

**INSPECTOR'S REPORT**  
**NORTH HERTFORDSHIRE DISTRICT COUNCIL**  
**STATEMENT OF COMMUNITY INVOLVEMENT**

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

Date: 23 June 2006.

## **North Hertfordshire District Council Statement of Community Involvement (November 2005)**

### **INSPECTOR'S REPORT**

#### **Introduction**

- 1.1 An independent examination of the North Hertfordshire Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004. 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 35 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 7 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, as evidenced by the Council's Regulation 28 and Regulation 31 Statements and I am satisfied that this test is met.

#### **Test 2**

- 3.1 Paragraph 2.5 recognises the links between the LDF and the Community Strategy. The SCI explains in paragraph 2.3 the framework for consulting the community and voluntary sectors. However the SCI could be more explicit in stating that there may be links between consultation on the LDF and other strategies – where these links occur there may be some benefit in joining these consultation exercises.

#### **Recommendation**

**(R1)** Add the following text to the end of paragraph 2.5 "The Council will consider opportunities for joint consultation exercises with other strategies where relevant."

### **Test 3**

- 4.1 The Council has set out in paragraph 2.2 and Appendix A of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. It is stated at bullet point number 18 of Appendix A of the SCI that the Council will consult with additional bodies "as considered appropriate". Furthermore, Appendix D of the SCI illustrates that it meets the minimum requirements of the Consultation Regulations. However 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.

### **Recommendation**

**(R2)** Add the following text to the end of the list set out in Appendix A of the SCI.

"Please note this list relates to successor bodies where re-organisations occur."

### **Test 4**

- 5.1 Paragraph 2.13 and Appendix D shows that the Council will involve and inform people from the early stages of DPD preparation and paragraphs 2.15, 2.21, 2.25, 2.26, 2.27 and 2.32 to 2.36, together with Appendix D set out the range of methods the Council will employ to do this. These paragraphs show that consultation will take place with the key stakeholders during the issues and options stage of DPD production in accordance with Regulation 25. I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.
- 5.2 This test is met.

### **Test 5**

- 6.1 Paragraphs 2.15, 2.21, 2.25, 2.26, 2.27 and 2.32 to 2.36, together with Appendix D 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. Section 2 of SCI acknowledges that additional methods could also be employed and indicates at what stages of LDD preparation the various methods might be employed. The Council clarify in Section 2 the stages at which consultation will take place and who will be consulted at those stages.

6.2 However the SCI fails to assess the suitability of consultation techniques for specific DPDs and does not make sufficient reference to how the Council will try to engage hard to reach groups. These issues were also highlighted in representations by GOE. The Council, in its Regulation 31 Statement, has suggested amendments to the text to address GOE's concerns. I find that these amendments are necessary to allow the SCI to meet this test of soundness and I recommend that they be made.

## **Recommendations**

**(R3)** Insert the following text as a new paragraph 2.3 into section 2 of the SCI. Re-number the remaining appendices in this section accordingly.

"Hard to Reach Groups. There are a number of groups that traditionally do not normally take part in the planning process. In North Hertfordshire these groups are considered to be:

- ◆ People with disabilities;
- ◆ Black and ethnic minority groups;
- ◆ Older people;
- ◆ Young people; and
- ◆ Gypsies and travellers.

The Community Development Team and the Equalities Officer have established links with "hard to reach groups" and in order to reach these groups during DPD preparation, the LDF team will endeavour to foster and create links with these groups. The Council has started to work with young people in particular for other planning related work through school councils and youth groups. The Council considers that setting up working relationships with hard to reach groups is vital in the preparation of the LDF and will pursue opportunities to increase the involvement of these groups."

**(R4)** Insert the table set out in Appendix C to this report as a new Appendix B in the SCI. Re-number the remaining appendices accordingly.

## **Test 6**

7.1 Section 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 is alert to the resource implications of the SCI. This test is met.

## **Test 7**

8.1 Paragraphs 2.17, 2.23 and 2.36 explain how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council will make representations available to the community in both written and electronic form. However the SCI should be more specific in setting out how the

results of consultation will be fed back. I have made an appropriate recommendation below to address this concern.

### **Recommendation**

**(R5)** Replace paragraph 2.17 with the following text.

"After the consultation period has finished, all views and representations which are received will be acknowledged and considered formally by the Council and will be used in the development of the Preferred Options DPD. Both the comments made and the Council's response to the representations will be reported to Cabinet. The Council will make all representations, and its responses, available to the community, either as a paper copy or electronically on its web site. Copies will be sent to all those people and organisations who have made a representation, either by electronic means or as a hard copy."

### **Recommendation**

**(R6)** replace paragraph 2.23 with the following text.

"All views and representations which are received in response to the Preferred Options stage consultations will be acknowledged and considered formally by the Council and will be used in the development of the Submission draft of the DPD. The Council will make all representations available to the community, either as a paper copy or electronically on its web site. Copies will be sent either by electronic means or as a hard copy to all those people and organisations who have made a representation. A "Report of Consultation" will be prepared after this stage of consultation and published to accompany each document to be formally submitted to the Secretary of State."

### **Test 8**

9.1 Paragraph 4.5 of the SCI provides information on monitoring and review and confirms the Council's intent to review the SCI periodically through its Annual Monitoring Review. Furthermore the SCI states that a timetable for review will be identified as part of its LDS. This test is met.

### **Test 9**

10.1 The SCI at Section 3 clearly describes the Council's policy for consultation on planning applications. Tables 1 and 2 meet the minimum requirements and provide an unambiguous statement about how the Council intends to carry out consultation. Tables 1 and 2, together with Appendix B distinguishes between procedures appropriate to different types and scale of application. Paragraphs 3.9 to 3.12 sets out how the consultation results will inform decisions and how the results of such decisions will be fed back. Paragraphs 3.3 and 3.4 together with Table 1 sets out the Council's approach to pre application consultations. However the SCI should

contain a reference to circumstances where some statutory bodies have a longer period of time to comment on planning applications, such as when such applications affect SSSIs. I have suggested a suitable amendment to the SCI's text to meet this concern.

