

INSPECTOR'S REPORT
BRADFORD METROPOLITAN DISTRICT COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: David Robins BA PhD FRTPI

Date: 14th January 2008

City of Bradford Metropolitan District Council Statement of Community Involvement (November 2006)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the City of Bradford Metropolitan 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 the tests in PPS12.
- 1.4 A total of 24 representations were received, all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received and these have been taken into account in the preparation of this report.

Test 1

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004. However, the adjoining Regional Development Agency was not consulted during the Regulation 25 and 26 stages due to a procedural error. The Council was asked to contact both the North West Regional Development Agency and the North West Regional Assembly to ascertain if either body felt in any way prejudiced by this omission. From the evidence before me I am satisfied that no prejudice has resulted from this error.
- 2.2 This test is met.

Test 2

- 3.1 Paragraph 3.1.3 acknowledges that the Local Development Framework (LDF) is a way of delivering the aims of the Community

Strategy and states that the Council will work with 'Bradford Vision', the Local Strategic Partnership, to make sure that the contents of the two documents complement each other. Paragraphs 3.6.1 - 3.6.3 addresses the issue of joint consultations and recommends their use in order to avoid the duplication of consultation exercises and to reduce consultation fatigue. The SCI also makes reference to other community strategies (Paragraph 3.2.1 and Appendix 3), such as the Council's Community Consultation and Participation Strategy and states that consideration will be given to how these will be linked in terms of objectives and consultation.

3.2 This test is met.

Test 3

4.1 The Council has set out in Appendix 4 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E apart from the following omissions which I rectify below.

(R1) Add the following bodies to the Specific Consultation Bodies within Appendix 4:

North West Regional Development Agency
North West Regional Assembly

Also include the following newly formed Parish Councils within the Specific Consultation Bodies listed in Appendix 4:

Baildon Parish Council
Harden Parish Council

Since the submission document was produced there have been changes to some of the Specific Consultation Bodies. Therefore, the Council should remove the Countryside Agency and English Nature from this list and replace these references with Natural England.

As Electricity, Gas and Telecommunication companies are correctly listed under the Specific Consultation Bodies, remove the duplicate references from the Other Consultee listing in Appendix 4.

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

4.2 It is stated at Paragraph 4.1.4 of the SCI that the Council holds a database of consultee details and that this will be updated as necessary. Details of how to be added to this database are given at the end of Appendix 4. Furthermore, the Council states in Paragraph 4.1.2 that it will consult with additional local

stakeholders where appropriate depending on the criteria listed in this paragraph.

- 4.3 A number of representors request the inclusion of their organisation in the lists contained at Appendix 4 of the SCI. As the Council has confirmed that these will be added to their consultee database, I am content that they do not need to be listed specifically in the SCI.
- 4.4 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.

(R2) Insert the following to the beginning of Appendix 4:

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

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

Test 4

- 5.1 Section 4.8 and specifically Diagrams 2 and 3 of the SCI show that the Council will involve and inform people from the early stages of Local Development Document (LDD) preparation whilst Section 4.7 and Table 1 set out the range of methods the Council will employ to do this. The Council clarifies in Diagrams 2 and 3 the stages at which consultation will take place and who will be consulted at those stages. Diagram 2 shows that consultation will take place with the key stakeholders during the issues and options stage of Development Plan Document (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 Section 4.7 and especially Table 1 of the SCI 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 and indicates in Diagrams 2 and 3 at what stages of LDD preparation the various methods might be employed.

- 6.2 The SCI acknowledges in Section 4.3 that the Council may have to provide extra support to facilitate consultation with certain groups or individuals and proposes (at Paragraph 4.3.3) how it might do this. This paragraph, Section 4.6 and information within Appendix 3 explain 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 Section 6 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. Further information on the resource implications of the various consultation methods are provided in Table 1. I am satisfied that the Council is alert to the resource implications of the SCI.
- 7.2 This test is met.

Test 7

- 8.1 Sections 4.6 and 4.9 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 proposes, in Paragraph 4.9.3, to prepare reports at the end of the consultation period explaining how views have been considered and documents changed in the light of community involvement. The SCI states in Paragraph 4.9.5 where these will be made publicly available.
- 8.2 This test is met.

Test 8

- 9.1 Section 7 of the SCI 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 5 of the SCI describes the Council's policy for consultation on planning applications. Section 5.2 meets the minimum consultation requirements and also provides information on additional methods of consultation. Section 5 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.

(R3) Insert the following as a new paragraph, Paragraph 5.2.11:

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

Subsequent paragraphs should be renumbered accordingly.

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.

(R4) Insert the following at the end of Paragraph 5.2.9:

"However, 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 following recommendations this test is met.

Conclusions

11.1 The Council has set out in Appendix D of its Regulation 31 Statement a number of proposed changes to the SCI in response to representations received on the submission document. These suggested amendments, which are given as Appendix B to this report, 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.

