

Leeds City Council Statement of Community Involvement (June 2006)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the Leeds City Council Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (the Act), as applied by s18(4) of the Act.
- 1.2 Section 20(5) indicates the two purposes of the independent examination in parts (a) and (b). With regard to part (a) I am satisfied that the SCI satisfies the requirements of the relevant sections of the Act, in particular that its preparation has accorded with the Local Development Scheme as required by s19(1) of the Act.
- 1.3 Part (b) is whether the SCI is sound. 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.
- 1.4 A total of 22 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.

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.
- 2.2 I am satisfied that this test is met.

Test 2

- 3.1 In paragraphs 2.1, 3.5 and Appendix 2 of the SCI the links between the LDF, the SCI and the Community Strategy are recognised. The structure of the Local Strategic Partnership and the Community Liaison Forums is explained in Appendix 2. It is clear that these existing groups will be utilised in the consultation on LDDs. I am satisfied that the Council recognise the links between the strategies, the LDDs and the associated consultation exercises.
- 3.2 This test is met.

Test 3

- 4.1 The Council has set out in Appendix 3 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. It is stated at Appendix 3 of the SCI that the Council will hold a database of consultees' details and that this will be updated as necessary. Furthermore, the Council state that they will consult with additional local stakeholders where appropriate recognising that the list is not exhaustive.
- 4.2 Re-organisation of any consultation bodies should be acknowledged in the SCI and a recommendation is provided to this effect.
- 4.3 This test is met subject to the following recommendation:

(R1) Recommendation

In the introductory paragraph of Appendix 3 on Page 28, add an additional sentence, following the first sentence, to read as follows:

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

Test 4

- 5.1 The first row of the table on Page 9 and Appendix 4 show that the Council will involve and inform people from the early stages of DPD preparation and Appendix 5 performs a similar rôle in respect of SPDs. Appendix 1 sets out the range of methods the Council will employ to do this. The Council clarify in Appendices 4 and 5 the stages at which consultation will take place and who will be consulted at those stages. They show that consultation will take place with the key stakeholders during the various stages of DPD and SPD production in accordance with the Regulations.
- 5.2 It is relevant to note that Appendix 3 of the SCI indicates that the 'general consultation bodies' will include those who are affected by a DPD or SPD. It would not be improper for the Council to employ consultants to carry out this function as they will be bound by the SCI and the Regulations.
- 5.3 I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.
- 5.4 This test is met.

Test 5

- 6.1 Appendix 1 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. The Council acknowledge the relative benefits of the different methods and indicate at what stages of LDD preparation the various methods might be employed.
- 6.2 The SCI acknowledges that the Council may have to provide extra support to facilitate consultation with certain groups or individuals, and proposes (at Paragraphs 3.3, 3.4 and 3.6) how they might do this. The table on Page 9 summarises how the Council will make their information accessible to all members of society covering a wide variety of methods.
- 6.3 The SCI should make explicit reference to the Race Relations Act 2000 and the Disability Discrimination Act 1995 and a recommendation is provided accordingly.
- 6.4 I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.
- 6.5 This test is met subject to the following recommendation:

(R2) Recommendation

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."

Test 6

- 7.1 Part 6 of the SCI explains how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. In so far as paragraph 6.3 refers to the expectation that developers will meet the costs of pre-application consultations I find that to be a sound approach. The adequacy of the process is governed by the SCI as a whole. Consequently, I am satisfied that the Council is alert to the resource implications of the SCI.
- 7.2 This test is met.

Test 7

- 8.1 In the table on Page 9 under 'Feedback' and in paragraph 3.8 it is explained how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council also propose to prepare reports at the end of the consultation period explaining how views have been considered and documents changed in light of the community involvement. It is stated in paragraph 3.8 where these will be made publicly available.
- 8.2 This test is met.

Test 8

- 9.1 In paragraph 3.10 it is explained that the Council continuously monitors and reviews all consultation documents. In addition, this paragraph sets out a checklist for evaluating the methods of involvement and consultation exercises and states that feedback forms will be used to evaluate the success or otherwise of consultation activities. This information will be used to refine the Council's approach to community involvement and will be formally reviewed and reported on through the Annual Monitoring Report.
- 9.2 I am satisfied that the Council has mechanisms for reviewing the SCI and have identified potential triggers for the review of the SCI.
- 9.3 This test is met.

Test 9

- 10.1 The Council's policy for consultation on planning applications is described in part 5. Paragraph 5.2 and Appendix 7 meet the minimum requirements and provide additional methods of consultation. This distinguishes between procedures appropriate to different types and scale of application, and includes information on how the consultation results will inform decisions.
- 10.2 The Council has made it clear that paper copies of planning applications will be made available where reasonably practicable. It is indicated in Appendix 6 that of the 55 libraries in Leeds copies will be made available in only 24 of them. However, the Council have explained that there will be internet links available in the smaller libraries which will enable the documents to be viewed by anyone who does not have their own PCs. I consider this to be as good as paper copy even for those unfamiliar with the medium. It does not make the SCI unsound. Neither do I consider that member site visits should be notified to the community; the proper avenue for representation is through the Planning Panels as provided for in the SCI
- 10.3 The test is met.

Conclusions

11.1 The Council has set out in Appendices C and E of their Regulation 31 Representations Statement a number of proposed changes to the SCI in response to representations received on the submission document. These suggested amendments 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 and they are provided for reference as Appendix B of this Report. The adopted SCI will also need to include a statement of adoption in the introductory section.

Recommendations

(R3) That the suggested changes as listed in Appendix B of this Report be incorporated in the adopted SCI.

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

11.2 Whilst I have attempted to identify as many consequential amendments as possible that may follow from my recommendations, it seems inevitable that 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 Subject to the recommendations set out in this Report, the Leeds City Council SCI (June 2006) is sound.

John R Mattocks

Inspector