### **Recommendation**

**(R7)** Insert the following text to the end of paragraph 3.6 "However bodies such as English Nature will be allowed a longer period of time to comment on applications where this is prescribed by legislation".

### **Conclusions**

11.1 The Council have set out in its "Summary of Objections Received in Response to the Submission Draft Statement of Community Involvement (March 2006)" a number of proposed changes to the SCI in response to representations received on the submission document. A number of these changes do affect the soundness of the SCI and I have included parts of the Council's suggested text in recommendations R3 and R4 above. The remaining suggestions do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore agree that they be included.

### **Recommendation**

**(R8)** Amend the SCI in accordance with the schedule of changes to the SCI set out in "Summary of Objections Received in Response to the Submission Draft Statement of Community Involvement (March 2006)." (Appendix D to this report)

11.2 Subject to amendment in accordance with the recommendations in this report the North Hertfordshire SCI (November 2005) is sound.



Keith Holland



**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;<sup>1</sup>
- 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

<sup>1</sup> The Town and Country Planning (Local Development) (England) Regulations, 2004.

**APPENDIX B**  
**CORRESPONDENCE & AMENDMENTS TO SCI**



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Clare Skeels  
Senior Planning Officer  
North Hertfordshire District Council  
Council Offices, Gernon Road  
Letchworth Garden City  
SG6 3JF

Your Ref:  
Our Ref: LDF310  
Date: 25 May 2006

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Hello Clare

Could you please help to solve the following query?:

Test 7 - Could the Council be more specific about how it will feedback the results of consultation - whilst the SCI sets out decisions will be made there is no mechanism in the SCI suggesting how the resulting decisions should be feedback to consultees. Some additional text that could be inserted into the "What we will do with your comments" paragraphs in section 2 would be helpful.

Thank you  
Yours sincerely

Keith Holland BA(Hons) Dip TP MRTPI ARICS

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

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FINANCIAL & REGULATORY SERVICES DIRECTORATE

26<sup>th</sup> May 2006

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Dear Bart

**North Hertfordshire District Council - Statement of Community Involvement: Examination**

Thank you for your e-mail - I have amended a couple of paragraphs (which have the numbers as set out in the submission version of the SCI) which I think should address how the Council will feedback the results of the consultations.

“What will we do with your comments?”

2.17 After the consultation period has finished, all views and representations which are received will be acknowledged and considered formally by the Council and will be used in the development of the Preferred Options DPD. Both the comments made and the Council’s response to the representations will be reported to Cabinet. The Council will make all representations available to the community, either as a paper copy or electronically on its web site. ~~and e~~Copies will be sent to all those people and organisations who have made a representation, either by electronic means or as a hard copy.”

“What will we do with your comments?”

2.23 All views and representations which are received in response to the Preferred Options stage consultations will be acknowledged and considered formally by the Council and will be used in the development of the Submission draft of the DPD. The Council will make all representations available to the community, either as a paper copy or electronically on its web site. Copies will be sent either by electronic means or as a hard copy to all those people and organisations who have made a representation. A “Report of Consultation” will be prepared after this stage of consultation and published to accompany each document to be formally submitted to the Secretary of State.”

Yours sincerely

Clare Skeels  
Planning Policy and Projects



**APPENDIX C**  
**CONSULTATION TECHNIQUES**

Table 1: Consultation Techniques

Consultation Technique	Resource Implications	Comments
Letters & e-mail	Low	Letters can be sent to all consultees on the LDF consultation list. The Council will encourage greater use of e-mail for in the future to further reduce the costs involved.  Target groups : All on the LDF consultation list
Advertisements	Medium	Advertisements must be placed in local newspapers circulating in the area to meet the requirements set out in the Regulations.  Target groups : All in the North Hertfordshire area
Libraries & Council Offices	Low	Paper copies of all DPDs will be made available for inspection at the Council Offices and at six public libraries across the District during their normal opening hours.  Target groups : All
Website	Low	Copies of all the DPDs will be made available on the website. This is an accessible way of making the information available, as it is available to the community outside normal office opening hours.  The Council will also develop further its use of the website for electronic consultations.  Target groups : All
Talking Newspaper	Low	The Council will notify the Talking Newspaper of the publication of each DPD.  Target groups : Hard to Reach
Local media	Low	The Council will issue press releases when a DPD is published for consultation.  Issuing a press release to the local media

		<p>does not guarantee that the information will be used and therefore the Council cannot guarantee the amount of publicity that will be given at any particular time.</p> <p>Target groups : All</p>
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Town and Parish Councils	Low	<p>The Council must consult the town and parish councils within and adjoining the local authority area. However, the Council will encourage the Parish and the Town Councils to use their own magazines, newsletters and noticeboards to publicise the DPD.</p> <p>Target groups : Statutory organisations, rural communities &amp; town communities</p>
Exhibitions	High	<p>In some circumstances the Council may hold exhibitions for particular DPDs, for example where there may be a particular geographical focus for a DPD or where it would be beneficial to reach a large section of the community.</p> <p>Exhibitions are expensive to stage in terms of exhibition material, publicity and venue charges and require a large amount of staff time. They may also attract a self selecting audience.</p> <p>Targeted groups: All</p>
Focus Groups	High	<p>Focus groups may be used by the Council to explore selected issues with particular groups within the community. Focus groups are expensive to run and require a large amount of staff time, particularly in their preparation.</p> <p>Targeted groups : All, but groups can be specifically selected.</p>
Leaflets	High	<p>These can be useful to provide a summary of the DPD and publicise it across the area. However, there are resource implications in printing leaflets to use across the whole of North Hertfordshire. Leaflet production will be expensive as there are in excess of 48,000 households and 5,500 businesses in the district and it</p>

