

London Borough of Tower Hamlets Statement of Community Involvement (November 2006)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the London Borough of Tower Hamlets' 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. A requested hearing was held on 10 October 2007.
- 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 meets 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 26 representations were received, all of which have been considered. The Council did not propose any amendments to the SCI in response to representations received. However, in accordance with my request at the hearing, a schedule of minor changes to the SCI has been prepared by the Council (see Appendix B) and these are taken into account in the 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 This test is met.

Test 2

- 3.1 Section 1 of the SCI introduces the wider context for planning in the Borough, including the Community Plan. Paragraph 9.3 goes on to explain the role of the Local Development Framework (LDF) in helping to deliver the vision of the Community Plan. The intention to involve the Local Area Partnerships, Community Plan Action Groups and the Residents' Panel is set out in paragraph 9.4. Further detail is provided in Attachment B. The SCI clearly seeks to ensure that community engagement will take place in an integrated

way with other community involvement initiatives and that duplication of consultation exercises will be avoided.

3.2 This test is met.

Test 3

4.1 An SCI should identify in general terms which local community groups and other bodies will be involved in the preparation of the LDF. Section 9 of the SCI lists those bodies which will be consulted (the Specific Consultation Bodies) and provides examples of the types of General Consultation Bodies who will be involved. It makes clear that the list is not intended to be exhaustive and that others will be involved where and when it is appropriate. As agreed at the hearing, the Council's schedule of proposed amendments includes text to make clear that anyone can request to be added to the LDF database for consultation purposes and I commend this change.

4.2 The general methods of consultation are described in Section 11 and Attachment B of the SCI and it is clear that they go significantly beyond the minimum requirements set out in the Regulations.

4.3 Subject to the recommendation in paragraph 11.1 below this test is met.

Test 4

5.1 One of the Council's objectives, as set out in paragraph 3.2, is to involve the community from the earliest stages of the planning process. This is developed in paragraphs 9.1, 9.6 and 9.7 which show that the Council will involve and inform people from the early stages of Local Development Document (LDD) preparation. Attachment B sets out the range of methods the Council will employ to do this. It is made clear that key stakeholders and local agencies will be involved at the very first stage of drafting an LDD.

5.2 However, the Council accepted at the hearing that it should make clear how the Local Development Scheme will give advance notice to the community and other stakeholders about the proposed timetable for the production of LDDs. The schedule of amendments submitted by the Council includes additional text in paragraph 9.1 to address this point and I endorse this amendment.

5.3 Subject to the recommendation in paragraph 11.1 below I am satisfied that the proposed consultation on LDDs will be undertaken in a timely and accessible manner. This test is met.

Test 5

- 6.1 Section 5 of the SCI sets out the principles adopted by the Council to guide consultation and involvement. In keeping with these principles, the range of methods that the Council proposes to use to involve the community and other stakeholders are explained in Section 11. These cover a variety of recognised consultation techniques that will present information via a range of different media. The main considerations influencing the selection of consultation methods are set out in the table in Section 11, and Attachment B explains at what stages of LDD preparation the various methods might be employed.
- 6.2 Section 7 of the SCI acknowledges the great diversity of the Borough's population and the aim to ensure that everyone can access local services and have a say in what is required. It goes on to make clear that the needs of particular groups in the Borough's population will be considered when consulting on planning. Attachment B lists a range of methods that would in effect be suitable for 'hard to reach' groups. As a result, the Council will make its information accessible to all members of society thus meeting the requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995. 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.
- 6.3 This test is met.

Test 6

- 7.1 Section 11 of the SCI addresses the issue of resources. As paragraph 11.1 explains, linked/joint consultation exercises will be used wherever appropriate. It is clear that the Council will seek to achieve the maximum possible participation from the community while making efficient and effective use of limited resources. 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 Section 12 of the SCI explains how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council also proposes to prepare reports at the end of the consultation period explaining how views have been considered and documents changed in the light of the community involvement. Every representation received and the Council's response to it will be made publicly available. Paragraph 7.2 confirms that the Council is committed to disseminating information in different forms so that, for instance, over-reliance on electronic dissemination of information is avoided.

8.2 This test is met.

Test 8

9.1 Section 13 explains that the Council will keep the SCI under review and will update the document as needed. This will reflect the outcome of continuous monitoring of the effectiveness of consultation and involvement methods. The Annual Monitoring Report will include consideration of the effectiveness of the SCI and will contribute towards the review process. I am satisfied that the Council has mechanisms for reviewing the SCI and has identified potential triggers for this process.

9.2 This test is met.

Test 9

10.1 Section 10 of the SCI describes the Council's policy for consultation on planning applications. This section meets the minimum requirements and provides information on additional methods of consultation. It also distinguishes between procedures appropriate to different types and scale of application and includes information on pre-application discussions and how the consultation results will inform decisions.

10.2 However, at the hearing it was agreed that the SCI should give greater encouragement to pre-application consultations/discussions about planning applications. As a result, the schedule of proposed amendments submitted by the Council includes a new sub-heading and an additional paragraph in Section 10. I recommend accordingly.

10.3 Paragraphs 12.8-12.10 explain how the Council responds to comments received on planning applications and Attachment C provides more detailed information on the development control process and the procedures for involving the community and other stakeholders in the consideration of planning applications.

10.4 Subject to the recommendation in paragraph 11.1 below this test is met.

Conclusions

11.1 As referred to above, the Council has provided a schedule of changes to the SCI to respond to the points raised at the hearing and also to provide for factual updating and/or correction of the SCI. I agree that these changes should be made since they are required for soundness or factual correctness while not changing the substance of the SCI. I recommend accordingly below. All of the other matters raised in the representations and at the hearing have been taken into account but since they do not in my view demonstrate any unsoundness in the SCI I make no further comment upon them.

- (R1)** Amend the SCI in accordance with the schedule of changes set out in Appendix B of this report.
- 11.2 In the event of any doubt, please note that I am content for such matters as any other minor spelling, grammatical, paragraph numbering 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 implementation of the recommendation set out in this report, the London Borough of Tower Hamlets SCI (November 2006) is sound.

Mary Travers

Inspector

APPENDIX A

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

