

# Public Document Pack



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16 May 2017

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE** will be held in the Council Chamber at these Offices on Wednesday 24 May 2017 at 6.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Rebecca Brough on (01304) 872304 or by e-mail at [rebecca.brough@dover.gov.uk](mailto:rebecca.brough@dover.gov.uk).

Yours sincerely

A handwritten signature in black ink, appearing to be "Nicky", written over a white background.

Chief Executive

Scrutiny (Community and Regeneration) Committee Membership:

Membership to be appointed at the Annual Council meeting on 17 May 2017.

## AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointments of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 4)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

4 **MINUTES**

To confirm the Minutes of the meeting of the Committee held on 15 March 2017 and 19 April 2017 (to follow).

5 **PUBLIC SPEAKING**

Please note that in accordance with the agreed Protocol for Public Speaking at Overview and Scrutiny, the right to speak only applies to agenda item 10.

The right of the public to speak does not apply to the following agenda items: Apologies, Appointment of Substitute Members, Declarations of Interest, Minutes, the Forward Plan, the Scrutiny Work Programme, any agenda item that is not accompanied by a written report and items that are exempt business.

Members of the public wishing to speak must register to do so by no later than 2.00 pm on the second working day before the meeting.

6 **DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE** (Page 5)

There were no decisions taken by the Cabinet at its meeting held on 8 May 2017 in respect of recommendations from the Scrutiny (Community and Regeneration) Committee.

7 **ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE OR ANOTHER COMMITTEE**

There are no items for consideration.

8 **ITEMS CALLED-IN FOR SCRUTINY OR PLACED ON THE AGENDA BY A MEMBER OF THE COMMITTEE, ANY INDIVIDUAL NON-EXECUTIVE MEMBERS OR PUBLIC PETITION**

(a) Items placed on the agenda by a Member of the Committee or any individual Non-Executive Member

Any individual Councillor may request that a matter is placed on the agenda of one of the Council's Overview and Scrutiny Committees.

There are no items for consideration.

(b) Call-In

Executive Decisions may be called-in by the Chairman or Spokesperson of the Scrutiny (Policy and Performance) Committee or any three non-executive members. Call-Ins are heard by the Scrutiny (Policy and Performance) Committee unless it decides to refer the matter to the Scrutiny (Community and Regeneration) Committee.

There are no items for consideration.

(c) Public Petitions

There are no items for consideration.

9 **NOTICE OF FORTHCOMING KEY DECISIONS** (Pages 6 - 8)

It is intended that Members should use the Notice of Forthcoming Key Decisions to identify topics within the remit of the Committee for future scrutiny.

10 **SCRUTINY WORK PROGRAMME** (Pages 9 - 11)

It is intended that the Committee monitor and prioritise its rolling work programme.

11 **LOCAL PLAN ENGAGEMENT STRATEGY REPORT** (Pages 12 - 26)

To consider the attached report of the Chief Executive.

**Access to Meetings and Information**

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website [www.dover.gov.uk](http://www.dover.gov.uk). Minutes are normally published within five working days of each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Rebecca Brough, Team Leader - Democratic Support, telephone: (01304) 872304 or email: [rebecca.brough@dover.gov.uk](mailto:rebecca.brough@dover.gov.uk) for details.

**Large print copies of this agenda can be supplied on request.**

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
<p>CAB 187 8.5.17 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 16 May 2017</p> <p>5</p>	<p><u>SOUTHERN WATER</u></p> <p>It was agreed that the Scrutiny (Community and Regeneration) Committee's recommendation, made at its meeting held on 18 April 2017 (Minute No 95), be acknowledged. However, it was noted that there was already a process in place for consulting Southern Water on flood risk. Furthermore, Officers were addressing the quality of this advice directly with Southern Water, and it was intended to introduce a Planning 'validation checklist' which could require major development (greater than 10 units) to be submitted with evidence regarding the capacity in the foul sewer network. The final version of the checklist would be brought to Cabinet for approval in due course, at which point Cabinet would be able to review the measures proposed.</p>	<p>None.</p>	<p>The Scrutiny (Community and Regeneration) Committee, at its meeting held on 15 March 2017, received a briefing from Southern Water and made a recommendation to Cabinet regarding the flood risk from developments of more than 20 houses. Cabinet requested further clarification from the Committee regarding its recommendation which it provided at its meeting held on 19 April 2017 (Minute No 95).</p>	



# Notice of Forthcoming Key Decisions

[This updated version of the Notice supersedes all other versions issued in previous months]