		<p>may be more appropriate to use leaflets in a more targeted way, for example the Area Action Plans or land allocations DPD.</p> <p>Targeted groups : All</p>
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Discussion workshops	High	<p>The Council has undertaken successful workshops for the LDF in the past. Workshops are useful in allowing face to face discussions of issues and solutions. However, they are resource intensive, particularly in staff time, publicity materials and the costs involved for venue hire.</p> <p>Targeted groups : All or selected groups</p>
Area Visioning Groups	High	<p>Area visioning groups allow detailed discussions to take place with groups based in particular locations. However, they are resource intensive, particularly in staff time.</p> <p>Targeted groups : Area based established groups</p>
NHDC Outlook Magazine	Low	<p>Short articles can be placed in the Council's "Outlook" magazine which is sent to all homes in the District. Whilst this publication is sent to all homes in the District it will not necessarily coincide with consultation periods for particular DPDs.</p> <p>Target groups : All in the North Hertfordshire area</p>

**APPENDIX D**  
**PROPOSED CHANGES**

North Hertfordshire District Council

Summary of Objections Received in Response to the Submission Draft Statement of Community Involvement

March 2006

General Comments				
Respondent			Comments and Sought Revisions	District Council Response
North Hertfordshire District Council			Amend paragraph 1.3 and delete paragraphs 1.4, 1.5 and 1.6 to delete references to consultation arrangements for the SCI which have been completed.	To update the Introduction to the SCI

Respondent	Test of Soundness	Issue	Comments and Sought Revisions	District Council Response
Forward Planning Unit, Hertfordshire County Council	Not stated	Not stated	The document is dominated by text, and therefore quite weighty. The inclusion of more visual material (e.g diagram of LDF process from PPS12) would make the statement more accessible to a wider audience – particularly people who are visually impaired or speak English as a second language.	The Council considers that the SCI is clear in setting out the LDF process.  No change to the SCI is recommended.
Mr S T Smyth	Not stated	Not stated	Thank you for notifying us of the Council's submission statement of Community Involvement being placed on public consultation.  What particularly interests us is what will NHDC do about its "deeply flawed" housing strategy? (as per the west Stevenage planning Inspector's report, attached).  Note : A further submission has also been made and is attached as an Appendix to this schedule.  (Sent to PINS - 9 March 2006)	This response is made in respect of both representations.  It is considered that the comments made appear to relate to the Council's housing strategy rather than the ways in which the Council will consult the community. The representations will be considered by the Council as part of its work in preparing the Core Strategy and Land Allocations DPDs.  No change to the SCI is recommended.

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Section 2 : Community Involvement in the Local Development Framework				
Respondent	Test of Soundness	Issue	Comments and Sought Revisions	District Council Response
East of England Development Agency	Not stated	Not stated	EEDA encourages Council's to recognise that:  "community involvement should engage the whole community, not just resident households represented by established groups. It should also include the business community.	Paragraph 2.2 sets out the types of groups which will be consulted during the preparation of the LDF. This includes the business community.  No change to the SCI is recommended.
East of England Development Agency	Not stated	Not stated	Community involvement should pursue an integrated approach across the range of relevant community plans and strategies (including for example,, local community strategies and the sub-regional investment plans, being developed through EEDA's Investing in Communities Programme, as well as Local Development Frameworks).	It is acknowledged that the Council should take into account other strategies and plans produced by other organisations in the production of the DPDs.  No change to the SCI is recommended.
East of England Development Agency	Not stated	Not stated	Community involvement requires early and regular engagement. It should be a proactive and live process, enabling people to be involved at a stage when they can make a difference. Exhibitions, illustrations and models provide the community with the opportunity to visualise how a scheme might look when developed and will stimulate greater acceptance and understanding, especially related to movement patterns, building heights and densities.	It is acknowledged that community involvement needs to be early in the process and undertaken regularly. The SCI states that the community will be involved in the preparation of a DPD from the early stages of preparation and the ways in which the Council will undertake those consultations.  No change to the SCI is recommended.

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East of England Development Agency	Not stated	Not stated	<p>Innovative methods are necessary to expand the number of people involved in the community engagement process and remove the barriers associated with traditional approaches. These include the use of electronic formats and outreach workshops to more remote and peripheral parts of the community. The use of technology can reduce the lengthy time period generally associated with community involvement. It can also enhance a local authority or place's credibility as an innovative location and provide a marketing tool for attracting investment. However, any new method must be complemented by traditional means so that continuity in engagement is retained and those without access to, or skills in, methods using information technology are still able to participate.</p>	<p>The SCI states that consultations will be carried out by a variety of methods, these include "traditional" methods as well as the use of less traditional methods such as e-mail and the internet. It also acknowledges that these methods could be supplemented with other consultation techniques where they may be appropriate and where resources will allow.</p> <p>No change to the SCI is recommended.</p>
East of England Development Agency	Not stated	Not stated	<p>EEDA has supported the following specific initiative, Inspire East. Would encourage the Council to ensure this is, where relevant, incorporated in Community Involvement plans:</p> <p>Inspire East, the regional centre of excellence to promote ideas and actions for sustainable communities – a principal task of which is to enable better joint working and collaboration between the community, those working in built environment occupations and other involved in planning, delivering and maintaining sustainable communities. This will be achieved through sharing information, best practice and developing skills.</p>	<p>It is considered that these comments do not relate to how the Council will consult the community in the preparation of a DPD but rather the types of issues that should be considered in a DPD.</p> <p>No change to the SCI is recommended.</p>
Home Builders Federation	Not stated	Not stated	<p>The Federation need to be advised of all changes to the LDF in writing, either by post or e-mail as it is not possible to monitor a large number of websites on a sufficiently regular basis. It is not essential to supply paper copies of the documents with such notification. The SCI should not rely over heavily on participatory methods of consultation. Where a body is involved in a number of local authority areas the resources and</p>	<p>The SCI states clearly that consultees will be notified in writing, either by letter or e-mail. The Council is continuing to identify the best ways to notify consultees of stages in the LDF and make the best use of electronic</p>

