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Steve Turner
Torbay Council
Community Services
Roebuck House
Abbey Road
Torquay
Devon

Your Ref:

Our Ref: LDF 653

Date: 22nd March 2007

Dear Steve,

TORBAY COUNCIL - STATEMENT OF COMMUNITY INVOLVEMENT EXAMINATION – INSPECTOR'S REPORT

I am pleased to enclose two copies the draft report prepared by Inspector David Robins BA PhD FRTPI following the written representations examination to consider the soundness of Torbay Council's 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

Miss T Clinton
Local Developments Framework Team

INSPECTOR'S REPORT
TORBAY COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: David Robins BA PhD FRTPI

Date: 22nd March 2007

Torbay Council Statement of Community Involvement (November 2006)

INSPECTOR'S REPORT

Introduction

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

Test 1

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

Test 2

- 3.1 Section 2 of the SCI acknowledges that the LDF is a way of delivering the aims of the Torbay Community Plan and states that the Council will work with the Torbay Strategic Partnership to make sure that the content of the two documents complement each other and to avoid the duplication of consultation exercises (Paragraph 2.7). The SCI also makes reference to other community strategies (Paragraph 2.10), such as the Local Compact 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 2 A of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. It is stated at the end of Appendix 2 B of the SCI that the Council holds a database of consultee details and that this will be updated as necessary. Furthermore, the Council states in Paragraph 4.1 that it will consult with additional local stakeholders where appropriate.

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.

(R1) Insert the following to the beginning of Appendix 2 A:

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

Additionally, remove references to the Strategic Rail Authority from Appendix 2A and remove the Countryside Agency and English Nature from both Appendix 2 A and 2B. These bodies should be replaced by Network Rail in Appendix 2A and Natural England in Appendix 2A and 2B.

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

Test 4

5.1 Paragraphs 4.17- 4.19 of the SCI show that the Council will involve and inform people from the early stages of Local Development Document (LDD) preparation and Figure 4.5 sets out the range of methods the Council will employ to do this. The Council clarifies in Paragraphs 4.17 – 4.19 the stages at which consultation will take place and who will be consulted at those stages.

5.2 In order that it is clear that the SCI 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 I have the following recommendation to make.

(R2) Amend the penultimate sentence of the first bullet point in Paragraph 4.17 to read:

"Consultation will take place with the statutory consultees and also focus on a number of key interest groups which will vary according to the nature of the Local Development Document in question."

5.3 There is a typographical error in the Stage 5 bullet point of Paragraph 4.17 that needs correction.

(R3) Amend the eighth sentence of this bullet point to read:

“The Council will adopt the submitted DPD as recommended by this report.”

5.4 With regard to Figure 1.3 there are some amendments that need to be made so that the figure is suitable for inclusion in the adopted document in the event of any future review of the SCI.

(R4) As there is no requirement for a Pre-Examination Meeting for SCI’s remove reference to this stage from Figure 1.3.

Regulation 25 and 26 are shown as one discrete stage. This is incorrect and Figure 1.3 should be amended to show that the two are separate stages of consultation.

5.5 As a result, I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.

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

Test 5

6.1 Figure 4.5 of the SCI sets 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 indicates through this figure at what stages of LDD preparation the various methods might be employed.

6.2 The SCI acknowledges at Paragraphs 4.4 – 4.5 that the Council may have to provide extra support to facilitate consultation with certain groups or individuals and proposes (in Appendix 4) how it might do this. Paragraph 4.10 and Appendix 4 explain how the Council will make its information accessible to all members of society and sets out how it will meet 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 3 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 The SCI should provide a clear indication of how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council was asked to provide additional text to address this matter. This additional information should also explain how the Council proposes to prepare reports at the end of the consultation periods, explaining how views have been considered and documents changed in light of the community involvement and where these will be made publicly available. The Council's response is given below and I recommend that it be inserted into the SCI.

