

**THANET DISTRICT COUNCIL**

**STATEMENT OF COMMUNITY  
INVOLVEMENT (SEPTEMBER 2006)**

**INSPECTOR'S REPORT**

**Thanet District Council Statement of Community Involvement**  
**(September 2006)**

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**Introduction**

- 1.1 An independent examination of the Thanet District Council's Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (the Act), as applied by s18(4) of the Act.
- 1.2 Section 20(5) indicates the two purposes of the independent examination in parts (a) and (b). With regard to part (a) I am satisfied that the SCI satisfies the requirements of the relevant sections of the Act, in particular that its preparation has accorded with the Local Development Scheme as required by s19(1) of the Act.
- 1.3 Part (b) is whether the SCI is sound. 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.
- 1.4 A total of 33 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. Further information was requested from the Council in relation to Tests iv, v, vi and viii and this information is contained in Appendix B to 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. Although adjoining Parish Councils were originally omitted from the Regulation 25 consultation, they were subsequently given a separate period of consultation at this stage and they were included at all subsequent stages. I am satisfied that none of the Parish Councils have been prejudiced by this error.
- 2.2 However, having regard to "DPD matters" and "proposals matters", see Regulation 24 (4), the Council should have included a statement regarding notification requests in earlier documentation, including the advertisements.

**(R1)** The Council are to notify all those who made a representation on the submission SCI of the publication of the Inspector's Report and the subsequent adoption of the SCI.

2.3 Subject to the recommendation above, this test is met.

## **Test 2**

3.1 Section 3 of the SCI acknowledges that the Local Development Framework (LDF) is a way of delivering the aims of the Community Strategy and states that the Council will ensure that the LDF is prepared in such a manner as to ensure consistency and integration with both the Corporate Plan and the Community Strategy. The SCI also makes reference to other community strategies (Paragraph 3.1) such as the Corporate Plan and states that consideration will be given to how these will be linked in terms of objectives and consultation.

3.2 To clarify that the Council will have regard to a range of documents other than those specifically mentioned in this section of the SCI I have the following recommendation to make.

**(R2)** Amend the first sentence of Paragraph 3.3 to read:

"The LDF will be prepared to ensure consistency and close integration with both the Corporate Plan and Community Strategy and will also have regard to other County and District level strategies."

3.3 I am, however, satisfied that the Council recognise the links between the strategies, the Local Development Documents (LDDs) and the associated consultation exercises.

3.4 This test is met.

## **Test 3**

4.1 The Council has set out in Paragraphs 4.16 – 4.17 and Appendix 1 of the SCI those groups which will be consulted. However, a more rational arrangement of the list of consultees would be provided if Paragraphs 4.16 – 4.17 were moved from the position in the submitted document to the beginning of Appendix 1.

**(R3)** Move Paragraph 4.16 to Appendix 1. The specific consultation bodies should be listed there under the heading "Specific Consultation Bodies".

4.2 The list of Government Departments given in Annex E2 of PPS12 should also be part of the consultee list. These bodies should be added to this new Appendix 1 and I recommend accordingly:

- (R4)** Insert the following bodies after the list of statutory consultees in this new Appendix 1 under the heading "Government Departments".

"Department for Education and Skills (through Government Offices)  
Department for Environment, Food and Rural Affairs  
Department for Transport (through Government Offices)  
Department of Health (through relevant Regional Public Health Group)  
Department of Trade and Industry (through Government Offices)  
Ministry of Defence  
Department of Work and Pensions  
Department for Culture, Media and Sport"

- (R5)** Move Paragraph 4.17 to this new Appendix 1 under the heading "General Consultation Bodies" and add this final bullet point to the list:

"Bodies which represent the interests of disabled persons in the authority's area."

- 4.3 Parish Councils, both within and adjoining Thanet are statutory consultees and are recognised as such in this new Appendix 1. Therefore, the reference to Parish Councils under 'Local Communities' is an unnecessary duplication and this reference should be removed from Appendix 1.

- (R6)** Remove the reference to Parish Councils from the 'Local Communities' section of Appendix 1.

- 4.4 It is stated at Paragraph 4.18 of the SCI that the Council holds a database of consultee details and that this will be updated as necessary. Furthermore, the Council state in Paragraph 4.19 that they will consult with additional local stakeholders where appropriate.

- 4.5 The re-organisation of certain consultation bodies, such as the Strategic Rail Authority, should be acknowledged in the SCI and I recommend an additional sentence be added to this effect.

- (R7)** Insert the following to the beginning of the new Appendix 1:

"Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur."