(R5) Implement the changes proposed in Appendix B to this report.

11.2 The SCI contains material which will become redundant once the document is adopted, for example Section 1.2 and the footer

information on each page. I therefore have the following recommendation.

(R6) The Council should remove all references to previous stages of the document and with regard to Section 1.2 replace this section with details of the document's adoption.

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, Bradford Metropolitan District Council's SCI (November 2006) is sound.

Inspector:

David Robins

David Robins BA PhD FRTPI

APPENDIX A
TESTS OF SOUNDNESS

Examination of the soundness of the statement of community involvement

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

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

From: Planning Policy Statement 12: Local Development Frameworks

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

INSPECTOR'S REPORT
BRADFORD METROPOLITAN DISTRICT COUNCIL
APPENDIX B – PROPOSED CHANGES

City of Bradford Metropolitan District Council

Local Development Framework

**Submission Draft Statement of Community
Involvement**

Summary of Representations

APPENDIX D

SUMMARY OF REPRESENTATIONS TO SUBMISSION STATEMENT OF COMMUNITY INVOLVEMENT

| Consultee (Name/Organisation) | Test of Soundness | Representation(s) to Submission Statement of Community Involvement | Bradford Council Response | Outcome |
|--|----------------------|---|--|---|
| 1. Able All Physically Disabled Forum | | No comments made | No change to the SCI | No change to the SCI |
| 2. Baildon Community Council | | <p>We are not satisfied that the community and other bodies can be involved in a timely and accessible manner for the following reasons:</p> <p>a) The time of three weeks allowed for comments is too little and gives an advantage to organisations, which are able to employ professionals to deal with planning matters.</p> <p>b) 'Planning speak' is not easy for the average person to understand. The uses of acronyms for instance, create unnecessary difficulties.</p> | <p>Parish/Town Councils have a statutory period of 21 days in which to submit representations. The Council's Universal Protocol for Consultation with Parish/Town Councils was agreed on 26 September 2007. This protocol enables Parish/Town Council's to request an extension of time should it be unable to make representations within the 21 day period and the Council will agree to all such reasonable requests where this is made within the 21 day period and where it would not affect Bradford Council's ability to determine the planning application within statutory guidelines.</p> <p>This point is noted and the Council in producing Local Development Documents will seek to use words that are as user friendly to the public as possible. Amend SCI to include a further paragraph following paragraph 4.6.4 that states, "The Council in producing documentation relating to the LDF will seek to make publications as user friendly to the reader as possible by avoiding an over use of</p> | <p>No change to the SCI</p> <p>Amend SCI to include a further paragraph following paragraph 4.6.4 that states, "The Council in producing documentation relating to the LDF will seek to make publications as user friendly to the reader as possible by</p> |

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| | | <p>c) We are pleased that the Council has agreed to place documents relevant to Baildon in Baildon Library – especially as the locations in Shipley are difficult for disabled people to get to i.e. Shipley Library can only be approached from sloping land and the Town Hall only has two disabled parking spaces.</p> <p>d) Previous experience suggests that notification of neighbours is not consistent. One local example is where neighbours diagonally across from a property were in one instance notified of a small proposed extension but not about a much bigger one for a property in a similar position. Instructions could state that all neighbours who have sight of a property from their houses should be informed</p> <p>e) The comment form is too prescriptive and assumes that respondents have knowledge of the Planning Regulations and Community Strategy</p> <p>Item 3.5.1 states that the Council have regard to other strategies including Village Design Statements. We would like to make it clear that the Council has refused to consider ours on the grounds that they insufficient resources to do so. Documents attached to the representation refer to this event.</p> | <p><i>planning jargon”</i></p> <p>Noted</p> <p>The Council’s Publicity Code of Practice advises that we will normally notify owners/occupiers of properties adjoining the application site. Other properties will generally only be consulted where the Responsible Officer considers that they will be materially affected by the proposal and/or the development has wider implications.</p> <p>This point is noted however, the comment form is based on a model form that local authorities are requested to use by the Planning Inspectorate.</p> <p>Other strategies adopted by the Council, will be considered in the preparation of documents comprising the LDF. However, the matter referred to by Baildon Community Council relates to the lack of Council resources to help formalise the Baildon Village Design Statement and is beyond the scope of this</p> | <p><i>avoiding an over use of planning jargon”</i></p> <p>Supporting comment. No change to the SCI</p> <p>No change to the SCI</p> <p>No change to the SCI</p> <p>No change to the SCI</p> |