Publication Date: 5 May 2017

## Notice of Forthcoming Key Decisions which will be made on behalf of the Council

Key Decisions 2017/18	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
1	Neighbourhood Plans	June 2013 and ongoing (see entry)
2	Dover Town Centre Regeneration: To consider progress on the Compulsory Purchase Order and any issues arising which may go beyond the scope of the resolutions incorporated in Minute CAB 87	8 September 2014/24 April 2015/7 March 2016 and ongoing
3	Approval to develop detailed plans for replacement of Dover Leisure Centre	25 July/20 September and 15 December 2016 (special Cabinet meetings) and 4 September 2017
4	Statutory Brownfield Register	4 December 2017
5	Review of Tenancy Strategy and Tenancy Policy	October/November 2017
6	Review of Local Plan	1 March 2017 and dates to be confirmed
7	Property Acquisitions	Ongoing (decisions to be taken by Portfolio Holder for Corporate Resources and Performance)
8	Approval for public consultation on draft South Barracks Conservation Area Appraisal	5 June/3 July 2017 and date to be confirmed
9	To consider the results of public consultation on the Waterloo Crescent Conservation Area Appraisal and approve public consultation on proposed boundary extensions	8 May 2017 and date to be confirmed
10	To consider the results of public consultation on the extension of the Nelson Street Conservation Area boundary and the introduction of an Article 4 Direction	8 May 2017 and date to be confirmed
11	Approval to cease providing a face-to-face customer service function at Aylesham, Deal and Sandwich area offices	3 July 2017
12	Approval of revisions to the 2012 Housing Assistance Policy	5 June 2017
13	Approval of amended Dover District Council Events Policy and Land Hire Agreement	5 June/3 July 2017
14	Approval to release funding and carry out regular beach maintenance works between Oldstairs Bay and Sandwich Bay	5 June 2017
15	Local Plan Review – Engagement Strategy	8 May 2017

Key Decisions 2017/18	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
16	Appointment of contractor to carry out building extension and repair works at Kearsney Abbey and Russell Gardens as part of the Heritage Lottery Funded 'Parks for People' project	3 July 2017
17	Appointment of contractor to carry out landscape and watercourse restoration works at Kearsney Abbey and Russell Gardens as part of DDC's Heritage Lottery Fund 'Parks for People' project	3 July 2017
18	To approve the policy on civil penalties and rent repayment orders for private landlords	3 July 2017
19	To seek approval for wet and dryside improvements to Tides Leisure and Indoor Tennis Centre, Deal	3 July or 4 September 2017
20	Dover Waterfront Masterplan and Dover Public Realm Improvements	4 September 2017 and dates to be confirmed
21	Planning Enforcement Plan	4 September 2017 and dates to be confirmed
22	Representations on the Thanet District Council Local Plan	To be confirmed

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- Note: (1) Key Decisions which are shaded have already been taken and do not appear in this updated version of the Notice of Forthcoming Key Decisions.
- (2) The Council's Corporate Management Team reserves the right to vary the dates set for consultation deadline(s) and for the submission of reports to Cabinet and Council in respect of Key Decisions included within this version of the notice. Members of the public can find out whether any alterations have been made by looking at the Council's website ([www.dover.gov.uk](http://www.dover.gov.uk)).



# OVERVIEW AND SCRUTINY WORK PROGRAMME 2017/18

## SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE

Month	Scrutiny (Community and Regeneration) Committee	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
May 2017	Local Plan Engagement Strategy	Single Meeting	Chief Executive	£0		To consider the report.
June 2017 (tbc)	Registered Providers of Social Housing	Single Meeting	Director of Finance, Housing & Community	£0		To consider the report. (attendees to be confirmed)
June 2017	Approval of revisions to the 2012 Housing Assistance Policy	Single Meeting	Director of Finance, Housing & Community	£0		To consider the report.
July 2017	To approve the policy on civil penalties and rent repayment orders for private landlords	Single Meeting	Director of Finance, Housing & Community	£0		To consider the report.
August 2017	<b>No meeting scheduled</b>					
September 2017	Regeneration Update	On-going	Head of Inward Investment	£		To receive an update on regeneration in the Dover District (tbc).
Oct-Nov 2017	Review of Tenancy Strategy and Tenancy Policy	Single Meeting	Director of Finance, Housing and Community	£		To consider the report. [Selected from the Forward Plan]

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Month	Scrutiny (Community and Regeneration) Committee	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
October 2017						
November 2017						
December 2017						
January 2018						
February 2018						
March 2018						
April 2018						
May 2018						

**The following items are included within the Forward Plan and have been identified for inclusion within the Work Programme when available.**

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<b>Subject:</b>	<b>DOVER DISTRICT COUNCIL LOCAL PLAN ENGAGEMENT STRATEGY</b>
<b>Meeting and Date:</b>	<b>8 May 2017</b>
<b>Report of:</b>	<b>Nadeem Aziz, Chief Executive</b>
<b>Portfolio Holder:</b>	<b>Councillor Nicholas Kenton, Portfolio Holder for Environment, Waste and Planning</b>
<b>Decision Type:</b>	<b>Key</b>
<b>Classification:</b>	<b>Unrestricted</b>
<b>Purpose of the report:</b>	To seek approval for the Local Plan Engagement Strategy
<b>Recommendation:</b>	Cabinet approves the Local Plan Engagement Strategy attached at Appendix 1 and it is made available on the District Council's website.

