

INSPECTOR'S REPORT
NEW FOREST NATIONAL PARK AUTHORITY
STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: David Robins BA PhD FRTPI

Date: 24th January 2007

New Forest National Park Authority Statement of Community Involvement (October 2006)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the New Forest National Park Authority Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (the Act), as applied by s18(4) of the Act.
- 1.2 Section 20(5) indicates the two purposes of the independent examination in parts (a) and (b). With regard to part (a) I am satisfied that the SCI satisfies the requirements of the relevant sections of the Act, in particular that its preparation has accorded with the Local Development Scheme as required by s19(1) of the Act.
- 1.3 Part (b) is whether the SCI is sound. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.4 A total of 41 representations were received, all of which have been considered. The Authority 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 Authority in relation to Tests iii and v and this information is contained in Appendix B to this Report.

Test 1

- 2.1 The Authority has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004.
- 2.2 This test is met.

Test 2

- 3.1 As a special purpose local authority the New Forest National Park Authority does not prepare a Community Strategy. It is, instead, required by the Environment Act 1995 to produce a Management Plan for the area.

- 3.2 The New Forest National Park Authority interim Management Plan, 'The Strategy for the New Forest' (2003) sets out the vision for the Authority and is discussed in Section 4 of the SCI.
- 3.3 Paragraphs 4.9 – 4.14 provide details on how the Authority will address matters arising from other Community Strategies which cover the area of the National Park and which have spatial or land use implications for the National Park.
- 3.4 I am satisfied that the Authority recognises the links between the strategies, the Local Development Documents (LDDs) and the associated consultation exercises.
- 3.5 This test is met.

Test 3

- 4.1 The Authority has set out in Annex B and Annex C of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E apart from the Government departments listed in that Annex and I therefore recommend as follows:

(R1) Add the following to Annex B under a sub-heading entitled Government Departments:

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

- 4.2 It is stated in Policy SCI-11 that the Authority holds a database of consultee details. The Authority were asked to provide information that would enable an individual or organisation to be added to this database and I recommend that their response be inserted into the SCI:

(R2) Insert the following between Paragraphs 3.1 and 3.2:

“The National Park Authority is developing a database of Local Development Framework consultees, and this will be updated where necessary. The Authority is keen to hear from other organisations that wish to be involved in the process, and will be happy to add these contacts to its database on request. Please contact the Policy

and Plans Team at policyandplans@newforestnpa.gov.uk or 01590 646600 if you wish to be added to the database of consultees." Additionally, insert the following to the end of the first paragraph of Annex C:

"Please contact the Policy and Plans Team at policyandplans@newforestnpa.gov.uk or 01590 646600 if you wish to be added to the database of consultees."

- 4.3 The Authority also state in Annex B that they will consult with additional local stakeholders where appropriate.
- 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.

(R3) Insert the following at the beginning of Annex B:

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

Additionally, as the re-organisation of English Nature and the Countryside Agency has taken place remove the text in brackets after Natural England.

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

Test 4

- 5.1 Sections 7 and 8 of the SCI shows that the Authority will involve and inform people from the early stages of LDD preparation and Annex D sets out the range of methods the Authority will employ to do this. The Authority clarifies in this Section and Annex D the stages at which consultation will take place and who will be consulted at those stages. It shows that consultation will take place with the key stakeholders during the issues and options stage of Development Plan Document (DPD) and Supplementary Planning Document (SPD) 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 Annex D sets out the methods that the Authority propose to use to involve the community and stakeholders. These cover a range of recognised consultation techniques that will present information via a range of different media. The Authority indicates through Annex D at what stages of LDD preparation the various methods might be employed.
- 6.2 The SCI should acknowledge that the Authority may have to provide extra support to facilitate consultation with certain groups or individuals and the Authority were asked to provide additional text to address this issue and to confirm their compliance with the requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995. Their response is given below and I recommend that it be inserted into the SCI.

(R4) Insert the following to Paragraph 7.3:

“The New Forest National Park has a population of approximately 34,000, distributed between the larger villages (Ashurst, Brockenhurst, Lyndhurst and Sway) and the more dispersed settlements. Community involvement within the National Park must seek to engage with a diverse range of groups.

The New Forest National Park was formally created in March 2005 (assuming its planning responsibilities in April 2006) and is therefore still in its infancy as a planning authority. The National Park Authority is however committed to improving opportunities for ‘hard to reach groups’. This is reflected in the Authority’s adopted Corporate Plan for 2006 – 2008, which includes the commitment to prepare an ‘outreach strategy’ which will identify hard-to-reach audiences.

It is clear that in order to reach the communities in the National Park a range of consultation arrangements will be required. Consultation with the National Park’s communities will aim to take advantage of existing consultation arrangements which provide a focus for local engagement in the planning process. The National Park Authority is represented on the New Forest District Local Strategic Partnership and this provides a useful link to a range of community groups and the development of the Community Strategy. The New Forest Consultative Panel is a discussion forum that brings together over 80 voluntary and statutory organisations in the New Forest, representing a range of interests. The Consultative Panel will continue to be used to present planning issues for debate to a wider audience.”