(R5) Insert the following to the orange text box below Stage 2 in Paragraph 4.17:

"After each consultation stage:

- The Local Planning Authority will consider carefully all representations received and use them as a basis for amending and improving the relevant DPD or SPD
- Statements of consultation and representations will be produced which provide details of consultations undertaken, the number and type of representations received, the Local Planning Authority's response, and the actions it proposes to take in relation to specific sections of text, policies and proposals, and illustrative material
- Such documents will be made publicly available at the Council Offices, Libraries and Connections Offices referred to above, and will be accessible electronically via the Council's web site."

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

Test 8

9.1 Paragraphs 4.22 – 4.23 of the SCI provide information on monitoring and review. These paragraphs also confirm the Council's intent to review the SCI on an annual basis and make reference to the role of the Annual Monitoring Report in this process.

9.2 I am satisfied that the Council has mechanisms for reviewing the SCI and have identified potential triggers for the review of the SCI.

9.3 This test is met.

Test 9

10.1 Paragraph 4.21 of the SCI describes the Council's policy for consultation on planning applications. The section within this paragraph, 'Publicising planning applications' meets the minimum requirements, whilst Table 4.6 provides information on additional methods of consultation and 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.

(R6) Add as a new (third) bullet point within the section of Paragraph 4.21, 'Publicising planning applications', after the second bullet point on notifications:

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

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 to the end of the second bullet point within the section of Paragraph 4.21, 'Publicising planning applications':

"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 Council has set out in a document entitled 'Schedule of proposed editorial amendments to Submission Draft Statement of Community Involvement (LDD1) – March 2007' a number of proposed changes to the SCI in response to representations received on the submission document. This document is given as Appendix B to this report. These suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. Some of these changes have already been agreed earlier in this report and I also agree below that the remainder be included.

(R8) Implement the changes to the SCI as detailed in Appendix B to this report.

11.2 Figure 4.2 of the SCI details the Local Development Scheme (LDS) timetables. As the contents and timetables envisaged here may change over time the Council should add the following to the end of Paragraph 4.15:

(R9) "For the latest version of the LDS please visit our website www.torbay.gov.uk/ldf"

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, Torbay 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

APPENDIX B – CORRESPONDENCE



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Steve Turner
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Your Ref:

Our Ref: PINS/X1165/429/6

Date: 22nd February 2007

TORBAY COUNCIL - STATEMENT OF COMMUNITY INVOLVEMENT

Dear Mr. Turner,

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

Test vii

Although the SCI does make mention of the reports summarising the consultations that take place at the various stages of LDD production the SCI would be improved by one clear and definitive statement that deals with the issue of reporting back to the community. Therefore, could the Council please provide some text for insertion into the box on Page 25 of the SCI? This addition could be entitled 'After each consultation stage' and should explain how the results of community involvement will be taken into account by the Council and used to inform decisions. Information should be given on the reports produced at the end of the consultation period explaining how views have been considered and documents changed in light of the community involvement and where these will be made publicly available.

Editorial Matters

The submission document contains some text that would become redundant once the document is adopted. Examples are Appendix 2 B and Section 5. Could the Council, therefore, please provide a schedule of such text that needs either removing or amending to be suitable for inclusion in the adopted document?

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 Tanya Clinton 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



Torbay Local Development Framework 2005 – 2026
Schedule of proposed editorial amendments to Submission Draft Statement of Community Involvement (LDD1) - March 2007

Chg No.	Location	Pg	Proposed Change	
			From	To
1	Front Cover	(1)	Amend: Title: "Regulation 28 Submission Draft" Amend: "November 2006"	Replace with: "Adopted Version" Replace with adoption date: " X 2007"
	Inside Front Cover	(2)	No change to page	N/A
2	Inside Front Cover (3)	(3)	Amend: "Regulation 28 Submission Draft" Amend: "November 2006"	Replace with: "Adopted Version" Replace with adoption date: " X 2007"
3	Preface	(4)	Delete 3rd Para: "We value your views relating to the Submission SCI which will be available for six weeks formal consultation from Monday 6th November 2006. Please complete the electronic Representation Form, e-mail us or send your comments (using the paper version of the Representation Form wherever possible) by post or fax. Your comments must be received by the Strategic Planning Group by 4pm on Friday 15th December 2006"	Replace with: "We value your views relating to the LDF. If you have any views on this Adopted SCI, please send any comments you have to the Strategic Planning Group and we will consider them when the document is next reviewed."
4	Contents Page	(5)	Chapters/Sections	Revise section titles and page numbers as necessary
5	Contents Page	(6)	List of Figures & Appendices	Revise page numbers as necessary
6	Page 7 onwards	7	Amend header: "Torbay Council (November 2006) Torbay Local Development Framework - Statement of Community Involvement / Regulation 28 Submission Draft"	Revise to: "Torbay Council (x 2007) Torbay Local Development Framework 2005-2026 – Adopted Statement of Community Involvement"

