policy/Service or Function:	Core Strategy
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Please check the following steps have been completed before signing below:

- Sections 1 to 4 completed
- Action Plan completed (where appropriated)
- Notified all relevant Officers/Service Areas/Partners

Signed:

Job Title: Technician

Department: Forward Planning

Date commenced Assessment: 22/12/2009

Date completed: 14/01/2010

Received by and date received in the People & Policy Team:

Please sign the CIA as indicated above, retain a copy and send a copy of the full CIA, including the Action Plan, to:

Liz Murphy
Head of People and Policy
Rossendale Borough Council
Stubbylee Hall
Stubbylee, Bacup
Rossendale
OL13 0DE
lizmurphy@rossendalebc.gov.uk

MANAGEMENT ACTION REQUIRED (to be completed by the Head of P&P)

- Referred back to Assessor for amendment. Date:
- Refer to Committee. Specify Committee & Date:
- Considered by Community Impact Assessment & Scrutiny Group. Date:
- Published/made publicly available on. Date

Signed:..... (Head of P&P) Date:

Date of Review¹:

¹ This date will be set on an annual basis as default for review unless otherwise specified by you.

Responsible Section/Team		Version	
Responsible Author		Due for review	
Date last amended		Page 1 of 9	

Community Impact Assessment Form

Name of Strategy/Policy:	Core Strategy	
Officer Name(s):	James Dalglish	
Job Title & Location:	Technician - One Stop Shop	
Department/Service Area:	Forward Planning	
Telephone & E-mail Contact:	01706 252586 jamesdalglish@rossendalebc.gov.uk	
Date Assessment: 14/01/2010	Commenced: 22/12/2009	Completed: 14/01/2010

1. Impact Assessment – Policy and Target Outcomes

- a) Summarise the main aims/objectives of the strategy, policy, procedure, project or decision (refer to “**Notes for Guidance**” for details).

The Core Strategy will become the main Development Plan Document of the Local Development Framework, providing a high level strategic planning framework for the Rossendale Borough.

- b) Is the policy or decision under review (please tick)

New/proposed

Modified/adapted

Existing

Responsible Section/Team		Version	
Responsible Author		Due for review	
Date last amended		Page 2 of 9	

c) Main or intended groups identified as beneficiaries, targets or users of (or affected in any other way) this strategy, policy, project, procedure or decision? Please specify in box below:

- Customers/citizens of the district
- Targeted/specific groups of customers/citizens (indicate below in [d]).
- Elected Members/Councillors
- Internal colleagues/customers or other public authorities e.g. government agencies
- Community Groups/voluntary sector groups or campaign/interest groups
- Staff/employees (in their contractual position) and/or potential employees/trainees.
- Any other stakeholder e.g. trade unions, contractors, suppliers, district partners, public agencies (not directly under Council control), intermediaries representing interest groups e.g. tenants, developers, legal agencies or third parties.

Main beneficiaries:
 The Core Strategy is a wide ranging planning document and is aimed at members of the public, businesses, developers, landowners, planning professionals and other stakeholders in the development process. The Core Strategy is also responsible for delivering the aims of Government bodies and departments.

d) Please detail below specific equality groups who will be the main beneficiaries, targets and users of this strategy, policy, project, procedure or decision, or who will be affected in any other way.

Key equality groups as main beneficiaries or affected in any other way (where appropriate):
 The Core Strategy is aimed at everyone connected with Rossendale, and as such there is no one group which will benefit more than any other.

Responsible Section/Team		Version	
Responsible Author		Due for review	
Date last amended		Page 3 of 9	

e) To assist with the assessment you may need to consider collecting the following information, before completing the table in Section 2:

- NATIONAL DATA e.g. surveys, reports, statistics, etc which point up specific areas/issues.
- LOCAL DATA e.g. demographics, service mapping studies & relevant research.
- MANAGEMENT INFO e.g. data collected for operational/financial or other purposes.
- MONITORING DATA e.g. information already available or collected. For example: disability type, age band, gender, location. (ref. existing LPSIs).
- CONSULTATION/CONTACT DATA e.g. user group feedback, representations, specific consultation events etc.
- CUSTOMER COMPLAINT/FEEDBACK e.g. results of investigations, inquiries, elected member cases, normal complaints/compliments etc.
- Views of LSP Officers, independent externals, contractors/suppliers, partners and academia (if relevant).
- OTHER e.g. frontline employee feedback, other research, experiences of other agencies/local authorities, councillors mailbags/surgeries.

Please detail in the box below, the information you have considered to make this decision/recommendation regarding the communities affected by this.

The main information used to inform this assessment has been consultation and customer feedback collected during the Core Strategy consultation process. Revisions and amendments have been made to the document throughout its production based on such feedback to ensure that communities' views are taken into account.

f) Is further consultation, data collection or research still required?

