

INSPECTOR'S REPORT
CUMBRIA COUNTY COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: Keith Holland BA(Hons) Dip TP MRTPI ARICS

Date: 22nd December 2005

**Cumbria County Council - Statement of Community Involvement
(April 2005)**

INSPECTOR'S REPORT

Introduction

1.1 An independent examination of the Cumbria County 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 a clear need in the light of the tests in PPS 12.

1.2 A total of 23 written representations were received all of which have been considered.

Test 1

2.1 This test has been met as evidenced in the pages 1-2 of the Council's Regulation 28 statement and Appendix 1 to that document.

Test 2

3.1 Section 2 of the SCI clearly sets out how the local authority will ensure that the process of community involvement for Development Plan Document (DPD) production will be linked to that for other strategies. This includes the Community Strategies of the four Local Strategic Partnerships operating in the County, together with other initiatives such as the Cumbria Joint Municipal Waste Strategy.

3.2 This test has been met.

Test 3

4.1 Appendix 2 and Appendix 4 of the SCI clearly sets out both general consultation groups and the statutory consultees, and these meet the minimum requirements of the regulations.

4.2 This test has been met.

Test 4 and Test 5

5.1 These tests are considered together as they are interrelated. They have been met by the detail provided in Section 2.0 and Appendix 1 of the SCI.

5.2 Paragraph 2.1 indicates that the early involvement of the community will be sought for DPD production to ensure that matters of concern are identified at the start of the process. Section 2 goes on to set out a wide range of methods for community involvement, based largely on existing networks and practices and supported by the Councils' community unit. Section 2 recognises the importance of hard to reach

groups and Section 4 sets out an equality impact assessment, highlighting the issues faced by hard to reach groups and suggests some methods to overcome these.

5.3 These tests have been met.

Test 6

6.1 Paragraphs 2.36 and 2.37 of the SCI provide adequate detail about resources and management of the process. Although the SCI does not contain specific information on resource management, the Council is clearly aware of the labour, time and cost implications of effective community involvement.

6.2 This test has been met.

Test 7

7.1 Section 2.0 and Appendix 1 of the SCI clearly explains how the results from the various community involvement techniques will be fed into LDD and DPD production. Paragraphs 2.28-2.30 set out how the results of consultation will be utilised in the decision making process, and Paragraphs 2.34 -2.35 sets out how members will be involved in the decision making process.

7.2 This test has been met.

Test 8

8.1 Paragraphs 2.32 and 2.33 provide general information on monitoring and review, with the Annual Monitoring Report being the main trigger for review while taking into account the results of community feedback about the effectiveness of consultation.

8.2 This test has been met.

Test 9

9.1 The procedures set out in Section 3.0 clearly meet the legal requirements for the publication of development proposals. Section 3.0 sets out the Council overall approach to consultation for planning applications and Paragraph 3.18 -3.34 sets out how the Council intends to publicise such applications.

9.2 This test has been met.

Revised Document

10.1 The Council has suggested a number of amendments following representations to the submission draft (July 2005) and has produced an amended Statement of Community Involvement

(November 2005) which is attached to this report as Appendix B. 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 recommendation below.

Recommendation

The SCI should be amended as set out in the Revised Statement of Community Involvement (November 2005).

Conclusion

10.1 The Cumbria County Council Statement of Community Involvement (July 2005) is sound.

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Inspector

APPENDIX A
TESTS OF SOUNDNESS

Examination of the soundness of the statement of community involvement

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;¹
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

From: Planning Policy Statement 12: Local Development Frameworks

¹ The Town and Country Planning (Local Development) (England) Regulations, 2004.