**Torbay Local Development Framework 2005 – 2026
Schedule of proposed editorial amendments to Submission Draft Statement of Community Involvement (LDD1) - March 2007**

Chg No.	Location	Pg	Proposed Change	
			From	To
7	Section 1: Introduction	7	Amend first line: "This document is being prepared "as part of the Government's recent changes to the planning system..."	Revise to: "This document has been prepared " as part of the Government's recent changes to the planning system...
8	Para 1.1	7	Amend: "Torbay Council (as a Unitary Authority) will be responsible for producing the Local Development Framework 2005-2026"	Embolden: " Local Development Framework 2005-2026 "
		8	No change to page	N/A
9	Para 1.4	9	Amend: "Following approval from the Government Office for the South West (November 2005) of the final Torbay LDS the Council resolved at its meeting on the 15th December 2005 that the LDS should take effect from the 16th December 2005. It has since been published on the Council's website at www.torbay.gov.uk/ldf "	Amend last sentence and add new sentence: "...It was subsequently published on the Council's website at www.torbay.gov.uk/ldf ". The LDS has subsequently been reviewed and was submitted to the Government Office for the South West in March 2007. "
10	Figure 3.1	9	Amend: Figure 1.3 SCI Involvement Process	Revise to: Amend dates shown in Figure 1.3 as appropriate, following Adoption of SCI by Council

Torbay Local Development Framework 2005 – 2026

Schedule of proposed editorial amendments to Submission Draft Statement of Community Involvement (LDD1) - March 2007

Chg No.	Location	Pg	Proposed Change	
			From	To
11	Para 1.8	10	<p>Amend & delete text: “The Statement of Community Involvement has undergone two previous consultation stages, during January/February 2006 (Regulation 25 Pre-Draft) and April/May 2006 (Regulation 26 Draft). The current version (Regulation 28 Submission Draft SCI) incorporates comments made during these earlier consultation stages and has now been submitted to the Secretary of State. This SCI is currently at its Regulation 28 stage which is the final ‘submission’ public consultation stage. Any representations made should therefore include all appropriate information, evidence and supporting information as there will not normally be a further opportunity to make additional representations. The document will then undergo an Independent Examination by an Inspector from the Government’s Planning Inspectorate (see Section 5).”</p>	<p>Revise to: “The adopted Statement of Community Involvement has undergone several consultation stages during its preparation. These took place during January/February 2006 (Regulation 25 Pre-Draft), April/May 2006 (Regulation 26 Draft) and November/December 2006 (Regulation 28 Submission Draft SCI), when it was also submitted to the Secretary of State for Independent Examination by the Government’s Planning Inspectorate.</p>
12	Para 1.9	10	<p>Amend: “The SCI should provide an opportunity for improving the planning process and will be independently examined by the Planning Inspectorate to ensure that it is a thorough, well-founded, and ‘sound’ document. The Government has set out a framework in Planning Policy Statement 12 (PPS12) for the assessment of SCIs. The nine tests of soundness that this SCI should meet are as follows:”</p>	<p>Revise to: “The SCI provides an opportunity for improving the planning process and has been independently examined by the Planning Inspectorate to ensure that it is a thorough, well-founded, and ‘sound’ document. The Government has set out a framework in Planning Policy Statement 12 (PPS12) for the assessment of SCIs. The nine tests of soundness that this SCI should meet are as follows:”</p>
13	Para 1.10	11	<p>Amend: “These tests have also been set out in the relevant chapters of the SCI to help the reader assess each section. The Inspector will produce a binding report in the light of these tests...”</p>	<p>Revise to: “These tests have also been set out in the relevant chapters of the SCI to help the reader assess each section. The Inspector has produced a binding report in the light of these tests....”</p>
14	Para 1.11	11	<p>Amend: “The Torbay Local Strategic Partnership (TSP) will therefore have an important input into the preparation of the SCI.”</p>	<p>Revise to: “The Torbay Local Strategic Partnership (TSP) will therefore have an important input into the preparation of LDF documents”</p>

