

# **High Peak Borough Council Statement of Community Involvement (October, 2005)**

## **INSPECTOR'S REPORT**

### **Introduction**

- 1.1 An independent examination of the High Peak 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 29 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, and I am satisfied that this test is met.

### **Test 2**

- 3.1 Paragraphs 2.17 to 2.19 acknowledge that the LDF is a way of delivering the aims of the Community Strategy. The SCI also makes reference to other strategies and plans, such as Town Plans and Parish Plans, and states that consideration will be given to how these will be linked in terms of objectives and consultation.
- 3.2 I am satisfied that the Council recognise the links between the strategies, the LDF and the associated consultation exercises.
- 3.3 This test is met.

### **Test 3**

- 4.1 The Council has set out in Appendix 2 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. However, given the impending abolition of the Strategic Rail Authority, references to the Strategic Rail Authority as a consultee should be removed from Appendix 2 of the SCI. As a consequence of this abolition consultations should be carried out with Network Rail in place of the Strategic Rail Authority. I recommend accordingly.

- 4.2 The SCI states that the Council hold a database of consultees details, and that consultees can check whether they are included. Furthermore, Appendix 2 states that they will consult with other organisations as appropriate.
- 4.3 Subject to the following recommendation, this test is met.

### **Recommendation**

Appendix C: delete reference to the "Strategic Rail Authority" and insert "Network Rail".

### **Test 4**

- 5.1 Paragraph 3.6 explains that the Council will involve and inform people from the early stages of LDD preparation and Appendix 1 describes the range of methods the Council will employ to do this. Paragraph 4.4 explains that informal consultation will take place with the key stakeholders such as the County Council and other statutory bodies, at the issues and options stage of DPD production in accordance with Regulation 25. I am satisfied that if this process is followed the consultation proposed will be undertaken in a timely and accessible manner.
- 5.2 The SCI acknowledges that the Council may have to provide extra support to facilitate consultation with certain groups or individuals, and proposes (at Appendix 1) how they might do this.
- 5.3 This test is met.

### **Test 5**

- 6.1 Appendix 1 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 benefits, disadvantages and resource implications of the different methods on page 25 of the SCI. Sections 4 and 5 of the SCI explain the stages at which consultation will take place on DPDs and SPDs, and Appendix 4 relates the types of LDD to the different consultation methods. Whilst the majority of this section is clear and easy to follow, I note some overlap between Paragraph 4.8 on the submission of the DPD and Paragraph 4.15 on the examination of the DPD. To the reader it appears that there are two six week consultation periods on the submission document, which is not the case, and I therefore recommend an amendment to clarify the consultation that should take place. In addition to this, the eighth bullet point under Paragraph 4.1 should make reference to the statutory six week consultation period on the submission document and I recommend a modification to this effect.

- 6.2 Paragraph 4.5 of the SCI refers to a "statutory four week period" for consultation on the preferred options. However, Regulation 27 of the Town and Country Planning (Local Development) (England) Regulations 2004 requires a six week period of consultation, and I recommend a change to this effect.
- 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 Subject to the following recommendations, this test is met.

### **Recommendations**

Paragraph 4.8: insert the following text after the first sentence, "The submission document, as it is now called, is submitted to the Secretary of State. At this time the Council publish a notice formally inviting representations on the submission document."

Paragraph 4.15: delete the first sentence of this paragraph and amend the second sentence accordingly, "Where representations on the DPD include proposals for alternative site allocations, the Council will advertise these for a further six week period, immediately after the period for making representations has expired."

Paragraph 4.5: replace "statutory four week period" with "statutory six week period".

Paragraph 4.1: eighth bullet point, add the following after the closed bracket, "...and public consultation for a six week period."

### **Test 6**

- 7.1 Section 9 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, and the table on page 25 sets out the resource requirements for the individual consultation methods.
- 7.2 This test is met.

### **Test 7**

- 8.1 Section 4 explains how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council 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 sets out at Paragraph 4.22 where these will be made publicly available.
- 8.2 This test is met.

## **Test 8**

9.1 Section 8 of the SCI provides information on monitoring and review and confirms the Council's intention to review the SCI on an annual basis. I am satisfied that the Council have mechanisms for monitoring the SCI and have identified potential triggers for its review. However, it would be helpful if this section made reference to the role of the Annual Monitoring Report and I recommend accordingly.

9.2 Subject to the following recommendation, this test is met.

### **Recommendation**

Paragraph 8.1: amend the first sentence accordingly, "This Statement of Community Involvement will be monitored annually, through the Annual Monitoring Report, to ensure that it remains appropriate and effective."

## **Test 9**

10.1 The SCI at Section 7 clearly describes the Council's policy for consultation on planning applications. This meets the minimum requirements and provides additional methods of consultation. The SCI 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 Subject to the recommendations set out in this Report, the High Peak Borough Council SCI (October 2005) is sound.

11.2 The Council have set out in their Regulation 31 Statement (January, 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. I therefore recommend that they be included and I set out the recommendations below.

## **Recommendations**

Page 22: delete the first sentence under the sub-heading "Meetings of bodies responsible for promoting local well-being", and replace with the following, "The LSP will be involved at all relevant stages in the preparation of Local Development Documents."

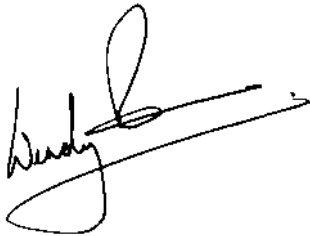
Appendix 2: add to the list of statutory consultees, "Advantage West Midlands".

Page 17: last bullet point at the top of the page, replace "Crime Prevention Design Officer Derbyshire County Council" with "Crime Prevention Design Officer Derbyshire Constabulary (within Safer Derbyshire Partnership)".

Paragraph 4.1: fourth bullet point, replace "four weeks" with "five weeks".

Paragraph 1.6: replace the first sentence of this paragraph with the following, "The UK Sustainable Development Strategy 2005 sets out five principles which will form the basis for policy in the UK. These are living within environment limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance and using sound science responsibly."

Paragraph 2.22: insert reference to the "Hayfield Parish Plan".

A handwritten signature in black ink, appearing to read "Wendy J Burden". The signature is stylized with a large loop at the top and a long horizontal stroke extending to the right.

Wendy J Burden BA(Hons) Dip TP MRTPI