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| | | <p>Finally, we are concerned that after all the time, money and effort expended by the Council, the Government and members of the public on the last UDP it only holds good for three years. It is no wonder that the general public are confused and disillusioned about planning matters.</p> | <p>SCI.</p> <p>The Planning and Compulsory Purchase Act 2004 fundamentally reformed the development plan system. Implications of the Act mean that plans and proposals within the adopted Replacement Unitary Development Plan (RUDP) will be automatically saved for a period of three years following adoption; in this instance the RUDP was adopted in October 2005.</p> <p>The Replacement Unitary Development Plan is being replaced over time by documents that make up the new LDF. However, some policies and proposals within the RUDP will need to be saved beyond this three year timeframe. This is a matter that will require further discussion between the Council and Government Office for Yorkshire and the Humber.</p> | <p>No change to the SCI</p> |
| <p>3. Barton Wilmore agent acting for Persimmon Homes</p> | | <p>At 51 pages the Draft SCI is on the lengthy side and much of the information is either very detailed or rigidly sets out the Council's process. There is also a large amount of irrelevant information. We consider that the SCI should be cut down. We refer to our comments below (specifically Chapter 3)</p> <p>Chapter 3 – Sets out background information to the City Vision. We suspect that this will also form part of the Core Strategy which we expect will set out the growth requirements based on the City's demographics. Given that</p> | <p>Although the document is 51 pages long it contains all the information necessary to give the public information on the Council's approach to community involvement.</p> <p>Paragraph 3.6 of PPS12 'Local Development Frameworks' indicates that the SCI should set out how it links to other community involvement initiatives. Furthermore, one of the tests of</p> | <p>No change to the SCI.</p> <p>No change to the SCI.</p> |

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| | <p>The methods of consultation are not suitable for the intended audience and the different stages in the preparation on LDDs</p> | <p>the SCI sets out how the Council will consult on planning matters, is this Chapter relevant? We recommend that it be deleted in the interests of reducing paperwork and focusing on the key purpose of an SCI. Section 3.6 could be incorporated into the introduction.</p> <p>Chapter 4 – Consultation is most effective where a flexible approach is adopted to meet the specific requirements of a particular activity or interest group. By setting out a rigid process, the Council could potentially establish unrealistic expectations from stakeholders regarding their involvement. The Council may also potentially not meet its stated objectives and therefore omit useful contributions from some stakeholders. Overall the requirements for consultation of both the Council and any other applicants are too onerous. We believe the Council could seek to establish a more realistic approach to consultation.</p> | <p>soundness stipulates that the SCI should show how it links to other community involvement initiatives such as the Community Strategy. Chapter 3 seeks to do this.</p> <p>In terms of paragraph 3.6 of the SCI, this sub section was added to the document following the publication of the Preliminary Draft SCI on the basis of comments made by the Government Office. For clarity this subsection should be moved to immediately follow 'Table 1: Consultation methods that will be used to produce the LDF'. It should also be renumbered paragraph 4.7.3.</p> <p>The Council disagrees with this statement. The Council proposes a flexible approach to consultation, albeit within the realms of what is required as a minimum by the Planning Regulations. The methods of consultation referred to in Table 1 allows for flexibility dependent on the nature of the LDD being produced and the stage that an LDD has reached in the development plan process that the document has reached. Diagrams 2 and 3 set out each stage in the development plan process and where and how the people may be consulted at each stage. Appendix 5 sets out how the Council will undertake consultation on the various LDF documents; this was added following comment made by the Government Office</p> | <p>Amend SCI by a) moving paragraph 3.6 to immediately follow Table 1 and b) by renumbering this paragraph 4.7.3</p> <p>No change to the SCI.</p> |

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| | The methods of consultation are not suitable | <p>Chapter 5 – Consultation on planning applications from both the developer and Council perspectives must be focused and effective to be a worthwhile exercise. It is considered that the requirements of developers set out in Chapter 5 are too onerous. The most effective means of achieving this is by agreeing a consultation plan with the Council when undertaking pre-application discussions. Whilst this is best practice encouraged by the Council, it does not always happen.</p> <p>The Council is seeking applicants to undertake a greater amount of consultation on ‘major developments’ defined on page 19. We note that often the smallest project can attract a large degree of local concern, while some larger projects such as those in urban centres often cause few enquiries. Therefore consultation must be targeted. It is therefore recommended that a ‘service agreement’ type approach be adopted by the Council to undertake pre-application discussions for all ‘major developments’ schemes where consultation requirements can be agreed up front</p> <p>The Council may also wish to consider guidelines for consultation appropriate to the scale of development. For e.g., a scheme for 10-20 dwellings, a letter to the Ward Councillor might be appropriate. However, for 100 plus dwellings a wider consultation or</p> | <p>to the Preliminary Draft SCI.</p> <p>Para 5.1.4 states that for major developments ‘the Development Team is willing to provide advice on pre application consultation, but cannot prescribe how a developer conducts a consultation.</p> <p>The Council has taken account of the scale and sensitivity of developments by recommending additional consultation for larger scale major developments and also for other proposals where there are local issues which mean that the development could be perceived as particularly sensitive or controversial.</p> <p>This issue is covered in the paragraph above.</p> | <p>No change to the SCI.</p> <p>No change to the SCI.</p> <p>No change to the SCI.</p> |