Torbay Local Development Framework 2005 – 2026

Schedule of proposed editorial amendments to Submission Draft Statement of Community Involvement (LDD1) - March 2007

Chg No.	Location	Pg	Proposed Change	
			From	To
15	Section 2: Corporate Community Involvement Para 2.1	11	Amend: Insert footnote number in line 6 of text Amend: "The Council is also developing (Autumn 2006) a communication consultation and engagement policy as the framework for action by Torbay Council which encompasses the Council's Consultation and Engagement Strategy. This policy is shown below:	Revise to: After "...Torbay Council's 'Communication and Engagement Strategy 2005...'", flag up a fourth footnote. Add the following at foot of page: "4. For further details, contact the Council's Corporate Consultation Officer (01803 208839) – see also www.torbay.gov.uk/ccestrategy.pdf " Revise all subsequent footnote numbers in SCI text and at foot of related pages. Revise to: "The Council is also developing a communication, consultation and engagement policy as the framework for action by Torbay Council which encompasses the Council's Communication and Engagement Strategy . This policy is shown below:
16	Para 2.3	12	Amend: Document title in line 1	Revise to: "Implementation of ' Communication and Engagement Strategy ' should result..."
		13	No change to page	N/A
17	Para 2.8	14	Amend third, fourth and fifth sentences: "The LDF will provide the spatial expression this document and will therefore relate closely to it. The draft Community Plan 'Teaming up for Torbay's Future' builds on the previous plan 'Turning the Tide' 2004-2007. It outlines the Partnership's vision for Torbay over the next 15-20 years bringing together the views of representatives from the public, private, community and voluntary sectors and should be finalised in January 2007."	Revise to: "The LDF will provide the spatial expression of this document and will therefore relate closely to it. The adopted Community Plan 'Turning the Tide for Torbay 2007- 2027' builds on the previous plan ' Teaming up for Torbay's Future '. It outlines the Partnership's vision for Torbay to 2027, bringing together the views of representatives from the public, private, community and voluntary sectors.

Torbay Local Development Framework 2005 – 2026

Schedule of proposed editorial amendments to Submission Draft Statement of Community Involvement (LDD1) - March 2007

		Proposed Change	
Chg No.	Location	Pg	
		From	To
18	Para 2.10	14	<p>Amend: Title of sector referred to in line 2</p> <p>Amend: The Torbay Compact will form a multi-agency agreement between all local voluntary and community groups, the Council, health services and other public bodies to improve partnership working. Further information regarding the Local Compact is available from the Council Performance, Policy & Communications team (01803 207021 www.torbay.gov.uk/lsp_lcpresentation.pdf).</p>
19	Text Box below Para 2.12	15	<p>Amend: Blue text box - Key questions to consider are:</p> <ul style="list-style-type: none"> • Is it clear from this SCI how we will ensure that the process of community involvement for DPD production will be linked to that for other strategies which are relevant to the DPD in question. • Have we indicated how we will link consultation exercises on different DPDs where this would be appropriate? (See also Section 4). <p>Amend: Orange text box ("Test of Soundness:")</p>
20	Section 3: Linking Resources and Best Value Para 3.6	16	<p>Amend: The Strategic Planning unit comprises four full-time qualified town planners, one full-time dedicated monitoring and appraisal officer (SEA qualified and experienced) and one monitoring assistant.</p>
			<p>Revise to: "...between Torbay Council and the Voluntary Community Sector on a....."</p> <p>Revise to: The Torbay Compact is a multi-agency agreement between all local voluntary and community groups, the Council, health services and other public bodies to improve partnership working. Further information regarding the Local Compact is available from the Council Performance, Policy & Communications team (01803 207021 www.torbay.gov.uk/lsp_lcpresentation.pdf).</p> <p>Revise to: <u>Delete</u> this text box in its entirety</p> <p>Revise to: "Does the strategy for community involvement sufficiently link with other community involvement initiatives e.g. the community strategy?"</p> <p>Revise to: The Strategic Planning unit comprises four full-time qualified town planners, one appraisal officer and one monitoring officer.</p>