Additionally add as a new paragraph, Paragraph 7.5 the following:

“The National Park Authority will take appropriate steps to cater for hard to reach groups, including:

- ensuring all venues are accessible for disabled people;
- offering translation services and the provision of documentation in different languages and also in other formats such as large copy print, Braille audio cassette or CD;
- providing facilities for the hearing impaired when appropriate.

The requirements of relevant legislation, including the Race Relations (Amendment) Act 2000 and the Disability Discrimination Act (Amendment) Act 1995 will be met.”

- 6.3 Local Development Framework (LDF) documentation should be made available in alternative formats where requested, and the SCI should explain how these can be obtained. I therefore recommend accordingly.

(R5) Add as a new paragraph, Paragraph 2.10 to read:

“This and other LDF documents are also available in large copy prints, audio cassette, CD, Braille or languages other than English. If you require the document in one of these formats please contact the National Park Authority whose details are given on the Contents page of the SCI.”

Additionally, amend the box on the Contents page so that the last sentence in this box reads as follows:

“This document is available, on request, in large copy prints, audio cassette, CD, Braille or languages other than English”

- 6.4 As a result I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.
- 6.5 Subject to the recommendations above, this test is met.

Test 6

- 7.1 Section 10 of the SCI explains how the Authority will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. I am satisfied that the Authority is alert to the resource implications of the SCI.
- 7.2 This test is met.

Test 7

- 8.1 Paragraph 8.6 explains how the results of community involvement will be taken into account by the Authority and used to inform decisions. The Authority also proposes to prepare reports at the end of the consultation period explaining how views have been considered and documents changed in light of the community involvement. The SCI states in this paragraph where these will be made publicly available.
- 8.2 This test is met.

Test 8

- 9.1 Section 9 of the SCI explains that the Authority will monitor and review the SCI, which will be formally reviewed as part of this process and reported on through the Annual Monitoring Report.
- 9.2 I am satisfied that the Authority has mechanisms for reviewing the SCI and has also identified potential triggers for the review of the SCI.
- 9.3 This test is met.

Test 9

- 10.1 The SCI at Section 11 describes the Authority's policy for consultation on planning applications. Paragraph 11.3 and Policy SCI-12 meet the minimum requirements and provide details of additional methods of consultation and distinguish 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.

(R6) Insert the following to the end of Paragraph 11.7:

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

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.

(R7) Insert the following after the second sentence of Paragraph 11.6:

“The standard period for comments on planning applications is 21 days, 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 recommendations above, this test is met.

Conclusions

11.1 The Authority has set out in its Regulation 31 Statement a number of proposed changes to the SCI in response to representations received on the submission document. These suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore agree that they be included and list them as recommendations below:

(R8) Add the following bodies to the list of consultees in Annex C:

“Hampshire and Isle of Wight Wildlife Trust
Wiltshire Wildlife Trust
RSPB
Hampshire County Council – Gypsy and Traveller Unit
Wiltshire County Council – Gypsy and Traveller Unit”

Add the following body to Annex B:

“RWE Npower PLC”

(R9) Add the following text to the last sentence of both Paragraphs 2.4 and 4.1:

“....and must have regard to any relevant policies or proposals in the Regional Spatial Strategy for the South West.”

(R10) Add the following wording after Paragraph 11.3:

"The New Forest National Park includes 18 Conservation Areas and 634 listed buildings. The Planning (Listed Buildings and Conservation Areas) Act 1990 states that where an application for planning permission would affect a listed building or its setting, or is in a Conservation Area, the Authority will publish a local press notice and public notice on or near the land, giving 21 days for comments to be made."

(R11) Add the following to the beginning of Annex C:

"Annex C sets out a broad list of consultees that the National Park Authority will seek to involve in the planning process (please note that this is not a definitive list)."

11.2 There is an error in Figure 3.1 which details the process of the Statement of Community Involvement and I recommend the following change to this figure.

(R12) The Authority should amend Figure 3.1 to make it clear that the consultations undertaken under Regulation 25 and 26 are two discrete stages of consultation.

11.3 In the event of any doubt, please note that I am content for such matters such as any minor spelling, grammatical or factual matters to be amended by the Authority, 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, the New Forest National Park Authority SCI (October 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
NEW FOREST NATIONAL PARK AUTHORITY
APPENDIX B – CORRESPONDENCE



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Your Ref:

Our Ref: PINS/B1740429/3

Date: 8th January 2007

NEW FOREST NATIONAL PARK AUTHORITY - STATEMENT OF COMMUNITY INVOLVEMENT

Dear Ms. Applegate

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 New Forest National Park Authority's Statement of Community Involvement.

Test iii

Could the Authority please provide information that would enable an individual or organisation to be added to the database of consultee details?

Test v

Could the Authority please provide text that deals with the 'hard to reach' groups within the Authority's area and also provide information on how the Authority proposes to engage with these groups? Additionally could the Council provide a clear and unambiguous statement on how they propose to meet the requirements of the Race Relation Act 2000 and Disability Discrimination Act 1995?

