

London Borough of Ealing Statement of Community Involvement (January 2006)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the London Borough of Ealing 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 20 representations were received all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received. 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 Section 2.6 of the SCI recognises the links between the LDF, the SCI and the Community Strategy. This section explains the structure of the Local Strategic Partnership and how 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 Sections 2.1 and 2.2 of the SCI those groups which will be consulted. Section 2.2 includes a list of the statutory bodies from PPS12 Annex E. It is stated in the same section that the Council holds a database of consultees details, and that any person or organisation can request to be added (see Page

10). Furthermore, the Council state in Section 2.1 that they will consult with additional local stakeholders where appropriate.

4.2 The Strategic Rail Authority is included in the list of consultees but this body is shortly to be abolished.

4.3 Subject to the following recommendation this test is met:

(R1) Recommendation

Substitute Network Rail for the Strategic Rail Authority in section 2.2

Test 4

5.1 Section 3 of the SCI at 3.2.1 and at Table 2 (Page 22) explains that the Council will involve and inform people from the early stages of LDD preparation and describes the range of methods the Council will employ to do this. Section 3.2.2 and Table 2 (at Pages 22 and 23) explains that informal consultation will take place with the key stakeholders at the issues and options stage of DPD production in accordance with Regulation 25. I am satisfied that the consultation proposed will be undertaken in a timely and accessible manner.

5.2 This test is met.

Test 5

6.1 Section 2 Table 1 (at Page 12) and Section 3 Table 3 (at Pages 31-32) set 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 acknowledges the relevance of the different methods in relation to different groups and indicates at what stages of LDD preparation the various methods might be employed. The Council clarify in Figure 2 (see Section 3 at Page 28) the stages at which consultation will take place and who will be consulted at those stages. This makes reference to consultation with the "specific and general consultation bodies" as required by Regulation 25.

6.2 The SCI acknowledges that the Council may have to provide extra support to facilitate consultation with certain groups or individuals, and proposes (at Section 2.4) how they might do this. Section 5.1 explains how the Council will make their information accessible to all members of society, and sets out how they will meet 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 Clarification is needed in relation to making the documents available in a variety of formats. Subject to the following recommendation this test is met:

(R2) Recommendation

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

"This and other Local Development Framework documents can 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: Planning Policy and Development Advice, Ealing Council, Perceval House, 14-16 Uxbridge Road, London, W5 2HL2."

Test 6

- 7.1 Section 5.4 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 are alert to the resource implications of the SCI.
- 7.2 This test is met.

Test 7

- 8.1 Sections 3.4 and 3.5 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 Section 3.5 where these will be made publicly available.
- 8.2 This test is met.

Test 8

- 9.1 The Introduction to the SCI explains that the SCI will be formally reviewed and reported on through the Annual Monitoring Report. Table 2 (at Page 26) states that customer surveys will be used to evaluate the success or otherwise of consultation activities.

- 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 4 clearly describes the Council's policy for consultation on planning applications. Sections 4.4 and 4.5 meet the minimum requirements and Table 4 (see Page 37) provides for 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 In the case of SSSIs, the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) provides for English Nature to have 28 days to respond to applications for development potentially affecting an SSSI.
- 10.3 Subject to the following recommendation this test is met:

(R3) Recommendation

Add to Section 4.5 the following:

"Notify consultees by letter giving them 21 days, or for English Nature 28 days in the case of a planning application potentially affecting a SSSI or in a SSSI consultation area¹, in which to comment."

Add the following as a footnote to Section 4.5:

¹ "in accordance with Section 28 of the Wildlife and Countryside Act 1981 as amended by Section 75 and Schedule 9 of the Countryside and Rights of Way Act 2000."

Conclusions

- 11.1 The London Borough of Ealing SCI (January 2006) is sound.
- 11.2 The Council have set out 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 of the submission SCI. I therefore agree that these be included and they are set out below:

Add to the end of the first paragraph, Section 4.8, Page 41 the following:

"Community groups can register to receive the weekly email alert or post service".

Add additional wording to the end of the third sentence, Section 3.2.2 Page 20:

"...for example, strategic transport planning and major transport projects such as the tram and their relationship to development sites along the tram route."

Add to end of first paragraph, Section 2.7, Page 15 additional wording:

"Some decisions have been delegated to senior Council officers – see Section 4.11".

Add to list of Consultation Bodies in Appendix 1:

"Educational institutions – from pre-school to higher education including universities".

- 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.



Keith Holland

Inspector