**Torbay Local Development Framework 2005 – 2026
Schedule of proposed editorial amendments to Submission Draft Statement of Community Involvement (LDD1) - March 2007**

Chg No.	Location	Pg	Proposed Change	
			From	To
21	Text boxes below Para 3.7	17	Amend: Orange text box ("Test of Soundness:") Amend: Blue text box ("Key questions are:")	Revise to: "Has sufficient consideration been given to the correct level and allocation of resources available to manage community involvement effectively?" Revise to: <u>Delete</u> this text box in its entirety
		18	No change to page	N/A
21	Section 4: SCI Process and Community Involvement Para 4.5	19	Amend: "The Council is in the process (October 2006) of corporately engaging with Equality and Diversity voluntary groups in Torbay to identify barriers and establish best practice."	Revise to: "The Council is in the process (March 2007) of corporately engaging with Equality and Diversity voluntary groups in Torbay to identify barriers and establish best practice."
22	Text box below Para 4.5	19	Amend: Blue text box ("Key questions:")	Revise to: <u>Delete</u> this text box in its entirety
23	Text box above Para 4.6	20	Amend: Orange text box ("Test of Soundness:")	Revise to: "Does the strategy for community involvement adequately identify which local community groups and other bodies will be consulted?"
24	Para 4.10	20	Amend: "The Disability Equality Duty for the public sector comes into effect in December 2006."	Revise to: "The Disability Equality Duty for the public sector came into effect in December 2006."
		21	No change to page	N/A

Torbay Local Development Framework 2005 – 2026
Schedule of proposed editorial amendments to Submission Draft Statement of Community Involvement (LDD1) - March 2007

Chg No.	Location	Pg	Proposed Change	
			From	To
		22	No change to page	N/A
25	Para 4.15	23	<p>Amend: ...” The flow chart in Figure 4.2 below outlines the consultation stages in more detail. This is taken from the Adopted Local Development Scheme (December 2005).”</p>	<p>Revise to: ...” The flow chart in Figure 4.2 below outlines the consultation stages in more detail. This is taken from the Adopted Local Development Scheme (December 2005) which was subsequently published on the Council’s website at www.torbay.gov.uk/ldf . The LDS has recently been reviewed and was submitted to the Government Office for the South West in March 2007.”</p>
		24	No change to page	N/A

Torbay Local Development Framework 2005 – 2026

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Chg No.	Location	Pg	Proposed Change	
			From	To
26	Para 4.17	25	<p>Amend: Orange text box below Stage 2 “...At each key stage...”</p>	<p>Revise to: Revise text box to include additional bullet point, to be inserted after fourth bullet point:</p> <ul style="list-style-type: none"> o “Notification of submission of a DPD and adoption of DPD or SPD will be provided to individuals and organisations that have requested such information, as a minimum.” <p>After this new bullet point, add new text and bullet points (as requested by PINS) as follows:</p> <p>After each consultation stage:</p> <ul style="list-style-type: none"> o The Local Planning Authority will consider carefully all representations received and use them as a basis for amending and improving the relevant DPD or SPD o Statements of consultation and representations will be produced which provide details of consultations undertaken, the number and type of representations received, the Local Planning Authority’s response, and the actions it proposes to take in relation to specific sections of text, policies and proposals, and illustrative material o Such documents will be made publicly available at the Council Offices, Libraries and Connections Offices referred to above, and will be accessible electronically via the Council’s web site
27	Para 4.17	26	<p>Amend Stage 3 (9 lines down, Page 26): “... We will make a representation form available on our website and also paper copy which will also ask whether you would like to speak at the examination.”</p>	<p>Amend Stage 3 “... We will make a representation form available on our website and also in paper format which will also ask whether you would like to speak at the examination.”</p>