## 1. Summary

- 1.1 The decision was taken by Cabinet in March 2017 to proceed with a review of the Dover District Local Plan.
- 1.2 The Local Plan Engagement Strategy sets out the Council's approach to consulting and engaging the community in the review of the Local Plan.
- 1.3 The Strategy has been prepared to expand on the Council's Statement of Community Involvement (2016) to give residents, businesses and key stakeholders more clarity on how we will consult them at each stage of the Local Plan preparation process, what issues they will be consulted on, how they can respond and how we will treat their comments.
- 1.4 The Strategy also sets out the governance structure for the key decisions that have to be made in taking forward the Local Plan, to ensure that the decision making process is as transparent as possible

## 2. Introduction and Background

- 2.1 The Council has a duty under the Town and Country Planning (Local Planning)(England) Regulations 2012 to consult with a number of different groups, as set out in the Regulations, at key stages of the Local Plan preparation process.
- 2.2 Furthermore, under the Localism Act 2011 the Council has a legal duty to engage constructively, actively and on an on-going basis with 'duty to co-operate bodies' to maximise the effectiveness of local plan preparation relating to strategic cross-boundary matters.
- 2.3 The Statement of Community Involvement (2016) sets out the Council's over-arching approach to engaging the community in the planning process.
- 2.4 The Local Plan Engagement Strategy has been prepared to expand on the Council's Statement of Community Involvement to give residents, businesses and key stakeholders more clarity on how we will consult them at each stage of the Local Plan preparation process, what issues they will be consulted on, how they can

respond and how we will treat their comments. This should make the process more transparent with the aim of increasing levels of participation in the Local Plan preparation process.

2.5 The Local Development Scheme, agreed by Cabinet on the 1<sup>st</sup> March 2017, sets out the different stages involved in the production of the Local Plan and the timetable for this. The Local Plan Engagement Strategy builds on this and sets out what consultation will be taken at each stage in the process.

- (a) Evidence gathering: Consultation will be undertaken with key stakeholders, infrastructure and service providers, land owners, developers and other groups as appropriate.
- (b) Call for sites: As part of the Housing and Employment Land Availability Assessment the Council will issue a call for sites in the Summer of 2017. Here, developers, land owners, agents, and the public will be invited to submit sites to the Council for assessment, to see if they are suitable for inclusion within the Local Plan.
- (c) Regulation 18 Public Consultation on the Key Issues for the Local Plan: Statutory public consultation to be undertaken in Autumn 2017, for a period of 8 weeks, on the key issues that the Local Plan will cover.
- (d) Preparation of the Local Plan: As part of the preparation of the Local Plan the Council will hold topic specific workshops with key stakeholders, infrastructure and service providers, land owners, developers, Parish and Town Councils, the Project Advisory Group and other groups as appropriate. This will take place between Autumn 2017 and Autumn 2018.
- (e) Regulation 19 Public Consultation on Draft Local Plan: Statutory public consultation on the draft Local Plan to be held in Autumn 2018 for a period of 8 weeks.
- (f) Submission to Secretary of State for Examination: Following the Regulation 19 Public Consultation, the draft Local Plan and associated documents will be submitted to the Secretary of State for examination in Winter 2018.
- (g) Examination of Local Plan by Planning Inspector: An independent Inspector appointed by the Secretary of State will consider the 'soundness' of the draft Local Plan as part of a public examination. As part of this, the Inspector will consider the representations received during the Regulation 19 consultation, and where appropriate, individuals or organisations that submitted representations will be invited, by the Inspector, to appear at the examination. This is anticipated to take place in Spring 2019.
- (h) Adoption of Local Plan: In accordance with the Council's constitution, the adoption of the Local Plan must take place at a meeting of Full Council. This is anticipated to take place in Summer 2019

2.6 When undertaking the statutory public consultations, the Council will, where possible, encourage online responses to consultation and the Council's preferred means of receiving comments is through the interactive online system 'Objective' via the Council's website. Using the Online Form has a number of advantages. It is the fastest and most accurate method and helps us to manage representations quickly and efficiently. It ensures that representations are attached to the correct section of

the consultation document. It also allows respondents to provide their own summaries to representations, which helps us avoid any risk of misrepresentation of respondent concerns.

- 2.7 The Council however recognises that not everyone is able to use the online consultation system, so paper copies of response forms will also be made available.
- 2.8 When representations are received, they will be added onto the Council's online consultation system 'Objective'. Once all representations have been processed in this way, confirmation emails/letters will be sent to all those who have submitted representations.
- 2.9 At the end of each consultation period, all representations will be considered and analysed by officers. A response will be formulated and changes will be proposed to the draft Local Plan, where necessary. A summary of all representations, responses and proposed changes will be considered and agreed by Councillors prior to moving onto the next stage. Once changes have been approved, officers will respond to consultees who have submitted responses. Replies will include a response to the initial comment and any actions that the Council will take in response to these comments.
- 2.10 To promote transparency in the Local Plan decision making process, the Local Plan Engagement Strategy also sets out the hierarchy of decision making; at what point key decisions will need to be made; and which body will make them.

### **3. Identification of Options**

- 3.1 Option 1: To approve the Local Plan Engagement Strategy attached at appendix 1.
- 3.2 Option 2: Not to approve the Local Plan Engagement Strategy attached at appendix 1.