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| | <p>The methods of consultation are not suitable for the intended audience and the different stages in the preparation on LDDs</p> <p>The draft SCI does not identify in general terms which local community groups</p> | <p>local stakeholder briefing might be appropriate.</p> <p>Table 1 – We note that the Council has identified the method of consultation as well as producing “documents” and letters to be sent to consultees/stakeholders. In addition to the formal SCI document, it is suggested that the Council may wish to consider producing a leaflet type format for the SCI that could be available in libraries, colleges and Council offices. This would reach a greater number of potential contributors.</p> <p>It is noted that a balance needs to be struck between obtaining useful contributions from genuinely interested stakeholders and unnecessary consultation that might result in burdening a planning officer’s ability to complete a document or process an application speedily</p> <p>Table 1 – the draft SCI should acknowledge that it is seeking to engage with developers and landowners known to be active in the area. As part of the evidence gathering process it would be useful for the Council to</p> | <p>It is the Council’s intention that once the SCI is adopted a leaflet type document will be produced that explains the Council’s policy to consultation on LDF documents and planning applications in an easy to understand form.</p> <p>In terms of consultation the Council will seek to undertake this in accordance with the relevant planning regulations as a minimum. Any consultations in addition to this will be tailored to the nature of a) the LDF document being produced or b) the planning application. This judgement will be made either by the LDF Working Group or Development Team.</p> <p>Table 1, consultation method E specifically refers to letters being sent to individuals, agents, developers and landowners as a target group, such groups of people are identified in</p> | <p>Amend the SCI to include a further paragraph 1.2.10 in the introduction. This should read as follows, <i>Post Adoption As soon as possible following adoption the Council will produce a easy read leaflet that will explain what the SCI is and how and when people can get involved in consultations on planning applications and documents that make up the LDF.</i></p> <p>No change to the SCI.</p> <p>No change to the SCI.</p> |

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| | The draft SCI does not identify in general terms which local community groups and bodies will be consulted | Appendix 4 – set out the Community and Stakeholder Groups in Bradford. It is particularly noticeable that there are no specific developers or landowners identified as formally established consultation networks or bodies. We recommend that the Council seeks to further improve engagement with the private sector in the earliest stages of the LDF to further its understanding of likely development pressures and site requirements. | The Council disagrees with this statement. Landowners and developers are listed in Appendix 4, under bullet point 2 ‘General Consultation Bodies’ and will be consulted in the early stages of producing an LDD. | No change to the SCI. |
| 4. Ben Rhydding Action Group & Save Us Pub | <p>The draft SCI does not identify in general terms which local community groups and bodies will be consulted</p> <p>The draft SCI does not identify how the community and other bodies can be involved in a timely and accessible manner</p> <p>The methods of consultation to be employed are not suitable for the intended audience and the different stages in the preparation on</p> | <p>We were not contacted to engage in any consultation and enquiries at the local Ilkley Planning Office earlier this year met with the response that they knew nothing about any LDF.</p> <p>We were surprised and disappointed not to have been contacted at the start of the consultation process learning of it from a newspaper report the week before Christmas is inadequate and conjures up the idea of “burying bad news” syndrome. We have had little time to scrutinise and respond to this document and we would have liked to. Community groups which have had significant local importance and contributed to the planning process in the past need to be part of the consultation process.</p> | <p>This is unfortunate, particularly as front and back office staff are briefed at “away day” sessions of the documents being produced as part of the LDF.</p> <p>The SCI has been produced in accordance with the Planning Regulations in that all specific consultees were consulted in the documents production. Groups that partook in the RUDP consultation process were consulted in the production of the SCI. However, BRAG does not appear on the earlier consultation lists for the SCI. The Council apologise for this, however must state that it is inevitable that some groups are likely to fall through the net at times. BRAG/Save Us Pub have since been added to the LDF consultation database and have subsequently been consulted in the early stages of preparation of the Core Strategy.</p> | <p>No change to the SCI</p> <p>No change to the SCI</p> |

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| | <p>LDDs</p> <p>The draft SCI does not identify how the results of community involvement will be fed into the preparation of DPDs and SPDs</p> | <p>We need to be reassured that this is a genuine process and that there will actually be a mechanism to ensure that the views of local groups are taken into account, given as much weight as developers and actually have some effect and impact.</p> | <p>The views of local groups are important in the production of documents that make up the LDF. The mechanism for checking this is are the tests of soundness that an inspector will use when assessing a document at Examination</p> | <p>No change to the SCI</p> |
| <p>5. Bradford District Chamber of Trade</p> | <p>Sound</p> | <p>The Chamber supports all aspects of the document and considers the document sound.</p> | <p>Noted</p> | <p>Supporting comment no change to the SCI</p> |
| <p>6. Bradford District Senior Power (Chairperson)</p> | <p>The draft SCI does not identify in general terms which local community groups and bodies will be consulted</p> <p>The draft SCI does not identify how the community and other bodies can be involved in a timely and accessible manner</p> <p>The methods of consultation to be employed are not suitable for the intended audience and the different</p> | <p>All presentations are above the knowledge and requirements of ordinary members of the public and various groups involved.</p> <p>All presentations should be made much more simple and easy to follow. The Draft Submission is hard to follow and it should be condensed for older peoples groups who are not professionals.</p> <p>I have concerns as to how people have been consulted and is this document a true statement of consultation</p> | <p>These comments are noted and it is the Council's intention that once the SCI is adopted a leaflet type document will be produced that explains the Council's policy to consultation on LDF documents and planning applications in an easy to understand form.</p> <p>People have been consulted on the SCI in accordance Planning Regulations.</p> | <p>Amend the SCI to include a further paragraph 1.2.10 in the introduction. This should read as follows, <i>Post Adoption As soon as possible following adoption the Council will produce a easy read leaflet that will explain what the SCI is and how and when people can get involved in consultations on planning applications and documents that make up the LDF.</i></p> <p>No change to the SCI</p> |