**Torbay Local Development Framework 2005 – 2026
Schedule of proposed editorial amendments to Submission Draft Statement of Community Involvement (LDD1) - March 2007**

Chg No.	Location	Pg	Proposed Change	
			From	To
28	Text box below Stage 4 text Para 4.17		Amend Stage 4: Blue text box ("Key questions are:")	Revise to: <u>Delete</u> this text box in its entirety
29	Para 4.17	26	Amend Stage 5 (first and second sentences): "An Independent Examination of DPDs and the SCI will take place to test the soundness of these documents. These PPS12 'tests of soundness' set out a framework for the assessment which will be carried out by Inspectors at the Independent Examination.	Revise To: " This SCI and all DPDs are subject to Independent Examination to test their soundness. The PPS12 'tests of soundness' set out a framework for the assessment which will be carried out by Inspectors at the Independent Examination.
30	Text box below Stage 5 text Para 4.17	27	Amend: Orange text box ("Test of Soundness:")	Revise to: "Does the SCI comply with the minimum requirements for consultation as set out in Government Regulations?"
31	Para 4.18	28	Amend typographical error in sentence 5: "Torbay Council will involve local communities and stakeholders in the development of SPDs and the wider community will consulted during a formal consultation period ¹⁰ for a period of 6 weeks (in access of the minimum requirement of 4 weeks) (see Figure 4.4).... Amend typographical error in sentence 9: ..."As with DPDs all the specific committees will receive full documentation and all contacts on the LDF database will receive notification and the Council's What Is It? and Summary leaflets (see section 4.20)".	Revise to: Torbay Council will involve local communities and stakeholders in the development of SPDs and the wider community will consulted during a formal consultation period ¹⁰ for a period of 6 weeks (in excess of the minimum requirement of 4 weeks) (see Figure 4.4)... Revise to: As with DPDs all the specific consultees will receive full documentation and all contacts on the LDF database will receive notification and the Council's What Is It? and Summary leaflets (see section 4.20)".
32	Para 4.18	28	Amend typographical error in first sentence below orange text box: "When the SPDs are adopted, similar publicity processes will be applied as for Development Plan Documents (see Section 4.16)."	Revise to: When the SPDs are adopted, similar publicity processes will be applied as for Development Plan Documents (see Section 4.17).
33	Text box below Para 4.18	29	Amend: Blue text box ("Key questions are:")	Revise to: <u>Delete</u> this text box in its entirety

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34	Text box below Para 4.18	29	Amend: Orange text box ("Test of Soundness:")	Revise to: "Does the SCI show sufficiently how the results of community involvement....."
35	Para 4.19	30	Amend second sentence in first bullet point: ... "This report goes out for a 5 week consultation period prior to the (issues and options consultation of the) DPD/SPD in question. In particular four SEA statutory consultees (Environment Agency, Countryside Agency, English Nature ¹² and English Heritage) will be consulted in addition to other stakeholders." Amend: The following Sustainability Appraisals will be published for consultation at the same time as their associated DPD and SPD (in the same way as the associated document)." Amend: Footnote 12	Revise to: ... "This report goes out for a 5 week consultation period prior to the issues and options consultation of the DPD/SPD in question. In particular four SEA statutory consultees (Environment Agency, Natural England and English Heritage) will be consulted in addition to other stakeholders." Revise to : The subsequent Sustainability Appraisals will be published for consultation at the same time as their associated DPD and SPD (in the same way as the associated document). Revise to: <u>Delete</u> footnote "12: Natural England from October 2006" <u>(see note relating to revised footnote numbers in Change No.15 for Page 11, above)</u>
36	Para 4.20	31	Amend Table 4.5, fourth row down: "Letters to LDF (non-specified) Consultees / General LDF Consultees will be notified"	Revise to: "Letters to LDF (non-specified) Consultees / General LDF Consultees will be notified in all cases at public consultation stages."
37	Para 4.21	33	Amend third bullet point under "Publicising planning applications": • The Council will shortly be operating a system of e-mail alerts for anyone who wishes to be notified of the weekly list of planning applications. A system is currently being developed which would alert those interested parties in a particular street, ward or larger geographical area. Comments can be e-mailed to planning@torbay.gov.uk or via www.torbay.gov.uk/publicaccess .	Revise to: • The Council is trialing a system of e-mail alerts for anyone who wishes to be notified of the weekly list of planning applications. This allows interested parties to register an interest via the Torbay Council website. The system can select a particular ward or larger geographical area. Comments can be e-mailed to planning@torbay.gov.uk or via www.torbay.gov.uk/publicaccess .

