



# The Planning Inspectorate

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Adam Paterson  
London Borough of Hackney  
Town Hall  
Mare Street  
London  
E8 1EA

Your Ref:

Our Ref: PINS/U5630/429/3

Date: 16<sup>th</sup> August 2006

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Dear Mr. Paterson,

## **LONDON BOROUGH OF HACKNEY STATEMENT OF COMMUNITY INVOLVEMENT EXAMINATION – INSPECTOR’S REPORT**

I am pleased to enclose two copies the draft report prepared by Inspector Wendy Burden following the written representations examination to consider the soundness of London Borough of Hackney Statement of Community Involvement.

On behalf of the Inspector I would like to thank your Authority for its assistance. I feel sure that this has helped the Inspector minimise the time taken to produce this report that in turn has made an effective contribution towards achieving the Inspectorate's objective of expediting its part of the overall Plan-preparation process.

Your Authority should now carry out a factual check of the draft report. Local Planning Authorities may request an amended report within 10 working days from the date of receipt of the Inspector’s draft report, although such amendments must be confined to matters of clarification, or omissions, which need to be resolved. The final report, with amendments from the draft where necessary, will be issued to you without additional charge to the LPA, within 20 working days of the Inspector being asked to consider any amendments. If you do not require clarification, would you please inform the Planning Inspectorate by the end of the 10 day period that you are prepared to accept the draft report as the final version.

The report will be binding upon the Local Planning Authority and will give specific recommendations as to how the Statement of Community Involvement must be changed. I would be grateful if you could notify the Inspectorate beforehand of the date on which the Inspector's final report is to be published. I also welcome, in due course, 2 copies of the adopted Statement of Community Involvement.



Yours sincerely

Albert Tyson  
Local Developments Framework Team

**INSPECTOR'S REPORT**  
**LONDON BOROUGH OF HACKNEY**  
**STATEMENT OF COMMUNITY INVOLVEMENT**

Inspector: Wendy Burden BA(Hons) DIPTP MRTPI

Date: August 2006.

## **Hackney Statement of Community Involvement (September 2005)**

### **INSPECTOR'S REPORT**

#### **Introduction**

- 1.1 An independent examination of the Hackney Borough Council 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 7 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 5 and clarification sought over the Council proposed changes. This correspondence 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 31 statements.
- 2.2 This test is met.

#### **Test 2**

- 3.1 Paragraph 3.1 of the SCI acknowledges that the LDF is a way of delivering the aims of the Community Strategy and the Local Strategic Partnership is included in the list of key stakeholders in paragraph 5.10. However the SCI does not acknowledge that consultation exercises could be shared between LDD consultation and Community Strategy review. As this matter was also of concern to Government Office for London the Council have suggested a suitable amendment to text in Appendix C of its Regulation 31 Statement.
- 3.2 Subject to the following recommendation, this test is met.

**R(1)** Insert the following text after the second sentence of paragraph 3.1.

"The Community Strategy will be the subject of re-consultation in 2006. The impacts of any amendments to the Community Strategy will be appraised in the Annual Monitoring Report and will feed through to

changes in LDF documents. Any consultation programmes scheduled during the same period as this or subsequent consultation periods will look to maximise efficiency through concurrent consultation programmes.”

### **Test 3**

- 4.1 The Council set out in paragraph 5.10 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. However it is not clear from this paragraph that the list of Key Stakeholders can be reviewed and that the Council holds a wider database of consultees (although this is referred to in Appendix 1 of the SCI) that could be consulted where appropriate. I recommend an insertion into the text to address this concern. Furthermore a number of representors seeking a change to the document have asked to be included as Key Stakeholders. I am content that following my suggested change to paragraph 5.10 these concerns are overcome.
- 4.2 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.
- 4.3 Subject to the following recommendation, this test is met.

**R(2)** Add the following text to the end of paragraph 5.10 of the SCI:

"Please note these lists also relate to successor bodies where re-organisations occur.

5.11 Where appropriate the Council will include other relevant organisations and individuals in these initial consultation exercises. The Council maintains a database of consultees for use in all stages of consultation.”

Amend paragraph numbering accordingly.

