

Oadby and Wigston Borough Council - Statement of Community Involvement (September 2005)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the Oadby and Wigston Borough Council Statement of Community Involvement (SCI) has been carried out in accordance with section 20 of the Planning and Compulsory Purchase Act. 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 19 representations were received all of which have been considered. Clarification was sought from the Council in relation to one of their amendments proposed in the Regulation 31 Statement (November 2005) and the response received has been taken into account in preparing this report (see Appendix B).

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. The only omission was that some Parish Councils were not consulted due to a "procedural error". This was rectified and the Parish Councils were included at all subsequent stages. I am satisfied that none of the Parish Councils have been prejudiced by this error.
- 2.2 This test is met.

Test 2

- 3.1 Section 9 of the SCI describes how the SCI links with other community involvement initiatives such as the Community Strategy. Paragraph 9.6 acknowledges that the LDF is a way of delivering the aims of the Community Strategy, and states that the Council will work with the Local Strategic Partnership to make the link between the two documents.
- 3.2 This test is met.

Test 3

4.1 The Council has set out in Paragraph 10.2 of the SCI those groups of consultees which will be consulted on the local development documents. The Council have prepared a Companion Document to the SCI which lists the statutory bodies included in PPS12 Annex E. The introduction to this Companion Document explains that the list of consultees will be updated as and when necessary. Whilst the regular update of this list is to be commended, the introduction goes on to say that the Companion Document does not comprise part of the SCI. However, Checklist 7a of the PPS12 Companion Guide (ODPM, 2004) advises that the SCI should contain a list of the types of groups the authority proposes to involve. On this basis I recommend below (at R1) that the main types of consultees listed in the Companion Document also be listed in the SCI in an Appendix.

4.2 Subject to the following recommendation this test is met.

Recommendation

(R1) Insert a new Appendix (attached to this Report as Appendix C) in the SCI.

Test 4

5.1 Paragraph 7.3 and the Table following on from this paragraph explains the stages in DPD preparation and outlines the consultation that will be undertaken at each stage, including during the preparation of the preferred options. This makes reference to consultation with relevant consultees and key stakeholders in accordance with Regulation 25.

5.2 This test is met.

Test 5

6.1 Figure 3 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 explain the suitability of each consultation method in terms of the type of document it might be used for, what stage in the process it is appropriate for, which sectors of the community should be involved and the resource intensity of each method. Appendix 3 discusses this in more depth and makes reference to the need to make information accessible in the form of Braille, large print, other languages or in audio format. It also acknowledges the need to make information accessible for all groups including those normally considered to be hard to reach.

6.2 This test is met.

Test 6

7.1 The issue of resources is covered extensively in Section 15 of the SCI.

7.2 This test is met.

Test 7

8.1 Paragraphs 11.1 and 11.2 explain the structure and role of the Local Development Framework Members Working Group. Paragraph 13.2 explains how the results of community involvement will be reported to Councillors and used to inform decisions on the content of LDDs. This paragraph also sets out how the Council will acknowledge representations and provide feedback on the outcomes of the consultation exercises.

8.2 This test is met.

Test 8

9.1 Paragraph 13.3 explains the procedures for reviewing the SCI and makes reference to how this relates to the Annual Monitoring Report.

9.2 This test is met.

Test 9

10.1 The SCI at Section 14 clearly describes the Council's policy for consultation on planning applications. The information contained in Figure 4 meets the minimum requirements and provides 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 This test is met.

Conclusions

11.1 The Council have set out in their Regulation 31 Statement (November 2005) 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. With the exception of one of these amendments, I recommend that they be included and I set out the recommendations in R2 below.

11.2 The one exception is an amendment proposed which would refer to the Highway's Authority as a statutory consultee during "Pre-application Consultation". Although pre-application consultation is strongly encouraged, it is not a statutory requirement. Therefore, the applicant is under no statutory obligation to consult any agencies, including the Highways Authority, until the application is submitted. Paragraph 14.3 makes reference to the Highways Authority as one of the consultees that should ideally be involved at the pre-application stage, and I consider this to be sufficient.