### **4. Evaluation of Options**

- 4.1 At Cabinet on the 1<sup>st</sup> March 2017 Members requested that officers produce a Local Plan Engagement Strategy.
- 4.2 The Local Plan Engagement Strategy expands on the Council's Statement of Community Involvement to give residents, businesses and key stakeholders more clarity on how we will consult them at each stage of the Local Plan preparation process and what issues they will be consulted on. This should make the process more transparent with the aim of increasing levels of participation in the Local Plan preparation process.
- 4.3 To not approve the Strategy would go against Cabinet's recommendation.

### **5. Resource Implications**

- 5.1 Once agreed by Cabinet, a copy of the Local Plan Engagement Strategy will be placed on the Council's website.
- 5.2 There will be resource implications associated with the delivery of the Local Plan Engagement Strategy; however these will be met from the existing Local Plan budget.

## 6. **Corporate Implications**

- 6.1 Comment from the Section 151 Officer: Finance has been consulted and has nothing further to add (SB)
- 6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.
- 6.3 Comment from the Equalities Officer: This report does not specifically highlight any equalities implications, however in discharging their responsibilities members are required to comply with the public sector duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>

## 7. **Appendices**

Appendix 1 – Local Plan Engagement Strategy

Contact Officer: *Rebecca Burden, Senior Planning Policy Officer, Regeneration Delivery Section*

## Appendix 1

### Dover District Council Local Plan Engagement Strategy

#### Overview

The decision was taken by Cabinet in March 2017 to proceed with a review of the Dover District Local Plan.

The Local Plan will set out the planning framework for the District over the next 20 years and cover issues such as housing provision, the economy, retail and town centres, infrastructure provision and the environment. The Local Plan will also set out the policies by which planning applications will be determined, in addition to allocating land for housing, employment and retail uses.

#### Introduction

Planning plays an essential role in shaping the places where we all live, work and socialise. The outcomes of planning have an effect on everyone and for this reason everyone should have the opportunity to become involved in the planning process.

This document sets out the Council's approach to consulting and engaging the community on the Dover District Local Plan. The Local Plan goes through a number of stages of preparation and it is important to clearly set out how and when people can become involved in the process. This document also sets out the hierarchy of decision making in the Council; at what point key decisions will need to be made; and which Council committee will be responsible for making the relevant decisions, to ensure that the decision making process is as transparent as possible.

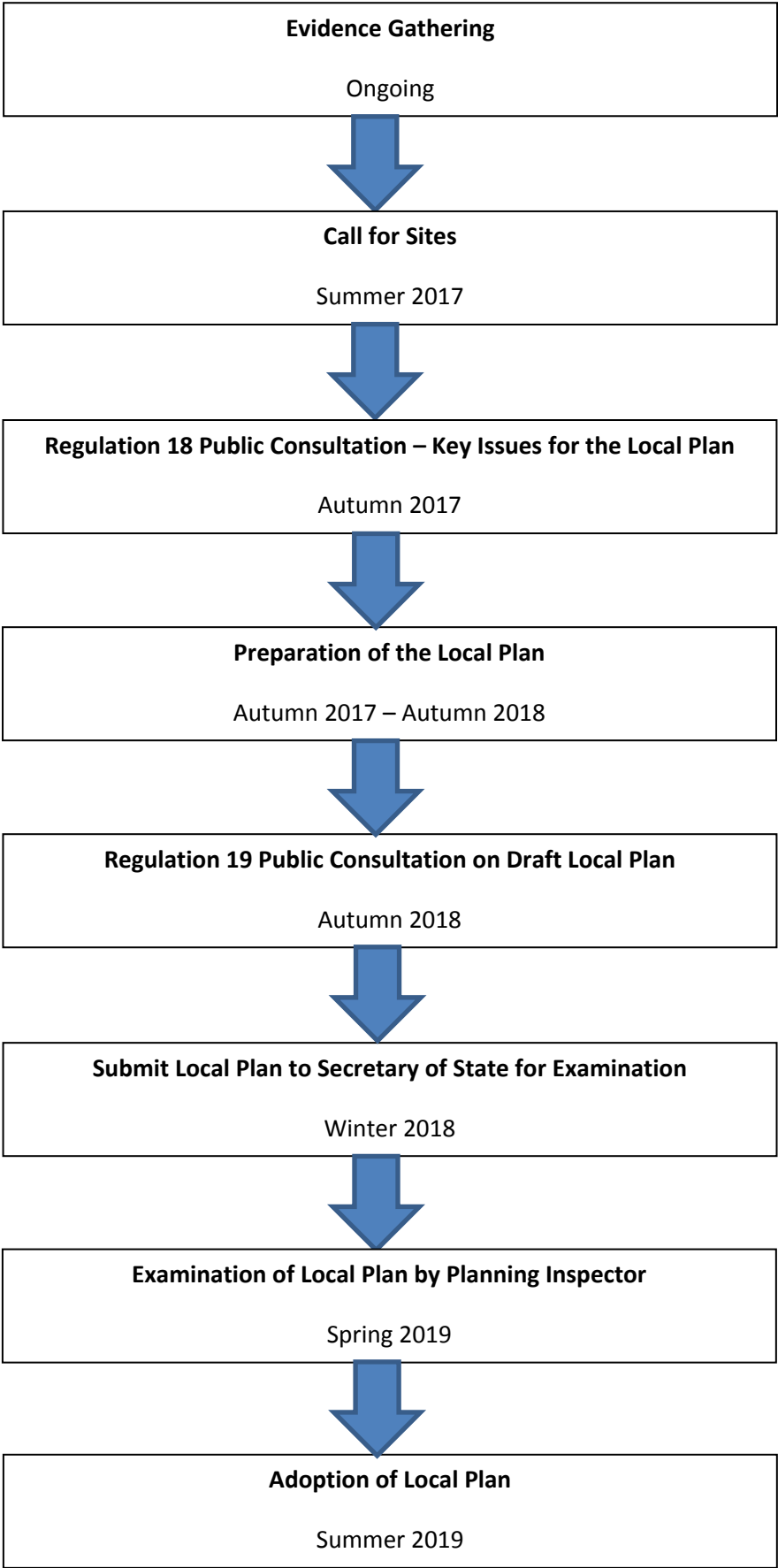
The principles set out in this document are consistent with the Council's Statement of Community Involvement (2016). The approach and specific suggestions are also in accordance with the Town and Country Planning (Local Planning) (England) Regulations (2012).