### **Test 4**

- 5.1 Sections 5 and 6 show that the Council will involve and inform people from the early stages of DPD preparation and Section 6 together with Appendix 4 sets out the range of methods the Council will employ to do this. Paragraph 5.10 shows that consultation will take place with the key stakeholders during the issues and options stage of DPD production; this is 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 Section 5 sets out the methods that the Council propose to use to involve the community and stakeholders. These cover a number of recognised consultation techniques that will present information using a range of different media. The Council in section 6.6 to 6.19, acknowledges the benefits and disadvantages of the different methods of consultation and indicates at what stages of LDD preparation the various methods might be employed. The Council clarify in paragraph 6.3 and its associated table, and figure 2 page 10 the stages at which consultation will take place and who will be consulted at those stages.
- 6.2 The SCI acknowledges that the Council may have to provide extra support to facilitate consultation with certain groups or individuals, and sets out in Section 4 the range of communities resident in Hackney and the challenges they face in terms of involvement. Rather than set out a specific program of consultation to engage these communities, the SCI intends to ensure through careful monitoring of participation, set out in appendices 5 and 6, that its consultation procedures engage these groups, which I find a commendable approach. However there is not a statement in the SCI explaining how the Council will make information and documentation accessible to all members of society, and I recommend an insertion to the SCI below.
- 6.3 Subject to the following recommendation, this test is met.

**R(3)** Display prominently on the rear cover of the SCI the Council's standard translation service message as set out in Appendix B to this report

### **Test 6**

- 7.1 Section 8 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.
- 7.2 This test is met.

### **Test 7**

- 8.1 Section 7 explains how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council propose to prepare reports at the end of consultation periods explaining how views have been considered and documents changed in light of community involvement. The SCI states at the end of paragraph 7.2 where and how these reports can be accessed.
- 8.2 This test is met.

## **Test 8**

- 9.1 Paragraph 1.3 explains that the SCI will be formally reviewed annually as part of the Annual Monitoring report and these reports will inform a 3 year fundamental review. The SCI also contains in appendices 5 and 6 forms for monitoring the effectiveness of community engagement exercises. I am therefore satisfied that the Council has mechanisms for reviewing the SCI and has identified potential triggers for its review.
- 9.2 This test is met.

## **Test 9**

- 10.1 The SCI at paragraphs 5.22 to 5.28 and Appendix 3 clearly describes the Council's policy for consultation on planning applications. Section 6 of Appendix 3 meets the minimum requirements and Appendix 3 as a whole provides for additional methods of consultation. The appendix also differentiates between procedures appropriate to different types and scale of application, and includes information on how consultation results will inform decisions. Paragraphs 5.23 -5.29 sets out the Council's approach to pre application discussions.
- 10.2 However the SCI does not adequately deal with the question of how the results of consultation will be reported and how these results will be used to inform the decision making process. Furthermore the SCI does not 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 recommend amendments to text below to address these concerns.
- 10.3 Subject to the following recommendation, this test is met.

**R(4)** Add to Section 5 of the SCI after paragraph 5.28 "The results of any such consultation will be reported and taken into account in decisions made by, and on behalf of, the Council."

**R(5)** Add to the end of paragraph 5.24 "Bodies such as English Nature will be allowed a longer period of time to comment on applications where this is prescribed by legislation."

## **Conclusion**

- 11.1 The Council has set out in Appendix C of its Regulation 31 statement, a number of proposed changes to the SCI in response to representations received on the submission document, these changes being further clarified in an email of 7 July. It has also submitted a number of minor changes concerning the accuracy of e-mail addresses in an e-mail of 21 June. I have used the text of one of these proposed changes in one of my recommendations concerning test 2. Other than that these suggested amendments

do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore agree that they be included. The relevant correspondence is appended to this report.

- 11.2 Whilst I have attempted to identify as many consequential amendments as possible that may follow from my recommendations, it is likely that issues of consistency may arise. In the event of any doubt, please note that I am content for such matters, plus any minor spelling, formal, grammatical or factual matters to be amended by the Council, so long as this does not affect the substance of the SCI.
- 11.3 The Council should remove all references to previous stages of this document and replace any preface containing such references with a statement of adoption.
- 11.4 Subject to the recommendations set out in this report, the Hackney SCI (September 05) is sound.