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			manpower would not be available.	communications.  No change to the SCI is recommended.
Forward Planning Unit, Hertfordshire County Council	Not stated	Paragraphs 1.5 and 2.9	Paragraphs 1.5 and 2.9 refer to the aim of the independent examination to test the “soundness” of the plan. It would be helpful to explain what is meant by soundness – this could be included in the glossary.	The tests of “soundness” for Development Plan Documents are set out in PPS12, “Local Development Frameworks”, paragraphs 4.23-4.24. A cross reference could be included to this in the SCI. It is considered that the most appropriate place for a reference would be in paragraph 2.28 and that the tests of soundness will be added as an Appendix to the SCI.
Home Builders Federation	3	(Paragraph 2.2)	It would be helpful if the SCI contains an Appendix of all consultees in order groups and organisations may check that they will be advised of future amendments to the LDF.	Advice set out in “Creating Local Development Frameworks ; A Companion Guide to PPS12” states that the SCI should include a “long list” of the types of groups which will be involved in the LDF process – not a list of names as this would change too quickly.  The Submission SCI sets out a list, in paragraph 2.2 of the types of groups and organisations that will be approached and consulted during LDF preparation. It is not proposed to amend the SCI to include a list of all consultees.  No change to the SCI is recommended.

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Forward Planning Unit, Hertfordshire County Council	Not stated	Not stated (Para 2.2)	In line with The Town and Country Planning Regulations 2004 Hertfordshire County Council should be identified as a statutory consultee.	Section 2 of the SCI sets out the principal groups which the Council will consult during the preparation of the LDF, this list includes not only Hertfordshire County Council, but also neighbouring County Councils, which the Council is required to consult.  No change to the SCI is recommended.
English Nature	3	(Paragraph 2.2)	English Nature welcomes the inclusion of Herts Biological Records Centre as a Reg 25 consultee, but Herts and Middlesex Wildlife Trust should also be considered for addition to the list. Please see our response to the draft SCI for context (letter dated 22 June 2005).	The Herts and Middlesex Wildlife Trust are already on the Council's LDF consultation list.  No change to the SCI is recommended.
Terence O'Rourke on behalf of Bloor Homes	2	Paragraph 2.5	Paragraph 2.5 – This states that the LDF will build upon the objectives set out in the Community Strategy. There is no reference to the Milton Keynes South Midlands Sub Regional Strategy or the East of England Regional Strategy, both of which have statutory status. The context is therefore misleading and the SCI not sound in respect of the extent to which it can link with other community involvement initiatives without first complying with the statutory documents. Both the SRS and the RSS should be referenced at paragraph 2.5 and the relationship with the LDF made clear.	In preparing DPDs, the Council must have regard to national policies and guidance; the regional spatial strategy and the regional spatial strategy for an adjoining region; the community strategy; any other adopted LDD and the resources that are available for implementing the proposals. It is acknowledged that this is not clearly stated in paragraph 2.5 and that the following sentence could be added to the beginning of the paragraph to make this clear.  "The Local Development Framework must be prepared having regard to national policy and guidance, the regional spatial strategy, any relevant

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				sub regional or regional spatial strategies from an adjoining region, the community strategy, any adopted LDD and also the resources available for the implementation of the proposals in the DPD"
Smith Stuart Reynolds on behalf of Houghton Regis Development Consortium	4	Section 2 Para 2.14	<p>The Houghton Regis Development Consortium welcomes the Council's stated commitment in paragraph 2.2 to involve as many people, groups and organisations as possible.</p> <p>In view of the emphasis on front loading under the new development plan system, it is concerned to note that paragraph 2.14 states that only those consultees listed in Appendix A will be notified and that other interested parties will have to depend upon advertisements and other sources of information. This is not considered acceptable and nor is it considered that it accords with the requisite tests of soundness as it does not facilitate the involvement of the community and other bodies in a timely and accessible manner.</p> <p>It is therefore requested that paragraph 2.15 is amended to state that all those on the consultation list will be notified of each and every stage in the consultation process either by email or letter, as requested.</p>	<p>Paragraph 2.14 does state that the Council must consult those organisations listed in the Town and Country Planning (Local Development) (England) Regulations 2004. However, the paragraph does go onto state that the Council will consult all consultees on the Council's LDF consultation list at the Issues and Options stage of DPD preparation.</p> <p>No change to the SCI is recommended.</p>
Charles Planning Associates Ltd on behalf of Croudace Homes Ltd	5	Section 2 Paragraph 2.32 – 2.34	<p>It is unclear how the Council will determine which organisations will be consulted on specified SPDs. It is considered imperative that all members of the of the community shall be given the opportunity to comment on such documents irrespective of their subject matter to ensure that a comprehensive consultation exercise is achieved. Therefore the SCI should ensure that all organisations, especially developer interest groups, will be notified of the publication of an SPD, irrespective of its subject</p>	<p>The SCI sets out a two stage consultation process for SPDs. The initial process will be used to consult those organisations and individuals who are identified by the Council as having a specific interest in the SPD in question. The purpose of this additional stage of consultation for an</p>