#### Process and Timetable

The process of producing a Local Plan involves different stages, many of which require the Council to consult with stakeholders and residents. The timetable for the preparation of the Local Plan is set out in the Council's Local Development Scheme <https://www.dover.gov.uk/Planning/Planning-Policy-and-Regeneration/Plan-Monitoring/Local-Development-Scheme.aspx>



**Sustainability Appraisal and Habitat Regulations Assessment of the Local Plan**  
Ongoing



The main stages are outlined below:

#### Evidence Gathering

The Council is in the process of preparing a number of studies to support the Local Plan, including the Sustainability Appraisal and Habitat Regulations Assessment. The Council will carry out both formal and informal engagement with a range of stakeholders as part of the evidence gathering stage, the outcomes of which will inform the development of policies in the Local Plan.

#### Call for Sites

As part of the Housing and Employment Land Availability Assessment the Council will issue a call for sites. Here, developers, land owners, agents, and the public will be invited to submit sites to the Council for assessment, to see if they are suitable for inclusion within the Local Plan. There will also be an ongoing dialogue with developers and landowners throughout this study.

#### Public Consultation – Key Issues for the Local Plan (Regulation 18)

This stage in the process provides an opportunity for local residents and other key stakeholders to engage with the Council on the key issues that the Local Plan ought to cover. Consultation will take place with a wide range of stakeholders including local residents, developers and landowners, statutory consultees, internal departments within the Council and Members. A consultation document setting out key issues for the Local Plan will be published for an eight week period of consultation. Following on from the consultation, officers will review and respond to all representations received, and these will help inform the development of a draft Local Plan.

In addition to this, further consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations (2012), will also be held with key stakeholders throughout the preparation of the Local Plan (see below).

#### Preparation of the Local Plan

Once the Council has established the key issues for the Local Plan to consider, officers will commence work on the preparation of the Plan. The Local Plan will be prepared in consultation with key stakeholders and will incorporate key findings from the Council's evidence base.

#### Public Consultation on the Draft Local Plan (Regulation 19)

Prior to the submission of the Local Plan for examination, the Council must consult the public on the draft Local Plan, this will also include the development management policies and sites allocated for future housing, employment and retail development. The document will be made available for an eight week period of consultation with local residents and other key stakeholders, and comments will be passed onto the independent Inspector appointed to examine the draft Local Plan.

#### Submit Local Plan to Secretary of State for Examination

Following the Regulation 19 Public Consultation on the Draft Local Plan, the draft Local Plan and associated documents will be submitted to the Secretary of State. This stage triggers the independent examination of the document.

### Examination of Local Plan by Planning Inspector

The Secretary of State will appoint an independent Inspector (from the Planning Inspectorate) to consider the 'soundness' of the draft Local Plan as part of a public examination. In determining whether or not the draft Local Plan is 'sound', the Inspector will consider the representations received during the Regulation 19 consultation, and where appropriate, individuals or organisations that submitted representations will be invited, by the Inspector, to appear at the examination. Following the examination, the Inspector will produce a report in order to determine whether or not the plan can be considered to be 'sound'. This report may include changes to the draft Local Plan where the Inspector feels that these are necessary to ensure that the plan is sound.

### Adoption of Local Plan

The final stage in the plan making process is the formal adoption of a Plan. In accordance with the Council's constitution, the adoption of the Local Plan must take place at a meeting of Full Council. Following adoption, the Local Plan will become the main document against which decisions on planning applications will be made.

### **Who will be Consulted**

The Town and Country Planning (Local Planning) (England) Regulations 2012 requires Local Planning Authorities to consult both general consultation bodies and specific consultation bodies in the preparation of Local Plans, in addition to residents and other persons carrying out business in the local planning authority's area.