**R(6)** Remove all reference to previous stages of the SCI.

*Wendy Burden*

BA(Hons) DIPTP MRTPI

Inspector

## **APPENDIX A**

### **TESTS OF SOUNDNESS**

#### **Examination of the soundness of the statement of community involvement**

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

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;<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



# The Planning Inspectorate

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Adam Paterson  
London Borough of Hackney  
Town Hall  
Mare Street  
London  
E8 1EA

Your Ref:

Our Ref: PINS/U5630/429/3

Date: 5<sup>th</sup> July 2006

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### LONDON BOROUGH OF HACKNEY - STATEMENT OF COMMUNITY INVOLVEMENT

Dear Mr.Paterson,

As the appointed Inspector for your Authority's Statement of Community Involvement I am requesting comments from the Council on the following points in order to assist in assessing the soundness of London Borough of Hackney's Statement of Community Involvement.

1. In appendix C of its Regulation 31 statement, it response states that it will be more explicit in section 7.1 about consultation reports for LDDs, but has not set out any precise amendments to text - could the Council please do this.
2. In relation to test v the Council have not included a statement in the SCI concerning the translation/availability of LDF documents into other languages. Could the Council either provide such a statement or indicate a suitable point of contact for such facilities.

These answers are to assist in the production of a binding report. Once you have submitted your response to these questions, the report will be produced as quickly as possible. Please reply to Steve Carnaby whose details are given above. Thank you for your assistance in this matter.

Yours sincerely,

Keith Holland BA(Hons) Dip TP MRTPI ARICS

Original Message-----

**From:** Adam Paterson [mailto:Adam.Paterson@Hackney.gov.uk]

**Sent:** 07 July 2006 09:59

**To:** Carnaby, Stephen  
**Subject:** RE: Inspector queries re your SCI.

In response to the Inspector's queries please find our suggested amendments below:

1. At section 7.1 the text should be amended from "The Council has a clear commitment to informing the community about the results of consultation. Once the consultation period for any LDD is complete and the document re-drafted the results from the process will be presented along with the changes as part of the Cabinet report." to "The Council has a clear commitment to informing the community about the results of consultation. Once the consultation period for any LDD is complete and the document re-drafted the results of the consultation will be presented along with the amended document as part of the Cabinet report. The results of the consultation, in the form of a consultation report, will include reference to the key issues raised and the Council's response to each issue."

2. The final copy of the SCI (as with all our final LDF documents) will include a translation page at the rear of the document as standard. The form of the translation page can be seen in the attached Affordable Housing SPD on page 12.

I hope these amendments satisfy the Inspector's queries. If there are any further queries please don't hesitate to contact me.

As per our telephone discussion please find below some minor amendments to web addresses to ensure they are still operative:

Page 9 - Replace at 5.3 "<http://www.hackney.gov.uk/planning-policy-lds>." with "<http://www.hackney.gov.uk/ep-policy-lds>."

Page 13 - Replace at 5.26 "Guidelines for consultation on major applications are outlined in a guidance note which is provided both on the internet<sup>9</sup> and during the initial discussions between Council officers and the applicant (attached as Appendix 2)." with "Guidelines for consultation on major applications are provided in our pre-application pack which is available both on the internet<sup>9</sup> and during the initial discussions between Council officers and the applicant (also attached as Appendix 2).", and

Replace footnote "<http://www.hackney.gov.uk/planning-consult-dc.htm>" with "<http://www.hackney.gov.uk/ep-pre-app-major-comm-consult.htm>"

Adam Paterson  
Planner  
Environment Directorate

Phone: 0208 356 8266

## Extract from Hackney Affordable Housing SPD

# TRANSLATION

This document provides information about the Hackney Local Development Framework. Why not ask a friend to translate it for you? Or, if you would like a copy in your own language, write your name and address clearly in the box below, tick here  and return to the address below.