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			<p>matter, by mail or e-mail and therefore will provide sufficient opportunity for organisations to decide whether or not to submit representations. By adopting this comprehensive approach to consultation awareness, the Council will limit the potential for challenge at Appeal.</p>	<p>SPD is to assist the Council in preparing the consultation draft of the SPD.</p> <p>Once the Council has prepared the consultation draft, the statutory consultations for the SPD will take place, for a period of between four and six weeks. During the statutory period of consultations for an SPD there will be an opportunity for all members of the community to comment upon the SPD. It is considered that the consultation approach for SPDs set out in the SCI are appropriate and achievable.</p> <p>No change to the SCI is recommended.</p>
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Government Office for the East of England	4 & 5	Omission	The SCI sets out at various points the range of consultation methods that the authority intends to use to engage people in LDD production. However, the SCI could also include the reasons why these methods have been chosen, in terms of resources, effectiveness and the type of group to be engaged. This information could be displayed in table, similar to table 7.3 in Creating LDFs.	Whilst the SCI does set out the types of consultation which will be used during DPD preparation, it is acknowledged that it does not include information about the target groups or the effectiveness of the consultation techniques.
Forward Planning Unit, Hertfordshire County Council	Not stated	Section 2	It would be useful for the document to include more explanation of the consultation methods. The Companion Guide to PPS12 "Creating Local Development Frameworks" recommends that authorities include a few paragraphs on the benefits and resource implications of each consultation method. This will provide information about techniques which some members of the community may not fully understand (e.g Area Visioning Groups), and would serve to validate your decisions about which consultation methods have been chosen as most relevant for different stages of the plan process.	It is suggested that a table, (attached at the back of this schedule) is added into the Appendices to the SCI which sets out this information.
Government Office for the East of England	4	Omission	This section (pages 6-12) should be expanded to include more detail about community involvement at the pre-examination meeting, in addition to the other stages of DPD production. For example, the SCI could include a statement setting out both the purpose of the pre-examination meetings and that people will be able to attend them.	It is acknowledged that the SCI could include more detail about community involvement at the pre-examination meeting. It is suggested that the following text could be included in paragraph 2.28.  "Prior to an examination of a DPD, the Inspector will hold a pre-examination meeting, the purpose of which is to discuss the management of the examination. The pre-examination meeting will take place at least two months before the start of the

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				examination and anyone with an interest in the DPD is welcome to attend. The Council will publicise the pre-examination meeting in the same way as for the examination itself, as set out below.”
Home Builders Federation	7	Section 2 Para 2.30 – 2.36	The Council states an intention to produce SPDs to cover issues relating to affordable housing and planning contributions. The substantive elements of these SPDs must be dealt with in the Core Strategy in order that a full public consultation exercise may be undertaken and the result of this incorporated into the Strategy.	The Council will prepare Supplementary Planning Documents in accordance with the advice and regulations set out in PPS12, “Local Development Frameworks”, the Town and Country Planning (Local Development) (England) Regulations 2004 and “Creating Local Development Frameworks, A Companion Guide to PPS12”.  No change to the SCI is recommended.
Home Builders Federation		Section 2 Para 2.8 – 2.11	SPDs must not be used to create new policies or make substantial amendments to existing policies.	Whilst not disagreeing with the comment, this relates to how the Council will undertake work on SPD rather than the way in which the Council will consult the community on the SPD.  No change to the SCI is recommended
Forward Planning Unit, Hertfordshire County Council	Not stated	Section 2	Section 2.12 is a good summary of LDF production, but could be more concisely explained in a diagram / table.	The Council considers that the SCI is clear in setting out the LDF process.  No change to the SCI is recommended.

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Forward Planning Unit, Hertfordshire County Council	Not stated	Section 2	More clarification is needed on the type of consultation suitable for each document. Whilst the text adequately outlines the preferred methods at each stage, it is not clear from paragraphs 2.16 and 2.22 which DPDs are more likely to be appropriate for additional consultation methods (e.g exhibitions). I understand that the guidance needs to be flexible and reflect available resources, but it would be useful to explore possible methods for each document.	<p>It is considered that the SCI is clear and does set out the types of consultation methods which the Council will use for all DPDs during their preparation.</p> <p>Paragraphs 2.16 and 2.22 explicitly state that there are other consultation methods which the Council could use, where they are appropriate to the DPD and where resources will allow.</p> <p>No change to the SCI is recommended</p>
Government Office for the East of England	4	Omission  (Paragraph 2.30 – 2.36)	In relation to the SPD preparation stages, the SCI would benefit from an explanation as to how people will be notified when the SPD is adopted.	<p>It is suggested that an additional sentence could be added to the end of paragraph 2.36 which states:</p> <p>“The Council will notify the groups previously consulted on the SPD when it has been adopted and will place the SPD on its website.”</p>

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Section 2 : Community Involvement in the Local Development Framework – Hard to Reach Groups				
Government Office for the East of England	4 & 5	Omission	<p>Paragraph 7.2 of Creating LDFs requires that authorities should ensure they involve the widest possible range of interests, particularly hard to reach groups, for example, gypsy &amp; travellers, young people, the elderly etc, who do not usually participate in the planning process. We note the Council's comments on our representation on this matter at the earlier preferred options stage. However, although page 10 of the SCI refers to community groups who traditionally do not get involved in the planning system, it does not set out the different types of groups and exactly <u>how</u> they will be targeted through different engagement methods. The SCI should be amended to include this information and it will need to demonstrate how the authority is tailoring techniques of engagement to meet the needs of those groups and specifically in order to overcome the barriers to their involvement in the plan making process in the past.</p>	<p>A number of traditionally hard to reach groups are already included in the Council's LDF consultation list and therefore would be a part of any LDF consultations in the ways set out in the SCI. It is acknowledged that the Council must endeavour to build upon the links that already exist by working with the Community Development Team and the Equalities Officer to create and develop these links.</p> <p>It is suggested that the following text should be added into the SCI which states that the Council will endeavour to create links with the traditionally hard to reach groups:</p> <p>"Hard to Reach Groups There are a number of groups that traditionally do not normally take part in the planning process. In North Hertfordshire these groups are considered to be:</p> <ul style="list-style-type: none"> <li>◆ People with disabilities;</li> <li>◆ Black and ethnic minority groups;</li> <li>◆ Older people;</li> <li>◆ Young people; and</li> <li>◆ Gypsies and travellers.</li> </ul>