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APPENDIX B – SUGGESTED CHANGES

Inspector: Keith Holland BA(Hons) Dip TP MRTPI ARICS

Date: 22nd December 2005

CUMBRIA MWDF: SUGGESTED MODIFICATIONS TO SCI (November 2005)

| SECTION | Suggested modification |
|---|--|
| Foreword | <p>AMEND “proposes to” to “will”</p> <p>ADD “The statement incorporates the comments made by the Planning Inspectorate after its E the submitted draft”</p> <p>DELETE “Account has been taken of the comments that were made at the earlier consultation st July 2005, about whether we have set out appropriate ways of involving people in the on how the pre-submission draft Statement of Community Involvement could be improv This amended Statement of Community Involvement has been submitted to the Secre There is now another formal six-week consultation period. Accompanying this do separate comments form with advice notes and a list of the questions that are asked in t feel free to add more detailed comments if you wish. The SCI and representations that are made within the next six weeks are programmed t by an independent inspector in November 2005 and to be adopted by the County Cou 2006 following receipt of the Inspector’s report. Please send your comments by 9 September 2005 by post to :- “</p> |
| Introduction SCI stages | <p>Para: 1.8 AMEND “proposes to” to “will”</p> <p>DELETE “Comments are now invited on these proposals for how the consultation an processes should be carried out and if they will effectively engage all members of the co</p> <hr/> <p>DELETE para 1.9</p> <p>AMEND para 1.10 to: “It has been considered at an examination by an independent In report and recommended changes will be binding on the County Council.” And RENAM</p> <p>DELETE para 1.11</p> <p>RENAME para 1.12 to 1.10</p> <p>AMEND para 1.13 - second bullet to: “Stage 2 –production. This started with a p consultation draft of the SCI. There was a six-week period for submitting commer consideration of these the SCI was amended as appropriate and formally submitted to th State” And RENAME to 1.11</p> <p>AMEND third bullet to: “Stage 3- examination. The independent examination was held 2005 and the Inspector’s report was received in December 2005”.</p> |
| Proposals for Community Involvement | <p>AMEND para 2.1 to “This Statement of Community Involvement sets out how informa MWDF and planning applications will be made available, who will be consulted, ho consulted and how they will be encouraged to participate.</p> <ul style="list-style-type: none"> • It is intended to ensure that:- • everyone who wants to can be meaningfully engaged in the process of p plan. • there are satisfactory opportunities for early community involvement. • the proposed methods are relevant to the communities concerned. • it is clear how involvement can be a continuing rather than a one-off proc • the process will be transparent and accessible. • community involvement is encouraged and planned into the plan prepara • there are appropriate and adequate opportunities for public participation i |

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| | | <p>applications that are decided by the County Council.”</p> <ul style="list-style-type: none"> • In para. 2.8 DELETE “At the present time (July 2005)” • In para. 2.22 DELETE “These will be” and INSERT “ The 1st Annual Monitoring Report, for the financial year 2004/05, has been produced and is available” • After para 2.27 DELETE “Do you consider there are any other organisations who should be consulted in addition to those listed in Appendix 2 and in paragraphs 2.10 to 2.15 and 2.32 to 2.27?” • In para 2.34 DELETE “Prior to submitting Annual Monitoring Reports to the Secretary of State” |
| Planning Applications | | <ul style="list-style-type: none"> • In para 3.6 DELETE “Do you agree with the above criteria that are used by the County Council for deciding whether near-neighbour properties should be notified about planning applications?” |
| Appendix Consultees | 2 | <p>INSERT under General Consultation Bodies</p> <ul style="list-style-type: none"> • Sustainability Northwest • Ramblers Association • SOLAR (Save Our Land and Resources) • National Farmers Union (North Cumbria) • Forestry Commission NW England • Woodlands Trust • Cumbria Woodlands • Royal Society for the Protection of Birds • Arnsdale and Silverdale AONB • Arnsdale and Silverdale Landscape Trust • British Trust for Conservation Volunteers • Cumbria RIGS (Regionally Important Geological Sites) Group • CORE (Cumbrians Opposed to a Radioactive Environment) • Eden Rivers Trust • Duddon Estuary Partnership • Friends of Eden, Lakeland and Lunesdale • North Pennines AONB Partnership • Morecambe Bay Partnership • Langdales Society • Solway Coast AONB Unit • West Cumbria Environment Forum • Friends of Rural Cumbria's Environment • Churches Together Environment Group • Carlisle Environment Forum • Voluntary Action Cumbria • Rural Women's Network |
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