

INSPECTOR'S REPORT
NORTH WEST LEICESTERSHIRE SCI
STATEMENT OF COMMUNITY INVOLVEMENT

Inspector:

Date: 2006.

North West Leicestershire Statement of Community Involvement November 2005)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the North West Leicestershire Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.2 A total of 18 representations were received all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received, and these have been taken into account in the preparation of this report. Further information was requested from the Council in relation to Tests 6, 7, 8 and 9 and this information is contained in Appendix B to this Report.

Test 1

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004. Having regard to "DPD matters" and the "proposals matters" (see Regulation 24(4) the Council should have included a statement regarding notification requests in earlier documentation, including the advertisements. This needs to be corrected.
- 2.2 Subject to the following recommendation this test is met.

Recommendation

- R1** The Council are to notify all those who made a representation on the submission SCI of the publication of the Inspector's Report and the subsequent adoption of the SCI.

Test 2

- 3.1 Paragraph 5.7 recognises that the Local Development Framework (LDF) must have regard to the North West Leicestershire Community Strategy. The SCI explains in Paragraph 8.2 onwards the role of the Local Strategic Partnership and other consultation bodies within the District. These existing groups will be utilised in the consultation on the Local Development Documents (LDDs) and I

am therefore satisfied that the Council recognises the links between existing strategies, LDDs and associated consultation exercises.

3.2 This test is met.

Test 3

- 4.1 The Council has set out in Section 7 and Appendix 3 of the SCI those groups which will be consulted. The statutory bodies from PPS12 Annex E are included in Appendix 3 but adjoining Parish Councils have been omitted and I recommend accordingly.
- 4.2 Consultation lists need to refer successor organisations and I have recommended accordingly.
- 4.3 Paragraph 7.1 states that the Council will hold a database of consultees details, and that this will be kept up to date throughout the LDF process. The database is publicly available through the Council's website and at the Council offices.
- 4.4 Subject to the following recommendation this test is met.

Recommendation

R2 In Appendix 3 (b) insert "or other relevant" after "local",

R3 Insert a new paragraph after paragraph 7.3 stating:

"The above list is not exhaustive and also relates to successor bodies where re-organisations occur."

R4 Insert at the end of Appendix 3 the following:

"This list relates to successor bodies where re-organisations occur"

Test 4

- 5.1 The table in paragraph 6.11 shows that the Council will involve and inform people from the early stages of DPD preparation and Section 8 sets out the range of methods the Council will employ to do this. It shows that consultation will take place with the key stakeholders during the issues and options stage of DPD production; this is in accordance with Regulation 25. I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.
- 5.2 This test is met.

Test 5

- 6.1 Section 8 sets out the methods that the Council propose to use to involve the community and stakeholders. These cover a range of recognised consultation techniques that will present information via a range of different media.
- 6.2 Paragraph 6.10 acknowledges that the scale and extent of community involvement will vary depending on the subject of the LDD. Section 8 provides more detail regarding which methods the Council anticipates would be most appropriate to the different types of LDDs and indicates which groups and forums are likely to have greater involvement in particular LDDs.
- 6.3 The SCI acknowledges that the Council may have to provide extra support to facilitate consultation with certain groups or individuals, and proposes (in Appendix 2) how they might do this. This appendix explains how the Council will make their information accessible to all members of society, and sets out how they will meet requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995.
- 6.4 Although Appendix 2 does indicate that LDF documents can be made available in other formats this is not prominently displayed and I therefore make a recommendation to place contact information for LDF documents in other formats both in the text and on the inside front cover of the SCI.
- 6.5 Subject to the following recommendation this test is met.

Recommendation

- R5** Display prominently on the inside front cover and after paragraph 7.5 the following statement:

“This and other Local Development Framework documents are or will be made available in large copy print, audio cassette, Braille or languages other than English. If you require the document in one of these formats please contact the Planning Policy and Regeneration Section on 01530 454771 or e-mail: planning.policy@nwleicestershire.gov.uk

Test 6

- 7.1 Paragraphs 8.21-8.22 of the SCI provide some information regarding resources. Further information was requested to ensure that the Council has assessed the resource implications of the SCI and is confident that sufficient resources will be put in place to achieve the scale of consultation envisaged. The Council’s response (see Appendix B) indicates that specific measures have been taken to address identified resource deficits. The Council will also keep the need for such specific inputs under review. I am therefore satisfied that the Council has considered the resource implications

of the SCI and taken steps to ensure that the consultation exercises proposed will be adequately resourced.