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				<p>The Community Development Team and the Equalities Officer have established links with “hard to reach groups” and in order to reach these groups during DPD preparation, the LDF team will endeavour to foster and create links with these groups. The Council has started to work with young people in particular for other planning related work through school councils and youth groups. The Council considers that setting up working relationships with hard to reach groups is vital in the preparation of the LDF and will pursue opportunities to increase the involvement of these groups.”</p> <p>In response to other objections to the SCI, the Council has also suggested that the SCI be amended to include a table as an Appendix (attached at the end of this schedule) which sets out the consultation methods that the Council will use and will consider using during preparation for all DPDs. The table includes an assessment of the effectiveness of each consultation method and the target groups for each one.</p>
East of England Development	Not stated	Not stated	In particular it should attempt to involve residents who do not normally participate. Community involvement represents an	See response to the Government

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Agency			opportunity to build social capital by strengthening links between people, within and between neighbourhoods, and promoting community leadership. This can help to mitigate the effects of exclusion in all parts of society.	Office for the East of England above.
East of England Development Agency	Not stated	Not stated	In this regard, Council's need to pay particular attention to their general duty under the Race Relations (Amendment) Act 2000. Engaging ethnic minority residents needs to be done in a way which promotes good race relations. Similarly, a duty to involve disabled people will come into effect during 2006. Finally, it is important to ensure that people of all ages are involved in community life, enabling them to widen their social networks and contribute more fully to the development of the region. Encouraging knowledge and understanding amongst children, for example, on the issues facing their own communities is an important step to creating solutions to community problems. They represent a place's future and the crucial viewpoint of the younger generation.	See response to the Government Office for the East of England above.
East of England Regional Assembly	Not stated		Would encourage the authority to provide more details about the "hard to reach" groups and other consultation methods that will be used in order to reach these groups.	See response to the Government Office for the East of England above.
Forward Planning Unit, Hertfordshire County Council	Not stated	Section 2	Reflecting the aims of the new planning system to involve as many individuals and groups as possible, section 2 should also highlight the need to target "hard to reach groups". Consideration should be given to how such groups will be effectively engaged.	See response to the Government Office for the East of England above.

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Section 3 : Community Involvement in Determining Planning Applications				
Respondent	Test of Soundness	Issue	Comments and Sought Revisions	District Council Response
Charles Planning Associates Ltd on behalf of Croudace Homes Ltd	9	Section 3  Paragraph 3.3 – 3.4  Table 1  Appendix B	<p>Whilst it is supported that a central government definition has been used to determine what is considered to be a “major application” to warrant pre-application discussions, it is considered that the SCI would benefit from clarifying the types of planning applications this should be applied to.</p> <p>Whilst Croudace Homes are not adverse to the use of pre-application discussions and in fact have found such exercises useful in the past, it is considered that pre-application discussions are not necessarily appropriate at reserved Matters Approval stages given that discussion would have already taken place at the Outline Planning Application stage. This would avoid the duplication of matters and limit consultation fatigue.</p> <p>In addition, Table 1 would benefit from clarification regarding which consultation methods should be used, it is also considered that the Local Planning Authority should also be involved in the process especially in identifying local interest groups for consultation purposes.</p>	<p>The SCI sets out the definition of “major development” in Appendix B. The SCI also acknowledges in paragraph 3.4 and Table 1 the types of pre-application consultations that the Council would encourage, where those consultations are appropriate.</p> <p>Table 1 does set out the types of consultation methods which should be used for pre-application consultations. Paragraph 3.3 does acknowledge that the Council will facilitate the consultations, this could include identifying local interest groups for consultation purposes.</p> <p>No change to the SCI is recommended.</p>
East of England Regional Assembly	Not stated		<p>It would be helpful to provide more information about the planning application process in plain English for better understanding of the process in the spirit frontloading. E.g para 3.1 material consideration.</p>	<p>It is not always possible to avoid the use of some technical words and phrases when talking about the planning system.</p> <p>It is suggested that a definition of material considerations is included in Appendix C, “Glossary of Terms” to</p>

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				assist the clarity of the SCI.
Bellway Homes Limited (North London Division)	Not stated	Section 3	<p>Bellway Homes are concerned about the definition of major applications in relation to residential development. Appendix B defines this as developments concerning ten or more dwelling houses or having a site area of 0.5 hectares or more.</p> <p>Bellway Homes consider this threshold to be too low and that to require public exhibitions or public meetings should be applicable to residential developments of a minimum threshold of 50 units or 1 hectare.</p> <p>Whilst we support the principle of community involvement in the determination of planning applications, this must be set at a practicable and reasonable level. A threshold of 50 units has been set within a number of other Local Authorities, for example, Reading Borough Council, if you wish see the application of this threshold elsewhere.</p>	<p>The SCI uses the only statutory definition for major development. The Council considers that it would be inappropriate to amend this definition and increase the threshold for major development to 50 units or 1 hectare as the Council would not want to restrict the types of application where pre-application consultations would be appropriate.</p> <p>No change to the SCI is recommended.</p>
Secretary Hitchin Town Forum	9	Section 3 Paragraph 3.3 Table 1	<p>There appears to be a discrepancy in Sections 3 under Pre-Application Consultations.</p> <p>Paragraph 3.3 states that "The Council cannot insist on pre-application discussions with applicants" and "The Council will encourage developers to engage with the local interest groups and residents."</p> <p>However, Table 1 states that planning applicants / agents will be required to send letters to local residents, interest groups, relevant statutory consultees to inform them of the planning application at the pre-application stage.</p>	<p>It is acknowledged that the words used in paragraph 3.3 and Table 1 are inconsistent.</p> <p>It is suggested that the heading in column 2, Table 1 should be amended to state, "Suggested Course of Action".</p>