এই দলিলে হ্যাকনির স্থানীয় উন্নয়ন কাঠামো সম্পর্কে তথ্য রয়েছে। এটিকে অনুবাদ করে দিতে কেন আপনি আপনার একজন বন্ধুকে বলছেন না? অথবা, যদি এর এক কপি আপনি আপনার নিজের ভাষায় চান, তাহলে नीचेर बाखे स्पष्ट करे आपनार नाम ऽ ठिकाना लिखुन, এখানে টিক দিন  এবং नीचेर ठिकानায় ফেরৎ পাঠান। (Bengali)

本文件提供有關海克尼地方發展架構的資料，何不請朋友給你把它翻譯？又或者若你想取得以你母語撰寫的版本，請在以下空格清楚填寫你的姓名和地址，並在這裏  一劃，然後寄交以下地址。(Chinese)

Ce document fournit les informations sur le Cadre de Travail du Développement Local d'Hackney. Pourquoi ne pas demander à un ami de le traduire pour vous ? Si vous souhaitez en obtenir une copie dans votre langue maternelle, vous pouvez également écrire lisiblement vos nom et adresse dans la boîte ci-dessous, cocher cette case  et nous retourner ce document à l'adresse indiquée ci-dessous. (Français)

Este documento contiene información sobre el Marco de Desarrollo Local de Hackney. ¿Por qué no le pide a un amigo que se lo traduzca? O, si desea recibir una copia en su propio idioma, escriba claramente su nombre y dirección en el cuadro inferior destinado a ello, marque esta casilla  y envíe el formulario a la dirección de más abajo. (Spanish)

આ લેખમાં હેકની સ્થાનિક વિકાસ માળખા [Hackney Local Development Framework] વિષે માહિતી આપવામાં આવેલ છે. તમારા કોઈ મિત્રને તેની અનુવાદ કરવા પૂછી તો જુઓ? અથવા જો તમારે આની એક નકલ તમારી ભાષામાં જોતી હોય તો તમારો નામ અને સરનામું લીધેલાં ખાલામાં સ્પષ્ટ રીતે લખો, અહીં  ટિકનું ચિહ્ન કરો અને લીધે આપેલ સરનામે પરત મોકલો. (Gujarati)

ਇਹ ਦਸਤਾਵੇਜ਼ ਹੈਕਨੀ ਦੀ ਸਥਾਨਕ ਵਿਕਾਸ ਫਰੇਮਵਰਕ [Hackney Local Development Framework] ਬਾਰੇ ਜਾਣਕਾਰੀ ਮਹੱਈਆ ਕਰਦਾ ਹੈ। ਅਪਣੇ ਦੋਸਤ/ਸਹੋਦੀ ਨੂੰ ਇਸਦਾ ਅਨੁਵਾਦ ਕਰਨ ਲਈ ਕਿਉਂ ਨਹੀਂ ਕਹਿੰਦੇ ? ਜਾਂ, ਜੇ ਤੁਸੀਂ ਇਸਦੀ ਇੱਕ ਕਾਪੀ ਆਪਣੀ ਭਾਸ਼ਾ ਵਿੱਚ ਚਾਹੁੰਦੇ ਹੋ, ਤਾਂ ਹੇਠਾਂ ਦਿੱਤੇ ਖਾਨੇ ਵਿੱਚ ਆਪਣਾ ਨਾਂ ਅਤੇ ਪਤਾ ਸਾਫ਼-ਸਾਫ਼ ਲਿਖੋ। ਇੱਥੇ  ਨਿਸ਼ਾਨ ਲਗਾਓ ਅਤੇ ਹੇਠਾਂ ਦਿੱਤੇ ਪਤੇ 'ਤੇ ਵਾਪਸ ਭੇਜੋ। (Punjabi)

Dokumentiga wuxu ku siinayaa warbixin ku saabsan Qaabka Horumarinta Deegaanka Hackney [Hackney Local Development Framework]. Maad weydiisatid saaxib inuu kuu tarjamo? Ama, haddaad jeclaan lahayd nuqul luqaddaada ah si cad ugu qor magacaaga iyo cinwaankaaga sanduuga hoose, calaamadi halkaan  u soo Celina cinwaanka hoose. (Somali)

Bu belge Hackney Local Development Framework (Hackney Yerel Gelişim/Kalkınma Çerçevesi) hakkında bilgi sunmaktadır. Neden bir arkadaşınızdan bu belgeyi sizin için tercüme etmesini istemiyorsunuz? Veya bu belgenin kendi dilinize tercüme edilmiş kopyasını edinmek istiyorsanız, adınızı ve adresini aşağıdaki kutuya açık şekilde yazıp burayı  işaretledikten sonra belgeyi aşağıdaki adrese gönderin. (Turkish)