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38	Para 4.21	33	<p>Amend: The consultation arrangements for major planning applications are outlined in Table 4.6. The Council received approximately 54 major applications in 2004/2005 (1st April to 31st March) out of 2162 in total.</p>	<p>Revise to: The consultation arrangements for major planning applications are outlined in Table 4.6. The Council received approximately 68 major applications in 2005/2006 (1st April to 31st March) out of 2159 in total.</p>
39	Para 4.21	34	<p>Amend second bullet point (final two sentences): Further guidance on the requirements for and preparation of a Design and Access Statement is available from the Planning and Development Services Division. Details are also set out in the emerging Urban Design Guide SPD (LDD7).</p>	<p>Revise to: Further guidance on the requirements for and preparation of a Design and Access Statement is available from the Planning and Development Services Division. Details are also set out in the adopted Urban Design Guide SPD (LDD7).</p>
40	Para 4.21	35	<p>Amend typographical error and update: Note below Table 4.6 (first sentence) Note: Proposals within 500m of a Site of Special Scientific Interest (SSS) will also be sent to English Nature for their comments.</p>	<p>Revise to: Note: Proposals within 500m of a Site of Special Scientific Interest (SSSI) will also be sent to Natural England for their comments.</p>
41	Para 4.21	35	<p>Amend penultimate paragraph above blue 'Key Question' text box: "All planning decisions are available for inspection on the planning website and are minuted in the related Committee Reports. If a planning application is refused, the applicant has the right to appeal against the decision to the Planning Inspectorate."</p>	<p>Revise to: All planning decisions are available for inspection on the planning website and are minuted in the related Committee Reports. Those persons and organisations who have commented on a particular application can now also be notified of the decision by e-mail. If a planning application is refused, the applicant has the right to appeal against the decision to the Planning Inspectorate."</p>
42	Text box below Para 4.21		<p>Amend: Blue text box ("Key question:")</p>	<p>Revise to: <u>Delete</u> this text box in its entirety</p>

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43	Para 4.22	36	Amend: Orange text box ("Test of Soundness:")	Revise to: "Has the policy for consultation on planning applications been clearly described?"
44	Para 4.22	36	Amend first sentence: "Once adopted, the Council will involve the community in accordance with the SCI."	Revise to: "The Council will involve the community in accordance with this adopted SCI."
45	Section 5: Conclusions Para 5.1	37	Amend and update second sentence: "... The SCI will be assessed against the Government's nine tests of soundness set out in Planning Policy Statement 12 shown in paragraph 1.9 and highlighted throughout this document. We have set out various questions throughout this document to assist you in assessing soundness and to assist those who are seeking to make representations."	Revise to: The SCI has been assessed against the Government's nine tests of soundness set out in Planning Policy Statement 12 shown in paragraph 1.9 and highlighted throughout this document. We set out various questions throughout earlier versions of this document to clarify to the reader what the SCI is trying to achieve and to establish whether we are continuing to meet these objectives over time.
46	Para 5.2	37	Amend: "We are seeking your views on this Submission Draft SCI. Please tell us whether you: <ul style="list-style-type: none"> Support this document or would like changes to be made Consider this Draft SCI to be 'sound' in terms of the criteria set out in paragraph 1.9 above." 	Revise to: <u>Delete</u> this paragraph in its entirety
47	Para 5.3	37	Amend: "Our consultation Representation Form has incorporated these as questions to help us modify our SCI appropriately. There is of course additional space for any other comments you would like to make. You can fill in the on-line Representation Form via www.torbay.gov.uk/df . Comments can also be submitted in writing or forwarded by e-mail to sci@torbay.gov.uk . Please contact the Strategic Planning Group if you would like any further information or clarification on any matters."	Revise to: <u>Delete</u> this paragraph in its entirety