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			It seems to us to be somewhat inconsistent to say the developer is required to do these things, having already said the Council cannot insist on any of this.	
Home Builders Federation	9		With regard to the requirements for pre-consultation of major planning applications, it must be recognised that there are some situations where commercial confidentiality is essential and consultation would therefore be inappropriate. The acceptability of any proposal should not be prejudiced by the lack of prior consultation of a planning application.	The SCI in paragraphs 3.3 and 3.4 does acknowledge that commercial sensitivities may limit the extent to which the public will be involved in pre-application consultations / discussions and that consultations on planning proposals should take place where they are appropriate.  No change to the SCI is recommended.
Terence O'Rourke on behalf of Bloor Homes	9	Omission Paragraph 3.1	This states that planning applications must be considered in accordance with the Council's policies unless material considerations indicate otherwise. The omission at this point of reference to the Milton Keynes & South Midlands Sub Regional Strategy and RSS14 is misleading. In these terms the SCI is not sound.	All planning applications should be determined in accordance, not only with Council policies, but also in accordance with national and regional policies.  It is suggested that the first sentence of paragraph 3.1 should be amended to reflect this:  "Planning applications must be determined in accordance with national, regional and Council policies unless material considerations indicate otherwise."
Terence O'Rourke on behalf of Bloor	9	Paragraph 3.3	Paragraph 3.3 – This relates to the process for consultation in respect of a planning application. Pre-application consultation is encouraged and paragraph 3.2 infers that the Council will	The SCI acknowledges that Council officers will help to facilitate discussions and consultations at the

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Homes			consult. However Table 1 is clear that the Council will not be involved in pre-application consultation. However where a proposal has an allocation in the local plan we consider that it would be appropriate for officers to be involved in that consultation process to highlight the Council's support "in principle" for the scheme. This should not be considered prejudicial to the determination of an application. The plan is therefore unsound in that it does not clearly describe the policy for consultation on planning applications. Text should be added to facilitate officers' involvement in pre-application consultation where appropriate.	pre-application stage. If consultations were to take place, at the pre-application stage on a site allocated for development in the land allocations DPD, it is implicit that the Council would support the principle of development.  No change to the SCI is recommended.
Transport 2000  North Herts Local Rep	9	Paragraph 3.10	Paragraph 3.10 sets out the opportunity for individuals to address committee to express support or opposition to a planning application.  This is laudable, increases community engagement and is well used locally. However, there is no process for informing those who have made a submission a) whether the application will or will not be heard at committee nor b) when the date and time for this decision will be. Add a second sentence to 3.10 as follows:  "Anyone who has submitted representations will be informed whether and if so when an application will be brought before committee for decision".	The Council does send a letter to those people who have made comments on a planning application before the application is determined by committee. The letter sets out details of when and where the meeting will be held and how to arrange to speak at the meeting. The Council's web site also has "tracking" information for all planning applications, this sets out details of when the application will be determined and whether it is a delegated decision or not.  The suggested change is considered acceptable, paragraph 3.10 would read:  In the case of those applications which will be reported to the Committees for decision, there is the opportunity for individuals to address the Committee to express their support or objection to

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				the proposals. Anyone who has submitted representations will be informed whether and if so when an application will be brought before committee for decision.
Chairman Baldock Museum & Local History Society	4		<p>The Society is concerned with the historic environment of Baldock and its protection. We would greatly appreciate being notified of applications that affect this environment because in the past we have been too late in discovering an application to comment on it.</p> <p>In particular we would like to be consulted on any application for demolition, serious external alteration, change of use or new building with Baldock conservation area and any demolition or serious external alteration to any listed building or building of local historic importance outside the conservation area.</p> <p>If it is at all practical we would also like to be consulted about proposals to demolish any building in Baldock of approximately 100 years old or more and any plans to build on the neighbouring countryside.</p>	<p>The Council makes information on all planning applications it receives available through the weekly lists of planning applications and the daily update of applications on the website. The website also sets out information about the status of each application, including an indication of the earliest decision date. It is for each group or organisation to determine the types of application it wishes to comment on.</p> <p>No change to the SCI is recommended.</p>
Peacock & Smith on behalf of W.M. Morrison Supermarkets plc	1	Section 3 Paragraph 3.4	<p>Re : Table 1 : Public Consultation at the Pre-Application Stage for Planning Applications</p> <p>The Companion Guide to PPS12: "Creating Local Development Frameworks" clearly states that Statements of Community Involvement should encourage developers to undertake early community involvement, although they cannot prescribe that this is done.</p> <p>In this regard, we object to the use of the word "requirements" as the heading for column 2, Table 1, and advise that "Suggested</p>	<p>Agree with the suggested change to the SCI.</p> <p>Amend Table 1, Column 2 to delete "requirements" and replace with "Suggested Course of Action".</p>