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| | stages in the preparation on LDDs | | | |
| 7. Bradford Urban Wildlife Group | | <p>The document is sound but with reservations. We support the Submission Draft SCI as basically written. There was adequate consultation process under the UDP, and here stated in more or less the usual consultation process between Council and groups.</p> <p>However, the new Regional Spatial Strategy document which is produced by the Yorkshire and Humber (has anybody seen this document yet? Do groups and community have access to seeing it and democratically making their views known?) will at the end of the day could over rule the good work done by community groups and the Council's new DPDs and SPDs</p> <p>What is going to happen to Nature Conservation sites identified in the UDP after the 3 years for saving policies are up? (This has not been answered satisfactorily) I respect at this stage it is not known what is going to happen, but we would like to be told by the Council if they are not able to answer this yet. How is biodiversity to be accessed with consultations with community groups?</p> <p>We are told that documents will be the subject</p> | <p>Documents relating to the emerging Regional Spatial Strategy (RSS) can be found on the Yorkshire and Humber Regional Assembly website www.yhassembly.gov.uk. At various stages in RSS production people have the opportunity to comment. In any event, consultation on the SCI cannot be used to amend procedures used to produce a RSS, or the fact that under the new planning regulations DPDs and SPDs have to conform to the RSS.</p> <p>At this stage, the Council does not know which policies within the RUDP will be saved beyond the 3 year period following adoption. This will be a matter that will be established following discussions with the Government Office in 2008. However, under the new planning system RUDP policies that replicate national guidance will not be saved beyond the 3 year period.</p> <p>DPD documents are the subject of an</p> | <p>No change to the SCI</p> <p>No change to the SCI</p> <p>No change to the SCI</p> |

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| | | <p>of an Examination. What is an Examination? Is this the same as an Inquiry?</p> <p>The Inspector for the UDP outlined the importance of all third tier nature conservation importance to be put on the map (above a certain size). Has a map been produced? If not, when? After three years how will these sites be assessed? Do we have to go through further consultations processes yet again to retain these sites on the map?</p> <p>The Nature Conservation Strategy document 'Nature and People' is an approved document under the Council. Will it conflict with the Yorkshire and Humber Regional Spatial Strategy?</p> | <p>Examination. An Examination is not the same as the Inquiry held for the RUDP. The RUDP Inquiry was held to resolve all outstanding objections. However, an Examination addresses those issues that an Inspector will wish to consider in testing whether a DPD is sound.</p> <p>Bradford Wildlife Areas above 0.4 hectares are identified on the adopted RUDP following recommendations made by the Inspector. In all likelihood these sites will be carried forward and saved beyond the 3 year period, until this element of the RUDP is replaced by a DPD. At this stage such sites will be subject of further consultation with the local community, stakeholders and other interested parties using the procedures established in an adopted SCI.</p> <p>The fact that these sites are identified at a local level in the RUDP and Nature Conservation Strategy are unlikely to conflict with regional policy in the emerging RSS</p> | <p>No change to the SCI</p> <p>No change to the SCI</p> |
| 8.David Wilson Homes | | <p>Soundness of the document appears to be satisfactory, however para. 5.1.5 para 2 – '...the development could be perceived as particularly sensitive or controversial, the following consultation methods should be undertaken.' I feel that as this is not a regulation in Government Guidance therefore the terminology which is used should therefore be less forceful and more an</p> | <p>Paragraph 5.1.5 is intended to assist Developers in undertaking pre application consultation as the Development Team can advise the Developer to undertake consultation if where they consider that the scheme proposed is likely to be sensitive or controversial.</p> | <p>No change to the SCI</p> |