Yes

No

(If yes then complete Action Plan)

Key Actions (note responsible officer(s)):
N/A

Responsible Section/Team		Version	
Responsible Author		Due for review	
Date last amended		Page 4 of 9	

2. Impact – Evidence

Using the table below please tick whether you have evidence that the policy/strategy/decision has a negative, positive or neutral impact **from an equalities perspective** on any of the equality groups listed below. **Throughout this document please also give consideration to the wider community cohesion impacts within and between the groups identified.**

		Positive Impact – (It could benefit)	Negative Impact – (It could disadvantage)	Reason	Neutral Impact (Neither)
Gender	Women	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Men	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Race (Ethnicity or Nationality)	Asian or Asian British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Black or black British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Chinese or other ethnic people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Irish people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	White people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Chinese people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Other minority communities not listed above (please state)	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Disability	Physical/learning/mental health	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Sexuality	Lesbians, gay men and bisexuals	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Gender Identity	Transgender people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Age	Older people (60+)	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Younger people (17-25), and children	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

Responsible Section/Team		Version	
Responsible Author		Due for review	
Date last amended		Page 5 of 9	

		Positive Impact – (It could benefit)	Negative Impact – (It could disadvantage)	Reason	Neutral Impact (Neither)
Belief	Faith groups *	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Other Groups (e.g. carers, rurally isolated, gypsies & roma travellers, people on low incomes)		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

Notes:

* Faith groups cover a wide range of groupings, the most common of which are Muslims, Buddhists, Jews, Christians, Sikhs, Hindus. Consider faith categories individually and collectively when considering positive and negative impacts

Responsible Section/Team		Version	
Responsible Author		Due for review	
Date last amended		Page 6 of 9	

3. Impact – Nature/Type

- a) Could you further improve the strategy, project, policy, procedure or decision's positive or neutral impact? If "Yes", this should be detailed in the Action Plan.

YES NO

- b) You need to think about how you can mitigate any adverse or negative impact(s) of the proposal, or how you might use the policy, strategy, project, procedure or decision to promote a positive impact. You must consider whether you have identified that this proposal has a:

High Impact: that the policy, project or decision will have a high, negative impact i.e. that it may be or is unlawfully discriminating against some groups, you will have to take immediate action to mitigate this.

OR:

Lower Impact: the policy, project or decision will have a negative or adverse impact (that may not be lawful). You will also need to consider what changes you could make to remove this impact.

If you have identified adverse impact you must determine whether you will recommend that the Council should:

- Change the policy/decision, stating what the changes should be
- Revise the policy/decision, stating the revisions
- Consult further if you feel that you do not have enough information.

Actions arising from the impact assessment should form part of the Service Planning Process.

Key Actions:

To monitor the effective implementation of the Core Strategy throughout its lifespan using the indicators and targets specified within the document.

Responsible Section/Team		Version	
Responsible Author		Due for review	
Date last amended		Page 7 of 9	

4. Impact Assessment - Summary

Key Findings

Please list the major outcomes/results/findings of this assessment in relation to equality which require action by the Council detailing these in the Action Plan at the back at this document. If no specific actions have been identified please detail your key findings below:

Key Findings:
The Core Strategy impacts equally across all sections of the community and should not unduly affect any particular equality group.

5. Impact Assessment – Further Action

Please give the details of the monitoring/evaluation/review process that has/will be set up to check the successful implementation of the policy, project, strategy or decision including improved outcomes/impact and identify the review date.

Evaluation/ monitoring/ review process:
The effectiveness of the Core Strategy will be monitored throughout its lifespan as part of the LDF. The document will be reviewed and updated when necessary and appropriate.

Review Date: As necessary / appropriate.

Responsible Section/Team		Version	
Responsible Author		Due for review	
Date last amended		Page 8 of 9	

6. IMPACT ASSESSMENT ACTION PLAN

Please list below any recommendations for action that you plan to take as a result of this impact assessment (refer to Sections 3 & 4).

Issue	Action required	Lead officer	Timescale	Resource implications	Comments

Responsible Section/Team		Version	
Responsible Author		Due for review	
Date last amended		Page 9 of 9	

An assessment must be completed for all key decisions included in the Forward Plan.

Stage 1 This stage determines whether a full assessment is required

1.1 Description of the proposed decision

To submit the Core Strategy Development Plan Document to the Planning Inspectorate for independent examination. The Core Strategy is the Council's high level strategic planning document setting out the Council's intentions for the location, amount and type of future development in Rossendale.

1.2 Will the proposed decision have the effect of flora and fauna of either increasing or reducing the range of species and habitats within the Borough?

Yes No

If no, proceed no further if yes continue to stage 2

Stage 2 This stage helps understand whether any impact on biodiversity is positive or negative.

2.1 Will the proposed decision have a positive or negative impact on biodiversity? (A positive impact would increase the range of species or habitats or increase the protection of existing habitats, a negative impact would do the opposite.)

Positive Negative

2.2 Describe the impact, in particular drawing attention to scale. For example removing the only habitat in the North West for a particular plant is clearly of great significance, whereas a negative impact on a very common plant is of less significance.

The Core Strategy contains policies which seek to increase the overall amount, quality and interconnectedness of habitats within the Borough, and the connectivity between habitats inside and outside of the Borough.

If the impact is positive you need go no further.

Stage 3 This stage allows any negative impact to be balanced against the other positive benefits of the proposed decision using the framework created by the wellbeing power set out in the Local Government Act 2000

3.1 Indicate the benefits which will be delivered by this decision under the following headings. As far as possible quantify benefits (eg by jobs created).

Economic N/A

Environmental N/A

Social N/A

3.2 Are there steps which are planned or could be taken to mitigate the impact on biodiversity (eg relocating certain species during building work).

N/A

Stage 4 This stage sets out the balance between the negative impacts on biodiversity and the other positive impacts so that Councillors can make an informed decision.

Positive impacts
(eg X jobs created)
N/A

Negative Impacts
(eg acres of habitat lost)
N/A

This assessment have been prepared by

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