Additionally replace the references to the 'Strategic Rail Authority' with "Network Rail" and replace 'English Nature' and the 'Countryside Agency' with "Natural England."

- 4.6 Subject to the recommendations above, this test is met.

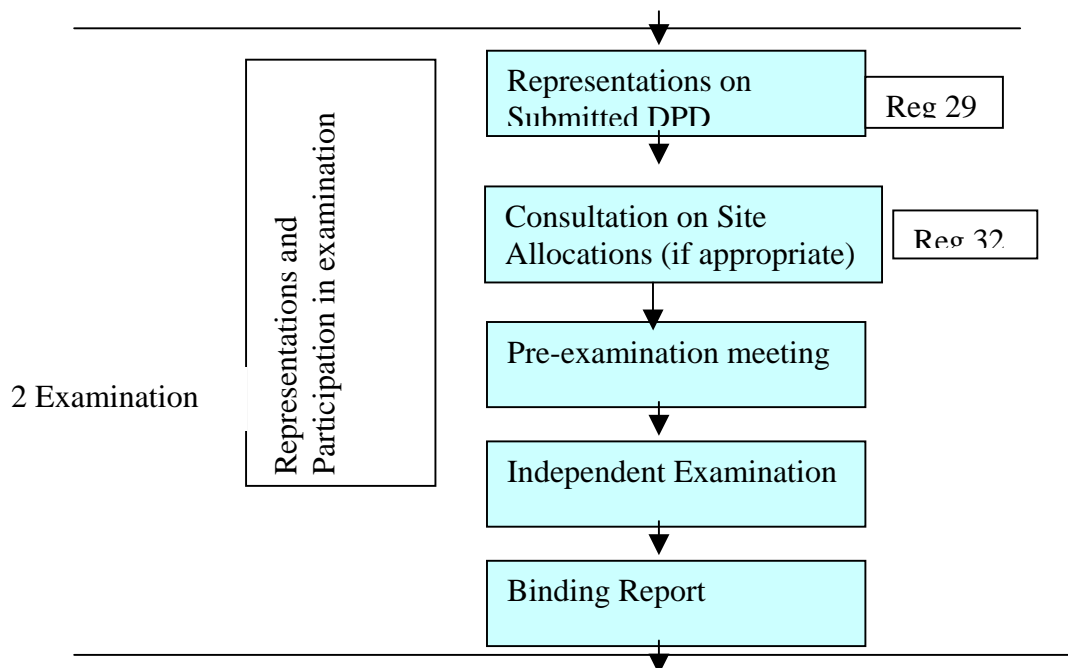
## Test 4

- 5.1 Paragraphs 4.9 – 4.14 and Table 1 show that the Council will involve and inform people from the early stages of Development Plan Document (DPD) preparation and the table on Pages 14-15 sets out the range of methods the Council will employ to do this. The Council clarify in Paragraphs 4.9 – 4.14 the stages at which consultation will take place and who will be consulted at those stages. It shows that consultation will take place with the key stakeholders during the issues and options stage of DPD production in accordance with Regulation 25.
- 5.2 However, the submission SCI failed to make mention of the consultation requirements that may occur under regulations 32 and 33 if a DPD is concerned with allocations of land. The Council were asked to provide text to address this issue and also to amend Table 1 to take this stage of the process into account.

**(R8)** Insert as a new paragraph after Paragraph 4.13 the following:

“Some Development Plan Documents will allocate sites for development. People that respond may suggest alternative sites or changes to the boundaries of these allocations. The Council will consult on these suggestions in accordance with Regulation 32 and deal with the representations in accordance with Regulation 33. This includes sending notification and the address of the sites to specific consultation bodies.”

Additionally amend the relevant section of Table 1 so that it appears as given below:



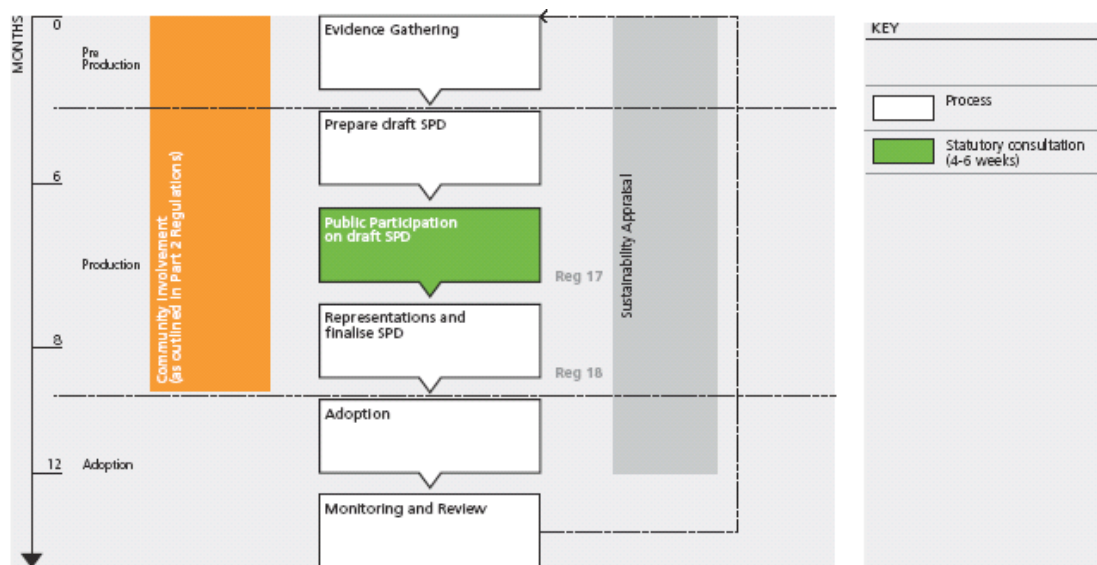
5.3 Additionally the submission SCI made no mention of the process for the production of Supplementary Planning Documents. The Council were asked to provide details of this process. A representative to the submission SCI also drew attention to this omission and the Council therefore propose the following addition which I recommend be inserted into the SCI.

**(R9)** Insert the following as a new paragraph, after Paragraph 4.14:

“The process for preparing Supplementary Planning Documents is similar to the process for preparing Development Plan Documents, except there is only one formal stage of consultation, and there is no public examination.

At the formal consultation stage, a draft document will be published and advertised in accordance with Regulation 17. It will be made available for inspection at offices and on the website, and sent to relevant specific consultation bodies for comment.”

Additionally insert the following diagram immediately beneath the new paragraph given above:



5.4 As a result of these amendments I am satisfied that, providing these stages are followed, the consultation proposed will be undertaken in a timely and accessible manner.

5.5 Subject to the recommendations above, this test is met.

### **Test 5**

6.1 The table on Pages 14 – 15 of the SCI 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 and disadvantages of the different methods and indicate through this table at what stages of Local Development Document (LDD) preparation the various methods might be employed.

- 6.2 The SCI acknowledges at Paragraphs 4.22 – 4.25 of the SCI that the Council may have to provide extra support to facilitate consultation with certain groups or individuals, and proposes (at Paragraph 4.24) how they might do this. Paragraph 4.23 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 As a result of a representation on the submission document the Council have proposed to make explicit reference to Gypsies and Travellers in the table within Paragraph 4.24 and I agree that the following should be added to that table.

**(R10)** Add the following to the table within Paragraph 4.24:

Under the column 'Hard to reach group' add Gypsies and Travellers

Under the column 'Possible Solutions' add Contact via organisations/support groups

- 6.4 Although Paragraph 4.23 states that Local Development Framework (LDF) documentation will be made available in alternative formats where requested, and the SCI should advertise the fact that the SCI itself is available in these alternative formats and show how these can be obtained. I recommend accordingly.

**(R11)** Display prominently on the inside front cover the following statement:

"If you would like a copy of this document in a different format such as Braille, audio or large print, or in another language please call 01843 577165"

Additionally add the following to the end of the last sentence of Paragraph 4.23:

"... by calling 01843 577165."

- 6.5 The submission SCI made no mention of the independent advice on planning matters provided by Planning Aid. The Council were asked to provide text that provides this information and I recommend that the following be inserted into the SCI.