General consultation bodies include:

- voluntary bodies some or all of whose activities benefit any part of the local planning authority's area;
- bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area;
- bodies which represent the interests of different religious groups in the local planning authority's area;
- bodies which represent the interests of disabled persons in the local planning authority's area; and
- bodies which represent the interests of persons carrying on business in the local planning authority's area;

Specific consultation bodies include:

- the Coal Authority
- the Environment Agency
- the Historic Buildings and Monuments Commission for England
- the Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited (company number 2904587)
- the Highways Agency
- a relevant authority any part of whose area is in or adjoins the local planning authority's area,
- electronic communications providers
- Electricity providers
- Gas providers

- Primary Care Trust
- Sewerage undertaker
- Water undertaker
- Homes and Communities Agency

### **Duty to Co-operate**

The duty to co-operate was introduced in the Localism Act 2011 and places a legal duty on local planning authorities to engage constructively, actively and on an on-going basis to maximise the effectiveness of local plan preparation relating to strategic cross-boundary matters.

Paragraph 156 of the National Planning Policy Framework identifies the following as strategic issues requiring cooperation:

- The need for and provision of homes and jobs in an area;
- The provision of retail, leisure and other commercial development;
- The provision of infrastructure for transport, telecommunications, waste management, water supply and waste water treatment, flood risk management, the provision of minerals, and energy supply;
- The provision of infrastructure for health, security, community wellbeing and culture;
- Climate change mitigation and adaptation;
- The conservation and enhancement of the natural and historic environment.

A full list of ‘duty to cooperate bodies’ is set out in Part 2 of the Local Plan Regulations 2012, and Dover District Council's main duty to cooperate bodies are listed below. However, the nature of the duty means that it would never be possible to produce an exhaustive list.

- Kent and Medway Planning Authorities
- The Civil Aviation Authority
- The Environment Agency
- The Greater London Authority
- Highways England
- Historic England
- The Homes and Communities Agency
- South East Clinical Commissioning Group
- Canterbury and Coastal Clinical Commissioning Group
- Natural England
- The Office of Rail and Road
- Transport for London

The Council is also required to ‘have regard to’ the Local Enterprise Partnership (LEP) and Local Nature Partnership (LNP) for Kent and Essex when drawing up policies and plans. Both now have an important role in strategic planning – in particular, the LEP is responsible for bidding for and prioritising infrastructure investment, and a close working relationship is therefore crucial.

In February 2016 the Council adopted a Memorandum of Understanding in respect of the duty to cooperate between the East Kent Regeneration Board members. This includes:

- Ashford
- Canterbury
- Shepway
- Thanet

- Dover; and
- Kent County Council

The memorandum does not override the statutory duties and powers of the identified parties. It is not legally binding nor is it intended to cover every detailed aspect of their relationships; rather it is a statement of principles to guide relations between the parties and provide a set of workable ground rules for early discussion and co-operation in addressing strategic and cross-boundary issues.

### Engagement Strategy

There are a variety of ways in which people and groups can become involved in the preparation of the Local Plan. The minimum requirements for consultation and community engagement are set out in the Council’s Statement of Community Involvement (2016). However, it is proposed that the Council is much more proactive in engaging with the local community, in keeping with the spirit of the Localism agenda. Table 1 therefore sets out a comprehensive engagement strategy for the Local Plan designed to reach out to as many people and groups as possible.

**Table 1: Local Plan Engagement Strategy**

<b>Stage in Plan Preparation</b>	<b>Key Issues to be Considered</b>	<b>Methods of Engagement</b>
Evidence Gathering (including Call for Sites)  Ongoing	The Council is updating the evidence base to support the Local Plan. The evidence base will cover a variety of topics including: <ul style="list-style-type: none"> <li>• Housing</li> <li>• Employment</li> <li>• Retail</li> <li>• Green Infrastructure</li> <li>• Open space and sports provision</li> <li>• Flooding</li> <li>• Landscape character</li> <li>• Climate change and energy efficiency</li> <li>• Transport</li> <li>• Viability</li> </ul>	<ul style="list-style-type: none"> <li>• Hold workshops with key stakeholders and duty to co-operate bodies to involve them in the preparation of key evidence base documents.</li> <li>• Present the key findings from studies to the Council’s Leadership Forum.</li> <li>• Hold 1:1 meetings with stakeholders and service providers to discuss future needs, aspirations and service/infrastructure capacity issues and how any infrastructure issues can be overcome.</li> <li>• Organise regular meetings with the Planning Advisory Group to discuss key issues for the Local Plan.</li> <li>• Send emails/ letters informing consultees of consultation dates and how to view and respond to documents where appropriate.</li> <li>• Publicise on the Council’s Facebook page and Twitter as required.</li> <li>• Publicise progress on the Local Plan in the DDC Newsletter at appropriate stages in the process.</li> </ul>