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| | | optional method. | | |
| 9. Development Planning Partnership agent acting for Tesco Stores Ltd | The draft SCI does not describe the Council's policy for consulting on planning applications | Para. 5.1.7 – We note that the SCI does not clarify how the Council's decision making process will be affected if a planning application has been deemed to have inadequate levels of consultation. We recommend that the SCI give more detailed guidance as to what constitutes "inadequate" consultation and give a clearer indication of acceptable forms of consultation, especially between the Council and developers at pre-application stage. We suggest that a paragraph be added between paragraphs 5.1.1. and 5.1.2 stating the potential types of documents/consultation methods the Council are willing to consider between themselves and developers. | The Council cannot refuse to accept a valid application because it disagrees with the way in which a developer has consulted the community, but failure by the developer to consult could lead to objections being made which could be material to the determination. The aim of the process is to encourage discussion before a formal application is made and therefore to avoid unnecessary objections being made at a later stage. | Amend para 5.1.7 to include <i>"but failure by the developer to consult could lead to objections being made which could be material to the determination. The aim of the process is to encourage discussion before a formal application is made and therefore to avoid unnecessary objections being made at a later stage."</i> |
| 10. Dunlop Haywards agent acting for Miller Homes | | <p>The overarching principles of the SCI are broadly supported, however:</p> <p>Para 2.2.5 – the phrase 'community, organisations and interested groups' is vague and it is considered that this should be clarified with the insertion of a table</p> <p>Paragraph 3.1.1 – refers to organisations and agencies involved in Bradford Vision. These organisations and agencies should be</p> | <p>This paragraph does not read particularly well and the first sentence should be amended for consistency with other parts of the document. The paragraph should be amended to read, <i>"The local community, stakeholders and other interested parties will be consulted at the various..."</i> To add a table would not add much value to the document in terms of understanding.</p> <p>The Council agrees that for clarity a list of the Strategic Partnerships that make up Bradford Vision should be included as</p> | <p>Amend the first part of paragraph 2.2.5 to read, <i>"The local community, stakeholders and other interested parties will be consulted at the various..."</i></p> <p>Amend the SCI as follows, a) Add the following words after the</p> |

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| | | identified in a list annexed to the main document | Appendix 6. | <p>first sentence of paragraph 3.1.1 <i>“A list of the Strategic Partnership Organisations that make up the Bradford Vision are included in Appendix 6 and b) “APPENDIX 6. The Bradford Vision provides a forum through which statutory service providers such as the Council, police, health service and education can work together with private, voluntary and community groups to achieve agreed policy objectives. It provides an umbrella that ensures that all partners and partnerships are working towards the same goals. The district currently has eleven strategic partnerships. These are;</i></p> <ul style="list-style-type: none"> <i>*The Learning Partnership</i> <i>*Economic Development Partnership,</i> <i>*Strategic Health Partnership,</i> <i>*Housing Partnership,</i> <i>*Building Communities Partnership,</i> |

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| | | <p>Paragraph 4.1.2 – the following should be added to this list <i>‘Has the group, organisation or individual requested to be kept informed’</i>. To take account of people who have made request to be kept informed of the process in paragraph as referred to in para.4.1.4</p> <p>Table 1 Consultation Methods used to produce the LDF disrupts the text and should be annexed to the main document</p> <p>Part 2 – Development Team Approach. Reference should be made at this point to clearly establish those parties who would make up a Development Team.</p> | <p>The Council agrees that an extra criterion should be added to the list to represent interested parties who have made a request to be notified of documents being produced as part of the LDF. Amend paragraph 4.1.2 by adding an extra criterion as follows, <i>“Has the group, organisation or individual made a request to be kept informed about documents being produced as part of the LDF”</i></p> <p>The Council disagrees with this comment, as this is a matter of personal preference to the writer.</p> <p>It is clear in the final sentence of paragraph 5.1.3 that the make up of the Development Team will vary depending on the nature of the proposal tabled. However, for clarity the Council agrees to add the following words to the final sentence of paragraph 5.1.3. “It comprises of representatives from</p> | <p><i>*Safer Communities Partnership,</i> <i>*Neighbourhood Improvement Strategic Partnership,</i> <i>*Environment Partnership,</i> <i>*Cultural Consortium,</i> <i>*Children and Young People’s Partnership,</i> <i>*Older People’s Partnership”</i></p> <p>Amend paragraph 4.1.2 of the SCI by adding an extra criterion as follows, <i>“Has the group, organisation or individual made a request to be kept informed about documents being produced as part of the LDF”</i></p> <p>No change to the SCI</p> <p>Amend the final sentence of paragraph 5.1.3 as follows, “It comprises of representatives from Council services, <i>typically planning, highways, housing</i></p> |