**(R12)** Add the following paragraphs after Paragraph 3.4:

## **“Planning Aid**

- 3.5 Communities and individuals who cannot afford to pay planning consultant fees can obtain free, independent and professional advice on town planning via Planning Aid who complement the work of local authorities but are wholly independent.
- 3.6 Planning Aid is a vital part of the planning system. It enables local communities, particularly those with limited resources, to participate effectively in planning matters, and is working to further widen engagement in the planning process and to give an equal voice to all those involved in planning.
- 3.7 Planning Aid can help people to:
- Understand and use the planning system
  - Participate in preparing plans
  - Prepare their own plans for the future of their community
  - Comment on planning applications
  - Apply for planning permission or appeal against refusal of permission
  - Represent themselves at public inquiries
- 3.8 Planning Aid is delivered regionally. The Caseworker is the first point of contact and the contact details for our region are set out below:  
Ian Bremner  
Kent Architecture Centre, 1st Floor, Admirals Offices, The Historic Dockyard, Chatham, Kent, ME4 4TS  
Tel: 0870 850 9806  
E-mail: [secw@planningaid.rtpi.org.uk](mailto:secw@planningaid.rtpi.org.uk)  
Available: Monday, Tuesday, Wednesday am & Friday am. If calling outside these times, please leave a message.  
Or visit the website at <http://www.planningaid.rtpi.org.uk>”
- 6.6 As a result 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.
- 6.7 Subject to the recommendations above, this test is met

## **Test 6**

- 7.1 The submission SCI provided no explanation of how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. The Council were asked to address this issue and I recommend that their response be inserted into the SCI.

**(R13)** Add as a new paragraph after Paragraph 4.21 the following:

“Consultation will be carried out by staff from the Strategic Planning section and/or Development Control section, in conjunction with the Council’s Communications team who have relevant expertise and resources in delivering public consultation and involvement. The budgetary requirements for the consultations programmed for the current Local Development Scheme have been identified and will continue to be planned for in future years. Where landowners, developers or external organisations choose to carry out pre-application consultation exercises they will be responsible for the cost.

It is important that sufficient time and resources are committed to ensure that effective and meaningful consultation is carried out with the community including feedback. By ensuring that consultation is targeted and realistic the council will ensure that best use is made of the resources available.

Wherever possible the approach will be to: -

- Consult on related LDD’s at the same time where appropriate.
- Make use of consultation exercises being undertaken elsewhere in the council or by the LSP and other partners.
- Ensure an identified budget is set aside for consultation.
- Use all available internal support for consultation exercises and ensure staff are suitably trained.
- Match the consultation methods with the available resources. Use consultants only where added value can be demonstrated or where independence and greater impartiality is necessary.”

7.2 I am, therefore, satisfied that the Council is alert to the resource implications of the SCI.

7.3 Subject to the recommendation above, this test is met.

### **Test 7**

8.1 Paragraphs 4.26 – 4.27 of the SCI 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 4.26 where these will be made publicly available.

8.2 This test is met.

### **Test 8**

9.1 Although the submission SCI did provide (in Section 6) some information on monitoring and review, the information provided was insufficient. The Council were asked to expand on this section and to include information on the role of the Annual Monitoring Report and I recommend that their response be inserted into the SCI.

**(R14)** Delete Paragraph 6.1 and replace with the following:

"6.1 The consultation procedures used by the Council detailed in this SCI will be kept under review and monitored to determine where procedures have proven unsuccessful or where revisions may be necessary to meet new circumstances. Some of this information will become apparent via the Statement of Compliance (see Paragraph 4.27). In addition, we will assess each method of consultation we have used to see if it:

- Gave you the information you needed
- Gave us the type of feedback we needed
- Actively encouraged more people to be involved
- Involved different and appropriate types of people and organisations
- Allowed participants the opportunity to have their views heard and recorded
- Resulted in participants feeling their involvement was worthwhile.

6.2 The results of the assessment of any consultation we have carried out will be reported in the Annual Monitoring Report (AMR) which is prepared at the end of each calendar year and submitted to the Secretary of State. If the assessment of consultation methods used show that changes are required to the SCI, these will be reported in the AMR."

9.2 As a result 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 Subject to the recommendation above, this test is met.

## **Test 9**

10.1 Section 5 of the SCI describes the Council's policy for consultation on planning applications. The information provided in this Section meets the minimum requirements and provides additional methods of consultation. This Section also 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 will be reported and how the results will be

used to inform the decision making process, and I recommend a change to rectify this.

**(R15)** Insert the following to the end of Paragraph 5.3:

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

10.3 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.

**(R16)** Insert the following after the penultimate sentence of Paragraph 5.3:

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

10.4 Subject to the recommendations above, this test is met.

## **Conclusions**

11.1 The Council have set out in their Regulation 31 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 have therefore included these changes in the body of this report.

11.2 In the event of any doubt, please note that I am content for such matters as any minor spelling, grammatical or factual matters and the re-numbering of paragraphs as a result of the amendments above to be altered by the Council, so long as this does not affect the substance of the SCI.

11.3 Subject to the implementation of the recommendations set out in this Report, the Thanet District Council SCI (September 2006) is sound.

INSPECTOR

David Robins BA PhD FRTRI