یہ دستاویز ہیکنی مقامی ترقیاتی ڈھانچہ [Hackney Local Development Framework] کے بارے میں معلومات فراہم کرتی ہے۔ آپ اسے کسی دوست سے کیوں نہیں کہتے کہ وہ آپ کے لیے اس کا ترجمہ کر دے؟ یا اگر آپ کو اپنی ہی زبان میں اس کی نقل چاہئے تو براہ کرم درج ذیل خانے میں صاف صاف اپنا نام اور پتہ لکھیں، یہاں  نشان لگائیں اور اسے درج ذیل پتے پر واپس کریں۔ (Urdu)

Tài liệu này cung cấp thông tin về [Hackney Local Development Framework] (Phức họa về Phát triển Địa phương tại Hackney). Tại sao không nhờ một người bạn dịch giúp? Hoặc, nếu bạn muốn một bản bằng ngôn ngữ của mình, viết tên và địa chỉ rõ ràng vào ô dưới đây, đánh dấu vào hộp này  và gửi lại theo địa chỉ sau. (Vietnamese)

NAME

ADDRESS

POSTCODE

TELEPHONE NUMBER

Please send to: FREEPOST NAT 18925, Planning Policy Team, London E8 1BR. Tel.020 8356 8046

## **APPENDIX C – COUNCIL’S PROPOSED CHANGES**

## APPENDIX C

Issue	Response
Would like to be added to General Consultees list (5.10)	Suggest amendment made in section 5.10
Should be consulted on any applications that may 'affect' the Park under the terms of Section 14 of the Park Act 1966	Suggest amendment made in Appendix 3, Section 4
Thresholds defined for consultation on planning applications	Not considered appropriate that Asset Management section of the Metropolitan Police is included in guidance as 'Design Out Crime' issues are already addressed through consultation with Local Police. The Council will also meet with them separately to discuss their planning issues in Hackney.
Would like to be added to General Consultees list (5.10)	Asset Management Section of Metropolitan Police Authority not considered appropriate to include in this list as their input is likely to be only provided from a property management perspective. The Council will also meet with them separately to discuss their planning issues in Hackney.
The SCI does not include any obvious link with the Community Strategy or other strategies prepared by the Council. It is important that it should do so as the LDF is simply one aspect of the Council's overall strategy and it should have clear links with the other documents. Also, it would be helpful if the SCI were to indicate whether there is scope for linked consultation on the Community Strategy and (eg) the Core Strategy of the LDS. Not only is there a logic in doing this, but it would help to safeguard against excessive rounds of consultation with the same bodies and individuals.	Links could be improved by adding the following text: The Community Strategy will be the subject of re-consultation in 2006. The impacts of any amendments to the Community Strategy will be appraised in the Annual Monitoring Report and will feed through to changes in LDF documents. Any consultation programmes scheduled during the same period as this or subsequent consultation periods will look to maximise efficiency through concurrent consultation programmes.
The SCI largely complies with test (iii), but in terms of consultation on the LDF, it might be helpful if (apart from the key consultation bodies) the Council indicated that it would ask other bodies if they wished to be general consultation bodies. The value of this approach is that it avoids the need to re-consult, at a later stage, those bodies that did not respond at the earlier stage.	The list of General Consultation bodies in section 5.10 will be kept under review and, if other consultees are identified whose inclusion in the list is appropriate they will be identified through the AMR and subsequent SCI review.
In terms of resources, the SCI mentions the amount of resources potentially needed for each form of consultation. However, it does not go beyond that in indicating the amount resources available and then drawing conclusions about the extent of consultation that will actually be undertaken.	Suggest that detailed budget information should not be included in SCI. Consultation will be budgeted for on an estimate of need derived from the LDS. Council will also use past experience to improve future efficiency of consultation on LDF documents.
The SCI does set out the fact that the results of LDF and planning application consultations will be fed back to consultees. However, the intention of this test is that the SCI also makes clear that consultees will be informed how the views expressed on a plan or application have affected the decision made by the Council. Clearly, this is the Council's intention as is the documents submitted with this draft SCI show that the consultation responses on the previous draft of the SCI have been carefully considered so it is simply a matter of making an explicit reference to this fact. We do appreciate that it would be impracticable to provide detailed information in this respect on every planning application, but for major developments and for LDDs, it is important that consultees can see that their views were taken seriously.	LDDs will be accompanied by consultation reports following a consultation period which will detail issues raised and the Council's response to those issues. This can be made more explicit in section 7.1.