

INSPECTOR'S REPORT

SOUTH STAFFORDSHIRE COUNCIL

STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: Anthony J Wharton BARCH RIBA RIAS MRTPI

Date: August 2006.

South Staffordshire Council Statement of Community Involvement (April 2006)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the South Staffordshire Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004. 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 set out in PPS12.
- 1.2 A total of 27 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 Paragraph 3.7 acknowledges that the LDF is a way of delivering the aims of the Community Strategy, and Paragraphs 3.5, 3.9 and 5.8 state that the Council will work with the Local Strategic Partnership to make sure that the content of the two documents complement each other. This should help to avoid duplication of consultation exercises. The SCI also makes reference to other community strategies (Paragraph 3.5), such as the Housing Strategy and the Sustainable Development Strategy, and states that consideration will be given to how these will be linked in terms of objectives and consultation.
- 3.2 This test is met.

Test 3

- 4.1 The Council has set out in Paragraphs 5.4 – 5.15 and 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 Paragraph 5.11 of the SCI that the Council will hold a database of consultees details and that, furthermore, the Council state in Appendix 3 (at Page 33) that they will consult with additional local stakeholders where appropriate.

- 4.2 The re-organisation of certain consultation bodies should be acknowledged in the SCI and I recommend accordingly.
- 4.3 This test is met subject to the following recommendation:

(R1) Recommendation

Add a final sentence at the end of Appendix 3 (at Page 35) and Appendix 4 (at Page 37):

“The list of consultees given here also relates to successor bodies where re-organisations occur.”

Test 4

- 5.1 Paragraphs 4.4 and 4.5 show that the Council will involve and inform people from the early stages of DPD preparation and Appendix 5 sets out the range of methods the Council will employ to do this. Figure 3 (Page 13) with Paragraphs 4.5 and 4.6 show that consultation will take place with the key stakeholders during the issues and options stage of DPD production; this is in accordance with Regulation 25. I am satisfied that, providing these stages are followed, the consultation proposed will be undertaken in a timely and accessible manner.
- 5.2 This test is met.

Test 5

- 6.1 Appendix 5 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. Figure 3 at Page 13 and Paragraphs 4.4 – 4.11 indicate at what stages of LDD preparation the Council might employ the various methods. The Council also clarify in this part of the SCI the stages at which consultation will take place and who will be consulted at those stages.
- 6.2 The SCI acknowledges, in Paragraphs 2.3, 2.4 and 5.15, that the Council may have to provide extra support to facilitate consultation with certain groups or individuals and (at Paragraph 2.4 and Table 1, Page 12) proposes how they might do this. The SCI does not

make explicit how the Council will make their information accessible to all members of society with the aim of meeting the relevant legislative requirements. This can be addressed by implementing the recommendations listed below.

6.3 This test is met subject to the following recommendations:

(R2) Recommendation

Amend the statement at the bottom right of the back cover to the following:

“This document is available in large copy prints, audio cassette, Braille or languages other than English. If you require the document in one of these formats please contact The Development Plans Team.”

(R3) Recommendation

After Table 2 on Page 12 add an additional paragraph containing the following statement:

“LDF documents and any related literature are available in a variety of formats e.g. Braille, large print, audio cassette, languages other than English. If you require documents in another format please contact the Development Plans Team, Strategic Development Services, Council Offices, Wolverhampton Road, Codsall, South Staffordshire, WV8 1PX.”

(R4) Recommendation

Following the additional paragraph on Page 12 referred to in (R3) above, add a further paragraph containing the following statement:

“The Council will make every endeavour to meet the requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995.”

Test 6

7.1 Section 7 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 Paragraph 4.2 at Point 4, Paragraph 4.9 and Table 2 (Page12) show that the results of community involvement will be taken into account by the Council and used to inform decisions. The Council also propose to report at the end of the consultation period explaining how views have been considered and documents changed in light of the community involvement.
- 8.2 This test is met.

Test 8

- 9.1 Paragraph 2.5 explains that the Council continuously monitors and reviews all consultation documents 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 have identified potential triggers for the review of the SCI.
- 9.3 This test is met.

Test 9

- 10.1 The SCI at Section 6 clearly describes the Council's policy for consultation on planning applications. Paragraphs 6.3 – 6.5 meet the minimum requirements and provides additional methods of consultation. This, along with Section 6.9, distinguishes between procedures appropriate to different types and scale of application.
- 10.2 The SCI does not adequately deal with the question of how the results of consultation on planning applications will be reported and how the results will be used to inform the decision making process. This can be addressed by following the recommendation below.
- 10.3 The SCI does not address the longer statutory time period for consultation that may be applicable in certain circumstances and I recommend accordingly.
- 10.4 Subject to the following recommendations this test is met:

(R5) Recommendation

After Paragraph 6.10, add the following as an additional paragraph:

"The results of consultation will be reported and taken into account in decisions made by, and on behalf of, the Council."

(R6) Recommendation

In Paragraph 6.5 within the table at Page 22 after the final sentence of the final row, insert the following sentence:

“(Bodies such as English Nature will be allowed a longer period of time to comment on applications where this is prescribed by legislation).”

Changes proposed by the Council

- 11.1 The Council have set out in their Regulation 31 Statement (May 2006) and related correspondence 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 listed as recommendations as follows:

(R7) Recommendation

In Appendix 4 under heading ‘Statutory Consultees for Planning Applications’ at Page 36 add West Midlands Regional Assembly.

(R8) Recommendation

In Appendix 3 under heading ‘Statutory Consultation Bodies’ at the final bullet point on Page 32, amend the classification to read:

“Government bodies to be consulted via Government Office for the West Midlands”

(R9) Recommendation

In Appendix 3, under the heading ‘Other Consultees’ on Pages 33-34, add West Midlands RSL Planning Consortium under the appropriate sub-heading.

(R10) Recommendation

In Appendix 3 at Page 33 under the sub-heading ‘Countryside/Conservation Groups’, amend ‘Woodlands Trust’ to “Woodland Trust”.

(R11) Recommendation

In Appendix 4, under the heading ‘Non-Statutory Consultees for Planning Applications’, add “The Woodland Trust” to the list.

(R12) Recommendation

In Appendix 3, under the heading 'Other Consultees' on Pages 33 – 34, add "Staffordshire Police" under the appropriate sub-heading.

Conclusions

- 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, formal, grammatical or factual matters to be amended by the Council, so long as this does not affect the substance of the SCI.
- 11.3 The Council should remove all references to previous stages of this document and replace any preface containing such references with a statement of adoption.

(R13) Recommendation

Remove all reference to previous stages of the SCI.

- 11.4 Subject to the recommendations (R1 to R13 inclusive) set out above, the South Staffordshire Council SCI (April 2006) is sound.

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Inspector