



Report of the Development Department

Executive Board

Date: 24th January 2007

Subject: Inspector's Report on the Statement of Community Involvement for Leeds

Electoral Wards Affected:

All

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

EXECUTIVE SUMMARY

Leeds City Council has received the Inspector's Report on the Leeds Statement of Community Involvement (SCI). The SCI is the first of the new style LDF documents to be prepared under the City Council's Local Development Scheme (LDS) timetable. The SCI sets out how the Council will engage communities and stakeholders in the planning process. The Inspector has tested the soundness of the SCI in accordance with the Planning and Compulsory Purchase Act, 2004 and Planning Policy Statement 12: Local Development Frameworks (PPS12). The independent examination has, with a couple of minor amendments concluded that the document constitutes a satisfactory and sound SCI. This report requests members to consider and agree the binding recommendations of the Planning Inspectorate on the SCI and recommend to Council that the SCI, as amended in accordance with the Inspector's recommendations, should be adopted by the City Council.

1.0 PURPOSE OF THIS REPORT

1.1 For members of Executive Board to consider and agree the Inspector's Report on Leeds Statement of Community Involvement (SCI) and to recommend to Council that the SCI amended in accordance with the Inspector's recommendations is adopted.

2.0 BACKGROUND

2.1 Members have previously approved the City Council's Local Development Scheme (LDS), which has subsequently been agreed by the Secretary of State, as a basis to take forward the preparation of the Local Development Framework (LDF) for Leeds. Integral to the LDF and an early priority in the LDS, the City Council is required to

prepare a Statement of Community Involvement (SCI). The purpose of the SCI is to set out how the Council will engage communities and stakeholders in the planning process (the preparation of Development Plan Documents and major planning applications). Within this context, the preparation of the SCI must go through the stages of informal and formal consultation and independent examination by the Planning Inspectorate (Planning and Compulsory Purchase Act, 2004).

- 2.2 An early draft SCI was consulted on during June/July 2005 (Regulation 25, Local Development Regulations, 2004). The draft SCI was revised for the next formal six week consultation period (Regulation 26, Local Development Regulations, 2004) held in November/December 2006.
- 2.3 Following the consultation period, a total of 22 representations were received. Copies of these together with a summary of the main issues and the Council's suggested responses (including some proposed amendments) 'were sent along with the draft SCI (Regulation 31) to the Planning Inspectorate for independent examination on the 1st August 2006.

3.0 MAIN ISSUES

- 3.1 An independent examination of the Leeds City Council SCI was carried out by the Planning Inspectorate. In this instance, in accordance with the Planning and Compulsory Purchase Act (2004), it was dealt with by written representation in September-November 2006. The examination was to consider the soundness of the SCI.
- 3.2 The Council received a draft copy of the Inspectors Report on 5th December 2006. This was sent to the Council to undertake a factual check. The Council identified two very minor amendments. These have now been incorporated into the Inspector's Report, a copy of which is attached as Appendix 1.
- 3.3 The Inspector's Report assesses whether the SCI is sound and has followed the 9 tests of soundness as outlined in Planning Policy Statement 12: Local Development Frameworks (PPS12). The nine tests of soundness are set out in Appendix A of the Inspector's Report. Where the Inspector has recommended a change, he has only done so where there is a clear need in light of the PPS12. Following the 2004 reforms to the Development Planning system, under the new examination process the recommendations of the Inspector are binding.
- 3.4 Overall the Inspector was satisfied by the approach taken by Leeds City Council to the SCI in meeting 7 of the 9 tests of soundness with only minor additional wording to the text of the SCI required to meet the remaining two tests. These are as follows:

Test 3: Recommendation (R1) In the introductory paragraph of Appendix 3, page 28, add an additional sentence following the first sentence to read:

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

Test 5: Recommendation (R2) In the table on Page 9 add an additional bullet point under 'Reduce barriers' as follows:

"The Council will make every effort to meet the requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995."

- 3.5 In addition, the Inspector has recommended that the suggested changes the Council has set out in Appendices C and E of their Regulation 31 Representations Statement

be included as these do not affect the substance of the SCI but improve the clarity and transparency of the submission SCI. The SCI should also include a statement of adoption in the introductory section.

Recommendation (R3) That the suggested changes as listed in Appendix B of the Inspector's Report be incorporated in the adopted SCI.

Recommendation (R4) That a statement of adoption be included in the introductory section.

3.6 Following consideration of these amendments, officers have concluded that they are relatively minor and acceptable for approval.

4.0 CONCLUSIONS

4.1 The SCI is the first of the new style LDF documents to be prepared and, subject to members consideration, be adopted. The SCI has been prepared to timetable and the Inspector's amendments are reasonable and acceptable, making the SCI fully sound in accordance with the LDF Regulations.

5.0 RECOMMENDATIONS

5.1 Executive Board members are requested to:

- i) note and agree the Inspector's recommendations and reasons contained in his binding report on the Council's SCI; and
- ii) recommend to Council that it adopts the SCI as amended in accordance with the Inspector's Report pursuant to Section 23 of the Planning and Compulsory Purchase Act 2004.