- 11.3 Subject to recommendations set out in this report, the Oadby and Wigston Borough Council Statement of Community Involvement (September 2005) is sound.

Recommendation

- (R2)** Amend the following parts of the SCI in accordance with the proposed changes set out in the "Regulation 31 Statement" (November 2005).

Paragraph 8.3: delete the year "2016" in line three and replace with "2021"

Figure 2: delete

Third column of Table after Paragraph 5.2: delete "Update of Existing Supplementary Planning Guidance" and replace with "Guidelines for New Development Supplementary Planning Document".

Paragraph 10.1: insert the following text, "The Borough Council has signed up to the Oadby and Wigston Compact, which is an agreement between local Government, the voluntary and community sector and other local bodies of the Borough, all of those participating in the compact will be consulted upon during the Local Development Framework process."

Figure 3 Column B: insert the following text, "Documents will be available for inspection at Oadby and Wigston Council Offices, local libraries and Helping Hands Community Trusts."

Paragraph 10.3: add the following text, "This will be kept up to date by sending out database update forms at every consultation stage and the use of the gazetteer update system which is integrated into the Local Development Framework database. The companion document will be kept updated on our website and a new paper copy published annually."

Section 14: insert the following sentence, "The planning authority for minerals and waste will be preparing a separate SCI."

Paragraph 14.4: insert the following sentence, "Representations will be taken into account where they are a material consideration."

Section 14, Figure 4, Page 30: As suggested, make the notes more visible.

Appendix 1: delete the first sentence and replace with, "Statutory requirements for consultation on Local Development Documents are prescribed in The Town and Country Planning (Local Development) (England) Regulations 2004."

Appendix 4: delete the definition of the "Annual Monitoring Report" and replace with the following "The report will monitor the progress of the Local Development Framework preparation as outlined in the Local Development Scheme and assess how individual Local Development Documents are achieving their objectives and policy implications."

Appendix 5 Contacts: update Planning Aid details.

A handwritten signature in black ink, appearing to read 'KHolland', written in a cursive style.

Inspector: Keith Holland BA(Hons) Dip TP MRTPI ARICS

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.

INSPECTOR'S REPORT
OADBY AND WIGSTON BOROUGH COUNCIL
APPENDIX B – CORRESPONDENCE



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Rachel Starmer
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Wigston
LE18 2DR

Your Ref:

Our Ref: PINS/L2440/429/3

Date: 13th January 2006

OADBY AND WIGSTON SCI - STATEMENT OF COMMUNITY INVOLVEMENT

Dear Rachel

As the appointed Inspector for your Authority's Statement of Community Involvement I am requesting comments from the Council on the following point in order to assist in assessing the soundness of Oadby & Wigston Statement of Community Involvement.

Your request to insert into Section 10 an explanation of the local compact.

Could the Council provide the wording that they wish to be added to Paragraph 10.1 in relation to the local compact.

These answers are to assist in the production of a binding report. Once you have submitted your response to these questions, the report will be produced as quickly as possible. Please reply to Tanya Clinton whose details are given above. Thank you for your assistance in this matter.

Yours sincerely,

Keith Holland BA(Hons) Dip TP MRTPI ARICS



Borough of Oadby & Wigston

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Please ask for: Rachel Starmer
Extension: 652/Direct Line: 2572652
Our ref: RS/SCI
Your ref: PINS/L2440/429/3

13 January 2006

Dear Tanya

Oadby and Wigston Statement of Community Involvement

Thank you for your letter dated 13 January 2006 requesting further information to assist in the assessment of the soundness of the Oadby and Wigston Statement of Community Involvement.