7.2 Subject to the following recommendation this test is met.

Recommendation

R6 Insert the following paragraph into the Section headed "Resources":

"An external facilitator has been engaged to take the debate on issues and options of the Core Strategy through to Preferred Options Stage. A consultant is also to be engaged to take forward the Development Control Policies DPD, also to Preferred Options stage. The Council will keep the need for such inputs under review throughout its future LDF work."

Test 7

8.1 Paragraphs 8.15 - 8.17 briefly explain that those making representations be informed of both the summaries of their representations and of Council decisions with respect to the production of LDDs. Press releases will also be prepared at key stages.

8.2 Clarification was sought from the Council regarding how the results of consultation would inform the content of LDD's and how decisions regarding content would be made and reported. I am satisfied that the Council's response (see Appendix B) adequately addresses this matter and I recommend accordingly.

8.3 Subject to the following recommendation this test is met.

Recommendation

R7 Insert new paragraph into section headed "Reporting Back" stating:

"Reports will be prepared summarising and assessing all representations received during the various consultation activities. These will be taken via the LDF Working Party to the Council's Executive Board, as necessary. The results of each consultation exercise will then provide an input into the next stage of the process, and will be weighed against the requirement to conform with the Regional Spatial Strategy and have regard to PPGs/PPSs and the Community Strategy in that process."

Test 8

9.1 Section 10 indicates that the SCI will be continuously reviewed for its effectiveness and relevance and will be monitored as part of the Council's Annual Monitoring Review.

9.2 Additional information was sought from the Council regarding potential triggers for reviewing the SCI. I am satisfied that the Council's response (see Appendix B) adequately addresses this matter and I recommend accordingly.

9.3 Subject to the following recommendation this test is met.

Recommendation

R8 Insert the following paragraph into Section 10:

"Regard will also be had to changes in circumstances (eg population), legislation, and policy (in particular national planning policy) and to emerging best practice in relation to nature and scope of consultation arrangements with a view to the need to review the SCI."

Test 9

10.1 The SCI at Section 9 describes the Council's policy for consultation on planning applications. Paragraphs 9.4 and 9.5 meet the minimum requirements and provide additional methods of consultation. Paragraph 9.3 encourages applications to undertake pre-submission consultations where appropriate.

10.2 Additional information was sought from the Council with regard to different consultation procedures which the Council may employ with respect to more complex and contentious applications. I am satisfied that the Council's response addresses this matter (see Appendix B) but this does not indicate that the results of such consultation will be reported and taken into account during the decision making process. I have therefore made a recommendation in the light of the Council's response but which also links this to the decision making process.

10.3 The SCI does not address the longer statutory time period for consultation that may be applicable in certain circumstances

10.4 Subject to the following recommendations this test is met.

Recommendation

R9 Insert at the end of paragraph 9.6 the following:

"In addition to the statutory site notices and press notices, details of major applications will be published on the Council's website following the introduction of a document management system which will allow plans to be viewed on-line. In addition the Council will strongly encourage applicants to arrange a public meeting or exhibition before an application is submitted to allow the local community to be more fully informed prior to submission. Applicants will also

be encouraged to submit a brief statement outlining how the results of the pre-application consultation have been taken into account in the final application. The results of any such consultation will be reported and taken into account in decisions made by, and on behalf of, the Council."

R10 Insert into section headed "Consultation Procedures":

"Bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation."

Changes proposed by the Council

11.1 The Council have set out in their Regulation 31 Statement (May 2006) a number of proposed changes to the SCI in response to representations received on the submission document. These suggested amendments, provided in a separate schedule by the Council and attached at Appendix C, do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore agree that they be included.

Recommendation

R11 The SCI to be modified in accordance with Appendix C

Conclusions

11.2 Whilst I have attempted to identify as many consequential amendments as possible that may follow from my recommendations, issues of consistency may arise. In the event of any doubt, please note that I am content for such matters, plus any minor spelling, grammatical or factual matters to be amended by the Council, so long as this does not affect the substance of the SCI.

11.3 The Council should remove all references to previous stages of this document and replace any preface containing such references with a statement of adoption.

Recommendation

R12 Remove all reference to previous stages of the SCI.

11.4 Subject to the recommendations set out in this report, the N W Leicestershire SCI (November 2005) is sound.

Wendy J Burden

INSPECTOR

APPENDIX A
TESTS OF SOUNDNESS

Examination of the soundness of the statement of community involvement

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;¹
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

From: Planning Policy Statement 12: Local Development Frameworks

¹ The Town and Country Planning (Local Development) (England) Regulations, 2004.

APPENDIX B
CORRESPONDENCE