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

Keith Holland BA(Hons) Dip TP MRTPI ARICS

Stephen Carnaby
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Our ref : 3/7/3.15 - SCI
Your ref: PINS/B1740429/3

22 January 2007

Dear Mr Carnaby

NEW FOREST NATIONAL PARK AUTHORITY STATEMENT OF COMMUNITY INVOLVEMENT

Please find below the New Forest National Park Authority's response to the issues raised by the Inspector appointed to examine the Authority's Statement of Community Involvement.

Test iii – Could the Authority please provide information that would enable an individual or organisation to be added to the database of consultee details?

The Authority accepts the need for additional text to provide details on the consultee database. The proposed text could be inserted between paragraphs 3.1 and 3.2 of the Submission draft Statement of Community Involvement.

The National Park Authority is developing a database of Local Development Framework consultees, and this will be updated where necessary. The Authority is keen to hear from other organisations that wish to be involved in the process, and will be happy to add these contacts to its database on request. **Please contact the Policy and Plans Team at policyandplans@newforestnpa.gov.uk or 01590 646600 if you wish to be added to the database of consultees.**

In addition, the proposed text below could be added to the end of the first paragraph in Annex C.

Please contact the Policy and Plans Team at policyandplans@newforestnpa.gov.uk or 01590 646600 if you wish to be added to the database of consultees.

Test v – Could the Authority please provide text that deals with 'hard to reach groups' within the Authority's area and also provide information on how the Authority proposes to engage with these groups?

There is some existing information within the Submission draft document that covers 'hard to reach groups'. Paragraph 7.3, for example, outlines the

role of Planning Aid South in assisting in the understanding of planning issues. The Authority's consultation database also includes representative bodies of harder to reach groups including the elderly, disabled people and the gypsy and travelling community. However, the Authority accepts the need to provide additional, consolidated information on 'hard to reach groups' and the following text is proposed.

The New Forest National Park has a population of approximately 34,000, distributed between the larger villages (Ashurst, Brockenhurst, Lyndhurst and Sway) and the more dispersed settlements. Community involvement within the National Park must seek to engage with a diverse range of groups.

The New Forest National Park was formally created in March 2005 (assuming its planning responsibilities in April 2006) and is therefore still in its infancy as a planning authority. The National Park Authority is however committed to improving opportunities for 'hard to reach groups'. This is reflected in the Authority's adopted Corporate Plan for 2006 – 2008, which includes the commitment to prepare an 'outreach strategy' which will identify hard-to-reach audiences.

It is clear that in order to reach the communities in the National Park a range of consultation arrangements will be required. Consultation with the National Park's communities will aim to take advantage of existing consultation arrangements which provide a focus for local engagement in the planning process. The National Park Authority is represented on the New Forest District Local Strategic Partnership and this provides a useful link to a range of community groups and the development of the Community Strategy. The New Forest Consultative Panel is a discussion forum that brings together over 80 voluntary and statutory organisations in the New Forest, representing a range of interests. The Consultative Panel will continue to be used to present planning issues for debate to a wider audience.

The National Park Authority will use the Authority's website as an accessible means of providing copies of consultation documents, response forms and information on the stages of production. The National Park Authority also publishes the 'Park Life' magazine which is distributed to every household within the National Park. The Authority will use this publication to inform residents of relevant

Could the Authority provide a clear and unambiguous statement on how they propose to meet the requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995?

As is outlined above, the New Forest National Park Authority assumed its planning responsibilities in April 2006. As a new authority, the National

Park Authority is therefore in a different position to other authorities where existing strategies with regard to race relations and disabilities are in place. The Authority is currently working with external parties on a Disability Equality Scheme, with the aim being to complete this by the end of April 2007. This will meet the requirements of the Disability Discrimination Act 1995. The Authority will ensure the involvement of different racial groups within the planning process.

The Authority acknowledges that as a planning authority, it must meet the requirements of the Race Relations Act 2000 (paragraph 3.7 of PPS12). The following statement is proposed for inclusion.

The National Park Authority will take appropriate steps to cater for hard to reach groups, including:

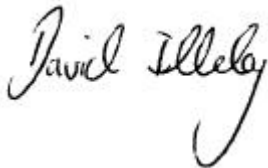
- ensuring all venues are accessible for disabled people;
- offering translation services and the provision of documentation in different language and in Braille;
- providing facilities for the hearing impaired when appropriate.

The requirements of relevant legislation, including the Race Relations (Amendment) Act 2000 and the Disability Discrimination Act (Amendment) Act 1995 will be met.

The Authority also has a number of representative bodies of race relations and disabled groups included on the Local Development Framework consultation database including the Commission for Racial Equality; the Disability Right Commission; the Disabled Persons Transport Advisory Committee; Equal Opportunities Commission; The Showman's Guild for Great Britain; Gypsy and Traveller Law Reform Council; and the Gypsy Council.

I hope that this information satisfies the Inspector's questions, but please do not hesitate to get back to me with any further queries you may have.

Yours sincerely



David Illsley
Planning Policy Officer