Stage in Plan Preparation	Key Issues to be Considered	Methods of Engagement
		<ul style="list-style-type: none"> <li>● Issue a call for sites, as part of the Housing and Economic Land Availability Assessment.</li> </ul>
<p>Regulation 18 – Key Issues Consultation</p> <p>Autumn 2017</p>	<p>At the start of the Local Plan preparation process the Council is required to notify specific groups as to the subject of the Local Plan which it intends to prepare and invite them to make representations about what a Local Plan with that subject ought to contain.</p> <p>This consultation will set out the structure of the Plan and overarching themes to be covered by the Local Plan.</p> <p>At this stage it is envisaged that the Plan will cover the following issues:</p> <ul style="list-style-type: none"> <li>● Housing, employment and retail provision</li> <li>● Infrastructure provision</li> <li>● Health</li> <li>● Sustainability</li> <li>● Design</li> <li>● Natural and historic environment</li> <li>● Development management policies</li> <li>● Site allocations</li> </ul> <p>A key part of the Regulation 18 consultation will also be to ask the local community and key stakeholders whether they agree with the issues set out in the consultation document and if there are any other key issues for the District that should be included in the Local Plan.</p>	<ul style="list-style-type: none"> <li>● Eight week consultation period</li> <li>● Consultation documents to be made available on the Council’s website and at the Council’s main office.</li> <li>● Issue a Public notice.</li> <li>● Send Letters/emails informing consultees of consultation dates and how to view and respond to documents.</li> <li>● Hard copies of the consultation document to be made available at libraries in the District and in the mobile library, to reach more rural communities.</li> <li>● Issue press releases advertising the consultation.</li> <li>● Article in the DDC Newsletter (subject to timescales).</li> <li>● Publicise on the Council’s Facebook page and Twitter.</li> <li>● Produce leaflets, as appropriate.</li> </ul>
<p>Preparation of the Local Plan</p> <p>Autumn 2017 – Autumn 2018</p>	<p>In preparing the Local Plan the Council will seek to address all the issues outlined above.</p>	<ul style="list-style-type: none"> <li>● Hold topic based workshops around the different issues to be addressed in the Local Plan with key stakeholders.</li> <li>● Hold regular meetings with the Planning Advisory Group</li> <li>● Brief Leadership Forum</li> <li>● Hold 1:1 meetings with stakeholders and service</li> </ul>

Stage in Plan Preparation	Key Issues to be Considered	Methods of Engagement
		<p>providers to discuss future needs, aspirations and service/infrastructure capacity issues.</p> <ul style="list-style-type: none"> <li>• Hold meetings with landowners and agents</li> <li>• Hold meetings with Parish and Town Councils in the District if there are any specific issues facing a particular area</li> <li>• Run specific sessions with young people and hard to reach groups</li> <li>• Engage with the Gypsy and Travelling community</li> <li>• Issue an online newsletter twice a year updating consultees on progress with the Local Plan</li> </ul>
<p>Regulation 19 – Consultation on the Draft Local Plan</p> <p>Autumn 2018</p>	<p>Prior to the submission of the Local Plan to the Secretary of State for examination the Council is required to publish the draft Local Plan for consultation.</p> <p>The purpose of this consultation is to establish whether respondents support or object to the plan and, if they object, what the basis for their objection is.</p> <p>The consultation will also need to establish whether local people and statutory organisations consider the Council has met the legal requirements for the preparation of the plan and whether it meets the tests of soundness which are set out in the National Planning Policy Framework.</p> <p>The key tests of soundness are that a Plan is:</p> <ul style="list-style-type: none"> <li>• Positively prepared</li> <li>• Justified</li> <li>• Effective</li> <li>• Consistent with national policy</li> </ul>	<ul style="list-style-type: none"> <li>• Eight week consultation period</li> <li>• Consultation documents to be made available on the Council’s website and at the Council’s main office.</li> <li>• Send the consultation document to specific consultation bodies.</li> <li>• Inform general consultation bodies of the public consultation.</li> <li>• Issue a Public notice.</li> <li>• Send Letters/emails informing consultees of consultation dates and how to view and respond to documents.</li> <li>• Hard copies of the consultation document to be made available at libraries in the District and in the mobile library, to reach more rural communities.</li> <li>• Issue press releases advertising the consultation.</li> <li>• Publicise progress on the Local Plan in the DDC Newsletter at appropriate stages in the process.</li> <li>• Publicise on the Council’s Facebook page and Twitter.</li> <li>• Produce leaflets, as appropriate.</li> <li>• Hold a number of public exhibitions across the District, in towns and villages. These would be advertised and staffed at specific times.</li> </ul>