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| | | <p>Para. 5.1.5 – requires potential developers to send a letter to local residents, businesses, and people adjoining the proposed development, any other properties that could have a material interest in the development. It is considered that this list is too open and to avoid different interpretations of the requirements, guidelines need to be set out to make it clear who it is required to inform of a potential development via a letter.</p> <p>Para 5.1.5 – It is considered that more guidance is needed in the SCI to establish where a development is likely to be sensitive or controversial.</p> <p>The SCI needs to establish the weight afforded to public consultation in the assessment of development proposals</p> | <p>Council services, <i>typically planning, highways, housing strategy, parks and landscape, and heritage management</i>, and where necessary external organisations. However, the make up of the team will depend upon the nature of the proposal”</p> <p>Paragraph 5.1.5 intends to assist developers in undertaking pre application consultations. The Development Team will advise developers on how to conduct a consultation.</p> <p>The Development Team will advise whether they consider a scheme to be sensitive or controversial</p> <p>The Council cannot refuse to accept a valid application because it disagrees with the way in which a developer has consulted the community, but failure by the developer to consult could lead to objections being made which could be material to the determination. The aim of the process is to encourage discussion before a formal application is made and therefore to avoid unnecessary objections being made at a later stage.</p> | <p><i>strategy, parks and landscape, and heritage management</i>, and where necessary external organisations. However, the make up of the team will depend upon the nature of the proposal”</p> <p>No change to the SCI</p> <p>No change to the SCI</p> <p>Amend para 5.1.7 to include <i>“but failure by the developer to consult could lead to objections being made which could be material to the determination. The aim of the process is to encourage discussion before a formal application is made and</i></p> |

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| | | | | <i>therefore to avoid unnecessary objections being made at a later stage.</i> |
| 11.The Emerson Group | The methods of consultation to be employed are not suitable for the intended audience and the different stages in the preparation on LDDs | <p>Para. 5.1.5 – The scale of development is arbitrary and ambiguous in respect of non-residential development. Such schemes on allocated sites have already been subject of public scrutiny in respect of other stages in development plan preparation. This pre-application stage in respect of such sites should be omitted. Larger schemes on windfall sites would not have had such scrutiny and may warrant this exercise being undertaken. Some more definite scale in respect of non residential sites needs to be determined</p> <p>Amend the requirement in Para 5.1.5 to relate only to windfall housing sites not allocated in development plan documents.</p> | <p>The Council disagrees with this statement. Although some non-residential sites may have been subject of scrutiny in a development plan. Such scrutiny would be based on the principle of development and not the detailed proposal for a site.</p> <p>The Council does not agree with this statement for the reasons specified above.</p> | <p>No change to the SCI</p> <p>No change to the SCI</p> |
| 12. English Heritage | | No comments to make at this stage | Noted | No change to the SCI |
| 13. Government Office for Yorkshire and the Humber | | No further representations to make. However, Natural England is not listed as one of the consultation bodies. | Noted | Amend Appendix 4 by a) deleting The Countryside Agency and English Nature from the list of Specific Consultation Bodies and b) replacing with “Natural England” |
| 14. Highways Agency | | No further comments to make | Noted | No change to the SCI |
| 15. Lancashire County | | Do not wish to make any observations | Noted | No change to the SCI |

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| Council | | | | |
| 16. Mobility Planning Group | | <p>We would welcome discussion about how we can gain the effective engagement of older people and disabled people in consultations. Suggestions we would have include:</p> <ul style="list-style-type: none"> - Having longer timescales for consultation or at least advanced notice of the consultation period to allow planned consultation events to be organised - Using 'easy read' versions of documents this has proved helpful when trying to engage disabled people | <p>The Council also welcomes this discussion as part of an iterative process that seeks to continually improve consultation and engagement.</p> <p>This point is noted and where possible the Council will give advance notice of forthcoming consultations on LDF documents. In any event, it should be noted that the timetable for the production of documents (including likely timeframe for consultation) that make up the Council's LDF are identified in the Local Development Scheme (the Council's 3 year work rolling programme). This is published on the Council's website.</p> <p>Having said that when producing documents that make up the LDF the length of consultations prior to Preferred Options is at the discretion of the Council; as this is an informal stage in the process. However, once a document had reached Preferred Option the Council is tied to the formal 6 week consultation timeframe that is specified in the Town and Country Planning (Local Development) (England) Regulations 2004.</p> <p>Once the SCI is adopted the Council intends to produce an easy read version of the SCI. So that people will understand when and how the Council will engage with the community and interested parties on planning</p> | <p>No change to the SCI</p> <p>No change to the SCI</p> <p>Amend the SCI to include a further paragraph 1.2.10 in the introduction. This should read as follows, <i>Post Adoption As soon</i></p> |

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| | | <p>- Using existing groups used for consultation we can provide dates through the 'Older Peoples Consultation Diary'</p> <p>- Training and supporting older people and disabled people to be involved on consultation events so that they can discuss with others and seek feedback.</p> <p>Notes from item 3 of Mobility Planning Group meeting:</p> <p>- The SCI does not make easy reading and should have an easy read version</p> <p>- How can you make documents alive for disabled people?</p> | <p>applications and on documents that make up the LDF</p> <p>The Council will consult with existing groups in the production of documents that make up the LDF. This is explicit in paragraph 4.1.2 when deciding who to consult, and in Table 1 methods of consultation with reference to the use of Focus Groups</p> <p>The Council supports this view and will need to discuss this further with the Mobility Planning Group in the production of other LDF documents.</p> <p>See above comment and amendment to the SCI</p> <p>In terms of making document "alive", the Council will make documents available in different formats, for example, Braille, audio, etc. on request. This is referred to</p> | <p><i>as possible following adoption the Council will produce a easy read leaflet that will explain what the SCI is and how and when people can get involved in consultations on planning applications and documents that make up the LDF.</i></p> <p>No change to the SCI</p> <p>No change to the SCI</p> <p>See above comment and amendment to the SCI</p> <p>No change to the SCI</p> |