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			<p>Course of Action" would be a more appropriate heading.</p> <p>It should also be made clear, in Table 1 as well as in the main body of text, that community consultation at the pre-application stage is encouraged and not required.</p>	
Forward Planning Unit, Hertfordshire County Council	Not stated	Section 3	<p>With reference to paragraph 3.11, it would be useful to have a summary of S106 and S278 decisions made available on the website. Additionally, if there are funds for passenger transport, then a letter/email direct to the Passenger Transport Unit at Hertfordshire County Council would be helpful.</p>	<p>Where an application is approved with a Section 106 agreement, the heads of terms of that agreement are all included in the relevant committee report and minutes, or in the delegated file notes.</p> <p>With regard to informing the County Council of decisions, the County Council is fully informed of all decisions made, not just S106 and S278 decisions.</p> <p>No change to the SCI is recommended.</p>

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Section 4 : Resource Availability and Review				
Respondent	Test of Soundness	Issue	Comments and Sought Revisions	District Council Response
Bellway Homes Limited (North London Division)	Not stated	Section 4	The above comments are increasingly valid when paragraph 4.1 of the SCI advises that the council does not have either the financial or staff resources to undertake large scale community and stakeholder consultation. Bellway understand that the council must at least facilitate community and stakeholder consultation processes, such as public exhibitions. This should be clarified within the SCI. A threshold of 50 units would rationalise the public consultation process, in particular, with regard to the requirement for council resource input to such processes, whilst ensuring satisfactory community involvement is achieved.	The SCI uses the only statutory definition for major applications. The Council considers that it would be inappropriate to amend this. The threshold for major applications has been considered in the preparation of the SCI and the consultation methods set out in the SCI are based on the Council's assessment of the resources it will have available to undertake consultations for both the LDF and for planning applications.  No change to the SCI is recommended.
Forward Planning Unit, Hertfordshire County Council	Not stated	Section 4	You could make reference to the East of England Planning Aid service as a valuable resource for advising community groups in negotiations with the local planning authority. Promoting this service would help to emphasise the value North Hertfordshire District Council places on community expectation and feedback.	Agree with the suggested change to the SCI.  Amend Section 4 to include the following paragraph:  <u>“Planning Aid</u>  Planning Aid is a network of planning volunteers who provide free and independent advice to community groups and individuals who are unable to afford a consultant. The East of

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				England branch of Planning Aid can be contacted on:  E-mail : <a href="mailto:eecw@planningaid.rtpi.org.uk">eecw@planningaid.rtpi.org.uk</a>  Tel : 0870 850 9801"
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Suggested New Table for SCI Appendices

Table 1 : Consultation Techniques

Consultation Technique	Resource Implications	Comments
Letters & e-mail	Low	<p>Letters can be sent to all consultees on the LDF consultation list. The Council will encourage greater use of e-mail for in the future to further reduce the costs involved.</p> <p>Target groups : All on the LDF consultation list</p>
Advertisements	Medium	<p>Advertisements must be placed in local newspapers circulating in the area to meet the requirements set out in the Regulations.</p> <p>Target groups : All in the North Hertfordshire area</p>
Libraries & Council Offices	Low	<p>Paper copies of all DPDs will be made available for inspection at the Council Offices and at six public libraries across the District during their normal opening hours.</p> <p>Target groups : All</p>
Website	Low	<p>Copies of all the DPDs will be made available on the website. This is an accessible way of making the information available, as it is available to the community outside normal office opening hours.</p> <p>The Council will also develop further its use of the website for electronic consultations.</p> <p>Target groups : All</p>
Talking Newspaper	Low	<p>The Council will notify the Talking Newspaper of the publication of each DPD.</p> <p>Target groups : Hard to Reach</p>
Local media	Low	<p>The Council will issue press releases when a DPD is published for consultation.</p> <p>Issuing a press release to the local media does not guarantee that the information will be used and therefore the Council cannot guarantee the amount of publicity that will be given at any particular time.</p> <p>Target groups : All</p>

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Suggested New Table for SCI Appendices

Town and Parish Councils	Low	<p>The Council must consult the town and parish councils within and adjoining the local authority area. However, the Council will encourage the Parish and the Town Councils to use their own magazines, newsletters and noticeboards to publicise the DPD.</p> <p>Target groups : Statutory organisations, rural communities &amp; town communities</p>
Exhibitions	High	<p>In some circumstances the Council may hold exhibitions for particular DPDs, for example where there may be a particular geographical focus for a DPD or where it would be beneficial to reach a large section of the community.</p> <p>Exhibitions are expensive to stage in terms of exhibition material, publicity and venue charges and require a large amount of staff time. They may also attract a self selecting audience.</p> <p>Targeted groups: All</p>
Focus Groups	High	<p>Focus groups may be used by the Council to explore selected issues with particular groups within the community. Focus groups are expensive to run and require a large amount of staff time, particularly in their preparation.</p> <p>Targeted groups : All, but groups can be specifically selected.</p>
Leaflets	High	<p>These can be useful to provide a summary of the DPD and publicise it across the area. However, there are resource implications in printing leaflets to use across the whole of North Hertfordshire. Leaflet production will be expensive as there are in excess of 48,000 households and 5,500 businesses in the district and it may be more appropriate to use leaflets in a more targeted way, for example the Area Action Plans or land allocations DPD.</p> <p>Targeted groups : All</p>

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Suggested New Table for SCI Appendices

Discussion workshops	High	<p>The Council has undertaken successful workshops for the LDF in the past. Workshops are useful in allowing face to face discussions of issues and solutions. However, they are resource intensive, particularly in staff time, publicity materials and the costs involved for venue hire.</p> <p>Targeted groups : All or selected groups</p>
Area Visioning Groups	High	<p>Area visioning groups allow detailed discussions to take place with groups based in particular locations. However, they are resource intensive, particularly in staff time.</p> <p>Targeted groups : Area based established groups</p>