<b>Stage in Plan Preparation</b>	<b>Key Issues to be Considered</b>	<b>Methods of Engagement</b>
<p>Submission to Secretary of State</p> <p>Winter 2018</p>	<p>The submission of the Local Plan to the Secretary of State triggers the examination in public of the Local Plan.</p>	<ul style="list-style-type: none"> <li>• Council to appoint an independent programme officer that will be responsible for assisting the Inspector with the smooth running of the Examination. This will involve keeping people informed about the forthcoming examination.</li> <li>• Submit Local Plan and associated documents including Sustainability Appraisal and the Statement of Consultation to the Secretary of State.</li> <li>• All documents to be made available on the Council's website and at the Council's main offices.</li> <li>• Copies of documents to be sent to specific consultation bodies.</li> <li>• Inform general consultation bodies and anyone requesting notification of submission that documents are available for inspection.</li> <li>• Issue a Public Notice.</li> </ul>
<p>Examination</p> <p>Spring 2019</p>	<p>The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound.</p> <p>The key tests of soundness are that a Plan is:</p> <ul style="list-style-type: none"> <li>• Positively prepared</li> <li>• Justified</li> <li>• Effective</li> <li>• Consistent with national policy</li> </ul>	<p>Working with the programme officer, at least 6 weeks before the examination starts the Council will:</p> <ul style="list-style-type: none"> <li>• Issue a Public Notice.</li> <li>• Publish details on the Council's website.</li> <li>• Notify people who made a representation of the time and place of examination and the name of the person appointed to hold the examination.</li> <li>• Publish all examination details including agendas, and statements on the Council's website.</li> </ul>
<p>Adoption</p> <p>Summer 2019</p>	<p>Following Examination it will be for the Council to decide whether it wishes to adopt the Local Plan for decision making purposes.</p>	<p>The Council will:</p> <ul style="list-style-type: none"> <li>• Make adopted documents, adoption statement and the sustainability appraisal available for inspection and available on the Council's website.</li> <li>• Issue a Public Notice.</li> <li>• Inform all consultees of adoption.</li> <li>• Send the adoption statement to anyone who requested to be</li> </ul>



Stage in Plan Preparation	Key Issues to be Considered	Methods of Engagement
		notified of adoption. <ul style="list-style-type: none"> <li>• Send the adoption statement and document to the secretary of state.</li> </ul>

**How to comment, consideration of comments and feedback**

Each stage of consultation on the Local Plan requires the submission of written or electronic comments known as representations to the Local Planning Authority.

The Council will make the consultation document available for comment online along with providing hard copies at specific deposit points across the District (this will include Council Offices; and libraries where appropriate). Supporting documents will also be available online where necessary.

Where possible the Council will actively encourage online responses to consultation. The Council’s preferred means of receiving comments is through the interactive online system ‘Objective’ via the Council’s website [http://dover-consult.limehouse.co.uk/portal/?q:sortMode=title\\_asc&q:advanced=false&q:folderId=19736&pageSize=20](http://dover-consult.limehouse.co.uk/portal/?q:sortMode=title_asc&q:advanced=false&q:folderId=19736&pageSize=20) . Using the Online Form has a number of advantages. It is the fastest and most accurate method and helps us to manage representations quickly and efficiently. It ensures that representations are attached to the correct section of the consultation document. It also allows respondents to provide their own summaries to representations, which helps us avoid any risk of misrepresentation of respondent concerns.

The Council however recognises that not everyone is able to use the online consultation system, so paper copies of response forms will also be made available. Guidance notes will also be provided to aid completion of responses.

The use of planning jargon within consultation documents will be minimised. However, there are elements of consultations that are guided by regulations and the requirements of the examination in public. For example, response forms need to include questions related to the tests of soundness for planning documents, and if a person objects to an element of the Plan, they need to relate this to one of the tests of soundness. In order to assist people in negotiating these regulatory requirements, guidance on the tests of soundness will be provided.

Once representations are received, they will be added onto the Council’s online consultation system ‘Objective’. Once all representations have been processed in this way, confirmation emails/letters will be sent to all those who have submitted representations.

At the end of each consultation period, all representations will be considered and analysed by officers. A response will be formulated and changes will be proposed to the document, where necessary. A summary of all representations, responses and proposed changes will be considered and agreed by Councillors prior to moving onto the next stage.

**Decision Making Framework for the Local Plan**

Decisions will be made on the Local Plan by either Cabinet or Full Council, which are the Council's formal decision making bodies. These decisions can be reviewed by the Council's Scrutiny Committee who can make recommendations to Cabinet.

Officer groups, the Planning Advisory Group and Leadership Forum will feed into the Local Plan process; however these bodies cannot make formal decisions on the Local Plan.

Key decisions will need to be taken by the Council at the following stages of the Local Plan process:

- Evidence Gathering: Officers will update the Planning and Advisory Group and the Council's Leadership Forum on the preparation of the evidence base to support the Local Plan.
- Regulation 18 Public Consultation – Key Issues for the Local Plan: Approval was given by Cabinet in March 2017 to proceed with the Regulation 18 key issues consultation.
- Preparation of the Local Plan: Officers will involve the Council's Leadership Forum and the Planning and Advisory Group in the preparation of the Local Plan.
- Regulation 19 Public Consultation on the Draft Local Plan: Officers will seek approval from the Council's Cabinet prior to going out to consultation on the draft Local Plan.
- Submit Local Plan to Secretary of State for Examination: Officers will seek approval from the Council's Cabinet and Full Council prior to submitting the Local Plan to the Secretary of State for Examination.
- Examination of Local Plan by Planning Inspector: The Secretary of State will appoint an independent Government Inspector (from the Planning Inspectorate) to consider the 'soundness' of the draft Local Plan as part of a public examination.
- Adoption of Local Plan: In accordance with the Council's constitution, the Local Plan will be presented to a meeting of Full Council for formal adoption.