

London Borough of Lambeth Statement of Community Involvement (November 2007.)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the London Borough of Lambeth's 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 the tests in PPS12.
- 1.4 A total of 17 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 This test is met.

Test 2

- 3.1 Paragraph 2.8 states that the Council's Sustainable Community Strategy (in the process of revision) forms the overarching document for all other Council strategies. However the SCI should provide a clearer statement that acknowledges that the Local Development Framework (LDF) is a way of delivering the aims of the Sustainable Community Strategy. I therefore have the following recommendation to make.

3.2 Add the following immediately after the first sentence of Paragraph 2.8:

(R1) "By working closely with the Local Strategic Partnership, Lambeth First, and any other groups flowing from the Sustainable Community Strategy the Council will ensure that the Local Development Framework is closely integrated with the Sustainable Community Strategy."

3.3 The SCI also makes reference to other community strategies within Paragraph 2.8, such as the Local Area Agreement and this paragraph also states that the work of Lambeth First will assist in the preparation of an overall Framework for Community Engagement.

3.4 Subject to the recommendation above, this test is met.

Test 3

4.1 The Council has set out in Paragraphs 5.1, 5.2, 5.3 and 5.4 of the SCI those groups which will be consulted. The list in Paragraph 5.1 includes the statutory bodies from PPS12 Annex E. However, there is one amendment to make to the list in Paragraph 5.1 that is necessary to make and I recommend accordingly below:

(R2) Remove the Strategic Rail Authority from Paragraph 5.1 and replace it with Department for Transport and Network Rail.

4.2 It is stated at Paragraph 5.5 of the SCI that the Council holds a database of consultee details and that this will be updated as necessary. Furthermore, the Council states in Paragraph 5.6 that it will ensure that appropriate parts of the community are consulted at the various stages of the LDF process.

4.3 The re-organisation of certain consultation bodies, such as the Strategic Rail Authority, should be acknowledged in the SCI and I recommend an additional sentence be added to this effect.

(R3) Insert the following to Paragraph 5.1 immediately before the list of Specific Consultation Bodies:

"Please note the lists of consultees are not exhaustive and also relates to successor bodies where re-organisations occur."

4.4 Subject to the recommendations above, this test is met.

Test 4

5.1 Section 6 of the SCI and specifically Tables 2 and 3 shows that the Council will involve and inform people from the early stages of Local

Development Document (LDD) preparation and Table 1 sets out the range of methods the Council will employ to do this. The Council clarifies in Tables 2 and 3 the stages at which consultation will take place and who will be consulted at those stages. It shows that consultation will take place with the key stakeholders during the issues and options stage of Development Plan Document (DPD) production in accordance with Regulation 25.

5.2 However, the submission SCI is insufficiently clear with regard to the requirements of Regulation 32 if a document is concerned with allocations of land. I therefore have the following recommendations to make to ensure that this stage of the process is taken into account.

(R4) Add the following to the end of Paragraph 6.5:

“Should representations be received on a DPD that is concerned with allocations of land the Council will publicise these representations for an additional six week period of consultation.”

(R5) Add the following to the first text box under Stage 5 in Table 2:

“Should site allocation representations be received these will be advertised in accordance with Regulation 32.”

5.3 As a result of these amendments I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.

5.4 Subject to the recommendations above, this test is met.

Test 5

6.1 Table 1 of the SCI sets out the methods that the Council proposes to use to involve the community and stakeholders. These cover a variety of recognised consultation techniques that will present information via a range of different media. The Council acknowledges the resource implications of the different methods within this table and indicates through Tables 2 and 3 at what stages of LDD preparation the various methods might be employed.

6.2 The SCI acknowledges at Paragraphs 5.7 – 5.10 that the Council may have to provide extra support to facilitate consultation with certain groups or individuals and proposes in these paragraphs how it might do this. These paragraphs explain how 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.

6.3 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.

6.4 This test is met.

Test 6

7.1 Paragraphs 6.12 – 6.15 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. 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 Paragraphs 6.9 - 6.11 of the SCI explain 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 light of the community involvement. As the SCI should state where these will be made publicly available I have the following recommendation to make.

(R6) Add the following to the end of Paragraph 6.11:

“These reports will be published on our website www.lambeth.gov.uk and made available in hard copy at the Customer Centres, the Town Planning Advice Centre and at all public libraries within Lambeth.”

8.2 Subject to the recommendation above, this test is met.

Test 8

9.1 Paragraphs 8.1 - 8.2 of the SCI explain that the Council will monitor and review the effectiveness of the various consultation methods and that the SCI will be formally reviewed as part of this process and reported on through the Annual Monitoring Report.

9.2 I am satisfied that the Council has mechanisms for reviewing the SCI and has identified potential triggers for the review of the SCI.

9.3 This test is met.

Test 9

10.1 Section 7 of the SCI describes the Council's policy for consultation on planning applications. Table 4 meets the minimum requirements and provides information on additional methods of consultation. This table distinguishes between procedures appropriate to different types and scale of application and Paragraph 7.16 includes information on how the consultation results will inform decisions.

10.2 The SCI does not address the longer statutory time period for consultation that may be applicable in certain circumstances nor does it specify the normal time period allowed for consultation and I therefore recommend a change to acknowledge this.

(R7) Amend the first sentence of Paragraph 7.5 to read as follows:

"The usual form of consultation is by means of a standard consultation letter. The normal period allowed for comment is 21 days. However, bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation. For major planning applications, which are likely to generate wider interest, newsletters will be used to provide more information about the planning application."

10.3 Subject to the recommendation above, this test is met.

Conclusions

11.1 The Council has set out in Appendix I of its Regulation 31 Statement a number of proposed changes to the SCI in response to representations received on the submission document. This appendix is provided as Appendix B to this report. 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.

(R8) Implement the changes proposed in Appendix B to this report

11.2 The SCI contains text that will become redundant once the document is adopted, such as the dates in the table within Paragraph 3.1 and also Appendix 4. I recommend accordingly.

(R9) The Council should remove the specific dates from the table within Paragraph 3.1 and also add the following prior to this table:

"The following table shows the formal stages of SCI production. This process will be followed should a formal review of the SCI prove necessary."

Additionally, remove Appendix 4 from the adopted version of the SCI.

- 11.3 In the event of any doubt, please note that I am content for such matters as 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.
- 11.4 Subject to the implementation of the recommendations set out in this Report, the London Borough of Lambeth SCI (November 2007) is sound.

Inspector

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