Your request asked for the text which will be added to paragraph 10.1 in regards to the reference to the local compact. Please find below paragraph 10.1 of the Statement of Community Involvement with the proposed inserted text in bold and italics:

10.1 Our community includes all those who live, work and operate in the Borough. It is made up of local residents and a vast array of stakeholders, businesses and organisations. We will be seeking involvement as widely as possibly on each Local Development Framework document, with the intention that we have representations from a broad range of the community. ***The Borough Council has signed up to the Oadby and Wigston Compact, which is an agreement between local Government, the voluntary and community sector and other local bodies of the Borough, all of those participating in the compact will be consulted upon during the Local Development Framework process.*** Census data shows that there are above average numbers of young people, older people and minority and ethnic groups in the Borough, all of whom are included in traditional 'hard-to-reach' groups. We will select appropriate consultation methods to target these groups. We must also reach businesses, service providers, community groups, plus health, leisure, access and education representatives, among others.

If you require any further information please don't hesitate in contacting me further.

Yours sincerely,

Rachel Starmer
Planning Officer (Forward Plans)

INSPECTOR'S REPORT
OADBY AND WIGSTON BOROUGH COUNCIL
APPENDIX C – CONSULTEE LIST

Appendix C

The following Appendix is to be added to the Submission SCI in accordance with recommendation R1 set out in the Inspector's Report.

Appendix 6

The following list provides examples of the various groups and organisations that, in addition to the general public, will be consulted by the Council during the preparation of the Local Development Framework and in considering development proposals at pre-planning application and application stages. This list is not intended to be definitive and it may be appropriate to consult other groups not listed. Therefore, in order that the list can be updated as necessary it is reproduced in a Companion Document to the SCI. The Companion Document makes reference to specific national, regional and local groups, and will be updated on a regular basis.

Specific Consultation Bodies

- a. Blaby District Council
- b. Blaby Parish Council
- c. Countesthorpe Parish Council
- d. East Midlands Regional Development Agency (emda)
- e. English Nature
- f. Glen Parva Parish Council
- g. Great Glen Parish Council
- h. Harborough District Council
- i. Highways Agency
- j. Kilby Parish Council
- k. Leicester City Council
- l. Leicestershire County Council
- m. Little Stretton Parish Council
- n. Relevant gas companies
- o. Relevant Telecommunications Companies
- p. Relevant water and sewerage companies
- q. Stoughton Parish Council
- r. Strategic Health Authority
- s. Strategic Rail Authority
- t. The Countryside Agency
- u. The Environment Agency
- v. The Historic Buildings and Monuments Commission for England (English Heritage)
- w. The Regional Planning Body (East Midlands Regional Assembly)

Government Departments

- a. Department for Culture, Media and Sport
- b. Department for Education and Skills
- c. Department for the Environment, Food and Rural Affairs
- d. Department for Transport
- e. Department of Constitutional Affairs

- f. Department of Health
- g. Department of Trade and Industry
- h. Department of Work and Pensions
- i. Government Office for the East Midlands
- j. Home Office
- k. Ministry of Defence
- l. Office of Government Commerce
- m. The Countryside Agency

Other Consultees include:

- a. Services for the Elderly
- b. Services for the Disabled or those with Special Needs
- c. Youth Organisations
- d. Racial, Ethnic, National, Religious and Minority Groups Representatives and Interests
- e. Women's Groups
- f. Other Voluntary Bodies/Charities
- g. Health Organisations
- h. Telecommunication Groups
- i. Transport Undertakings and Interests
- j. Countryside/Rural Organisations
- k. Service Providers and Conservation Bodies
- l. Emergency Services
- m. Architecture, Design and Heritage Interests
- n. Major Landowners
- o. Environmental Protection and Conservation Organisations
- p. Planning Consultancies
- q. Housing Providers and Organisations
- r. Business and Economic Development Organisations
- s. Retailers
- t. Sport and Leisure Organisations
- u. Postal Services
- v. Other Government Organisations
- w. Media Organisations
- x. Libraries
- y. Tourism