

INSPECTOR'S REPORT
GATESHEAD COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT

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Date: 20th September 2007

Gateshead Metropolitan Borough Council Statement of Community Involvement (July 2007)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of Gateshead Metropolitan Borough 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 12 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 Test ix 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.
- 2.2 This test is met.

Test 2

- 3.1 Paragraphs 2.1 - 2.3 recognise the links between the Local Development Framework (LDF), the SCI and the Gateshead Community Strategy. The SCI explains in Paragraph 2.3 that Gateshead Local Strategic Partnership is currently involved in the production of the Sustainable Community Strategy which will replace the Community Strategy after 2007. This paragraph also states that the Local Development Documents (LDDs) the Council

intends to produce will incorporate the core themes of the Sustainable Community Strategy.

- 3.2 The SCI also makes reference to other community strategies, such as the Gateshead Cultural Strategy and the Gateshead Equalities Strategy and states that consideration will be given to how these will be linked in terms of objectives and consultation.
- 3.3 I am satisfied that the Council recognises the links between the strategies, the LDDs and the associated consultation exercises.
- 3.4 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. It is stated at Paragraph 3.17 and Paragraph 3.33 that the Council holds a database of consultee details and that this will be updated as necessary. Furthermore, the Council states in Paragraph 3.33 that it will consult with additional local stakeholders where appropriate.

4.2 There are some minor adjustments to make to the lists in Appendix 2 and I set out these changes below.

(R1) Remove the Countryside Agency from the list of Specific Consultation Bodies in Appendix 2.

Also, as the organisation no longer exists, remove the Traveller Law Reform Coalition from the list of Other Consultees and replace with Friends Families and Travellers.

As these bodies are correctly present in the list of Specific Consultation Bodies, remove references to Electricity, Gas and Telecommunication undertakers from the Other Consultee list in Appendix 2.

Finally, as a result of representations received on the submission document the Council proposes the addition of the following bodies to Appendix 2:

The National Trust
Bridging NewcastleGateshead
The Theatre's Trust

I agree that these bodies be added to the Other Consultee list in Appendix 2.

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

Test 4

- 5.1 Section 3 and especially Figures 2 and 3 of the SCI show that the Council will involve and inform people from the early stages of LDD preparation whilst Paragraphs 3.16 – 3.32 and Appendix 5 set out the range of methods the Council will employ to do this. The Council clarifies in Figures 2 and 3 the stages at which consultation will take place and who will be consulted at those stages. Figure 2 shows that consultation will take place with the key stakeholders during the issues and options stage of Development Plan Documents (DPD) production in accordance with Regulation 25.
- 5.2 I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.
- 5.3 This test is met.

Test 5

- 6.1 Paragraphs 3.16 – 3.32 and Appendix 5 set out the methods that the Council proposes to use to involve the community and stakeholders. These cover a variety of recognised consultation techniques that will present information via a range of different media. The Council acknowledges the benefits and disadvantages of the different methods in Appendix 5 and also includes information on the resource implications of these methods. The footnote on Page 9 of the SCI explains that the list of methods is not exhaustive and that the consultation methods used will be appropriate to each specific document.
- 6.2 The SCI acknowledges at Paragraphs 1.11 – 1.13 that the Council may have to provide extra support to facilitate consultation with certain groups or individuals and proposes (at Paragraph 1.13) how it might do this. This paragraph also explains how the Council will make its information accessible to all members of society thus meeting the 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 This test is met.

Test 6

- 7.1 Paragraphs 6.1 and 6.2 of the SCI explain how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. Information on the resource implications of the various consultation methods are also given in Appendix 5.

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

7.3 This test is met.

Test 7

8.1 Paragraph 3.33 and Paragraph 5.11 explain how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council also proposes 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 should state in Paragraph 3.33 where these will be made publicly available. I therefore have the following recommendation to make.

(R2) Add the following to the end of the sixth sentence of Paragraph 3.33:

“.. at the locations given in Appendix 7 of this document and on our website, www.gateshead.gov.uk.”

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

Test 8

9.1 Paragraph 6.3 explains that the Council continuously monitors and reviews all consultation documents and that the SCI will 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 has identified potential triggers for the review of the SCI.

9.3 This test is met.

Test 9

10.1 Section 4 of the SCI describes the Council’s policy for consultation on planning applications. Paragraphs 4.4 – 4.8 meet the minimum requirements for consultation. Paragraphs 4.2- 4.3, Paragraphs 4.13 – 4.14 and Appendix 3 provide details on pre-application consultations.

10.2 Although Paragraph 4.12 does provide some information on ‘major applications’ the SCI should provide a clear definition of those applications which fall into this category. The Council was, therefore, asked to provide these details for insertion into the SCI and I recommend accordingly below.

(R3) Insert the following to the end of Paragraph 4.12:

“Major applications are defined as applications for residential development where 10 or more dwellings are to be constructed or, if this is not known, where the site area would be 0.5 hectares or more. For other types of development applications are considered to be major where the floorspace would be equal to or greater than 1,000 square metres or more, or the site area would be 1 hectare or more.”

10.3 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.

(R4) Insert the following to the end of Paragraph 4.5:

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

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

Conclusions

11.1 The Council has set out in Appendix 6 of its Regulation 31 Statement a number of minor changes to Appendix 2 of the SCI in response to representations received on the submission document. These suggested amendments do not affect the substance of the SCI and I have agreed these changes under Test 3.

11.2 There are sections of text within the submission SCI that would become redundant once the document is adopted for example Paragraphs 1.20 – 1.21. The Council was asked to produce a schedule of changes to remove these and similar paragraphs and I recommend accordingly below.

(R5) Implement the schedule of changes that is given as Appendix C to this report.

11.3 In the event of any doubt, please note that I am content for such matters as 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.

11.4 Subject to the implementation of the recommendations set out in this Report, Gateshead Metropolitan Borough Council’s SCI (July 2007) is sound.

Keith Holland

Keith Holland
Inspector