

City of Westminster Council Statement of Community Involvement (March 2006)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the City of Westminster 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 tests in PPS12.
- 1.2 A total of 13 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 20 recognises the links between the LDF and the Community Strategy. The SCI explains in Paragraphs 29 and 51 the role of the Local Strategic Partnership and the Community Liaison Forums, and how these existing groups will be utilised in the consultation on the DPDs. 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 1 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. Figures 2 and 3 (Pages 20 and 21) of the SCI show that the Council will maintain a database of consultees' details. Furthermore, the Council state in Appendix 1 at Page 29

(under the heading 'Other consultees') that they will consult with additional local stakeholders where appropriate.

- 4.2 The re-organisation of certain consultation bodies, such as the English Nature, should be acknowledged in the SCI and I recommend an additional sentence be added to this effect.
- 4.3 This test is met subject to the following recommendation:

(R1) Recommendation

At the end of Appendix 1, insert the following sentence:

"Please note, these lists are not exhaustive and also relate to successor bodies where re-organisations occur."

Test 4

- 5.1 Paragraphs 20, 22 (point iv), 43 (items 1 and 2) and Figure 2 (Page 20) show that the Council will involve and inform people from the early stages of DPD preparation and the table on Pages 16 – 19 sets out the range of methods the Council will employ to do this. The Council clarify in Paragraph 43 the stages at which consultation will take place and who will be consulted at those stages. This shows that consultation will take place with the key stakeholders during the issues and options stage of DPD production 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 The table on Pages 16 - 19 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 (in Paragraphs 47 - 52) how they might do this. Paragraph 50 explains how the Council will make their information accessible to all members of society.

- 6.3 Whilst the Council have clearly provided for the availability of documentation in alternative formats, a notice to this effect should be prominently displayed and a recommendation is provided accordingly.
- 6.4 The SCI should make specific reference to the Race Relations Act and Disability Discrimination Act and a recommendation is provided to this effect.
- 6.5 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.
- 6.6 This test is met subject to the following recommendation:

(R2) Recommendation

Display prominently on the front or inside front cover the following statement:

"This and other Local Development Framework documents are or will be made available in large copy print, audio cassette, Braille or languages other than English. If you require the document in one of these formats please contact: Mohammed Uddin, Westminster Language Service, 4th Floor, City Hall, 64 Victoria Street, London SW1 6QP Tel: 020 7641 2011/1472 E-mail: muddin@westminster.gov.uk"

(R3) Recommendation

In Paragraph 50, insert a final sentence to read 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 Paragraphs 28 - 30 of the SCI shows 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 22 (point vi), 25, 55 and 56 explain 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. The SCI states at the end of Paragraph 25 where these will be made publicly available.

8.2 This test is met.

Test 8

9.1 Paragraphs 31 - 33 of the SCI provide information on monitoring and review and confirm the Council's intent to review the SCI on an annual basis. In addition, Paragraphs 33 and 48 (items 2 and 4) show that the Council will evaluate the methods of involvement and consultation exercises and (in Paragraph 33) that this information will be used to refine the Council's approach to community involvement. Paragraphs 31 and 33 state that the SCI may 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 Chapter 3 clearly describes the Council's policy for consultation on planning applications. Part B a) (Pages 24 and 25) meets the minimum requirements and Part A (Pages 23 and 24) and Part B b) (Pages 25 and 26) 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 SCI does not address the longer statutory time period for consultation that may be applicable in certain circumstances, and I recommend a change to acknowledge this.

10.3 Subject to the following recommendation this test is met.

(R4) Recommendation

At the end of Paragraph 63, insert a final sentence as follows:

"Bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation."

Conclusions

- 11.1 The Council have set out in Appendix B of their 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 these changes be included and they are provided as Appendix B of this Report.
- 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 City of Westminster Council SCI (March 2006) is sound.

(R5) Recommendation

The Council should implement the changes to the SCI listed in Appendix B.

(R6) Recommendation

The Council should remove all references to previous stages of this document.

Keith Holland

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Inspector