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| | | <ul style="list-style-type: none"> - It was pointed out that the Mobility Planning Group was consulted, but no document was received and Bradford Access Action was not consulted as it says they were. - Need a consultation that everyone understands and that the Inspector who is looking at comments to take them on board. - Need a document that creates inclusive equality and in various formats e.g. Braille so that it is suitable for everyone - Need to engage with real people and not just sending letters out to the usual suspects, from a database - Should consult with the over 50's as a third of the Bradford population is over 50. Civil servants do not know what questions to ask to make sure that it is inclusive. What networks do we need to engage with? | <p>in paragraph 4.6.3</p> <p>Bradford Access Action and the Mobility Planning Group were consulted in the production of the SCI. However, since this comment was made their contact details on the LDF database have been updated</p> <p>The Council will endeavour to make consultations easy for people to understand as possible</p> <p>Due to the costs involved, the Council will make documents available in different formats only on request.</p> <p>The Council will use an array of methods to engage with people (see table 1) but the method of consultation will vary depending on the document being produced and the stage that the document has reached in the LDF process. In any event, the sending of letters and emails to people who have requested that they be notified of documents being produced as part of the LDF is an effective method of consultation; despite the reservations raised.</p> <p>The most active group, historically to engage in development plan consultations are the over 50's. A number of older people's groups, for example, Bradford Older People's</p> | <p>No change to the SCI</p> <p>No change to the SCI</p> <p>No change to the SCI</p> <p>No change to the SCI</p> <p>No change to the SCI</p> |

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| | | Deadlines set in document are inappropriate i.e a maximum of six weeks for later stages of consultation, but for the first stage the Council decide how long to consult for. | Alliance, Age Concern and the Older People's Focus Group were consulted in the production of the submission SCI As mentioned above the timescales for consultation on the formal, later stages of LDF document production are determined by the Planning Regulations. | No change to the SCI |
| 17. Natural England | | Natural England has no comments to make except to point out that English Nature, The Countryside Agency and parts of the Rural Delivery Service have merged to form Natural England. Natural England is now the new statutory consultee | Noted | Amend Appendix 4 by a) deleting The Countryside Agency and English Nature from the list of Specific Consultation Bodies and b) replacing with "Natural England" |
| 18. Oxenhope Parish Council | | Oxenhope Parish Council welcome the draft statement as a document setting standards and good practice for consultation in the future. In particular the Parish Council is pleased to see that it is the Council's intention to include within this document the protocol for working with Parish and Town Councils. Paragraph 5.1.5 – The Parish Council would like to ensure that neighbouring Parish Councils are also informed of any planning matters that may affect their locality. We would also like to see the results of the monitoring of effectiveness feedback. | Noted The Council cannot insist that neighbouring Parish Councils receive pre application consultation but can recommend this where appropriate. In producing documents that make up the LDF the Council intends to produce a consultation event log, which will summarise feedback from people who | Supporting comment no change to the SCI No change to the SCI No change to the SCI |

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| | | | have, took part in a consultation. This will be placed on the Council's website. | |
| 19. Ramblers Association | Sound | No specific comments on the SCI other than a request to amend the contact details on the LDF records | Noted | Supporting comment no change to SCI |
| 20. Sport England | | No further comments to make | Noted | No change to the SCI |
| 21. Theatres Trust | | No further comments to make | Noted | No change to the SCI |
| 22. West Yorkshire Archaeology Advisory Service | | No comment other than a general support for the process | Noted | Supporting comment no change to SCI |
| 23. Yorkshire Forward | | No further comments to make | Noted | No change to the SCI |
| 24. Yorkshire and Humber Assembly | | No comments to make | Noted | No change to the SCI |

Further Changes to the Submission SCI

| Proposed Changes | Amendment to Submission Statement of Community Involvement |
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| 1. Appendix 4 needs to be updated to include newly formed Parish Councils | Amend the SCI by including the following Parish Councils under the list of Specific Consultation Bodies listed in Appendix 4, " <i>Baildon Parish Council, Harden Parish Council</i> " |
| 2. Appendix 4 needs to be updated to include the adjoining Regional Development Agency and North West Regional Assembly whom were omitted in error. | Amend the SCI by including the following organisations under the list of Specific Consultation Bodies listed in Appendix 4, " <i>North West Regional Assembly, Northwest Regional Development Agency</i> " |