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48	Para 5.4 (NOTE: Para.5.5 is retained unchanged)	37	Amend: “The Council would also like to gain further information relating to those individuals who respond in order to help us establish if we are gaining views from all our community. Please fill in the optional section ‘about yourself’.”	Revise to: “The Council would also like to gain further information relating to those individuals who respond to consultation and participation exercises in order to help us establish if we are gaining views from all our community. Please fill in the optional section ‘about yourself’ on LDD representation forms. We will endeavour to monitor the range of respondents on the LDF as part of the SCI review criteria (see Para 4.22) ”
49	Para 5.6	37	Amend: “ What happens next? Copies of this Submission Draft Statement of Community Involvement will be sent out to the Mayor, all Councillors and the specific consultation bodies listed in Planning Policy Statement 12 (Appendix 2). Letters, leaflets and e-mails will also be sent to all the general consultation bodies and Government departments listed in PPS12 and a number of interest groups and voluntary organisations. The aim will be to inform them when the Submission Statement of Community Involvement is published for consultation and to indicate where copies can be viewed and how copies can be obtained. The Submission SCI will be accompanied by a Pre-Submission Consultation Statement (indicating who we have consulted and a summary of the comments received and how the DPD/SCI has been amended as a consequence). Copies of the document will also be made available at the Council Offices at Roebuck House, Torquay, Connection Offices and in local libraries. A copy will also be posted on the Council's website. A notice will be placed in the Herald Express, giving details of the consultation.”	Revise to: <u>Delete</u> this paragraph in its entirety Replace with: Copies of this SCI document are available at the Council Offices at Roebuck House, Torquay, Connections Offices and in local libraries. Electronic copies can also be viewed or downloaded from the Council's website www.torbay.gov.uk/ldf

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50	Para 5.7	38	Amend: "The SCI will be submitted to the Secretary of State for independent examination. This will be accompanied by a six-week period of public consultation (see LDS extract Figure 4.2). Following the six week submission stage deadline (15th December 2006), the SCI will be considered by the Planning Inspector. A schedule of all representations will be published at this time."	Revise to: <u>Delete</u> this paragraph in its entirety
51	Para 5.8	38	Amend: "This final version of the SCI will then be independently examined by an Inspector. Torbay Council intends to adopt the final SCI during Summer 2007."	Revise to: <u>Delete</u> this paragraph in its entirety
52	Orange text box below Para 5.8	38	Amend: Orange text box ("Test of Soundness")	Revise to: "Does the SCI contain appropriate mechanisms for reviewing the Statement of Community Involvement?" Relocate text box by inserting after second existing text box ("Effective participation..." on Page 36.
	Appendix 1	39 40 41 42 43	No change to pages	N/A
	Appendix 2A	44 45 46 47	No change to pages	N/A

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53	Appendix 2B	47	<p>Amend: “Consultation on the Draft Torbay Statement of Community Involvement: Letters and emails inviting comments have been sent to the following specific and non-specific or general consultees. Specific Consultees are shown in emboldened text. General consultees will include local stakeholders such as developers, planning agents, businesses, community groups, churches and resident groups, churches and resident groups primarily in Torbay but also in adjoining districts. The Non-specific) consultee list is not exhaustive and may be subject to change. The table overleaf summarises the key bodies consulted.</p> <p>A more comprehensive list of consultees will appear in the Pre-Submission Consultation Statement accompanying this Submission SCI”</p>	<p>Revise to: “Consultation on emerging LDF documents: Letters and emails inviting comments will be sent to the following specific and non-specific or general consultees. Specific Consultees are shown in emboldened text. General consultees will include local stakeholders such as developers, planning agents, businesses, community groups, churches and resident groups primarily in Torbay but also in adjoining districts. The Non-Statutory (non-specific) consultee list is not exhaustive and may be subject to change. The table overleaf summarises the key bodies consulted on the SCI and other Local Development Documents.</p> <p>A more comprehensive list is available from the Strategic Planning Group upon request.”</p>
54	Appendix 2B	48	<p>Amend list: “Other Regional Bodies e.g. Regen South West The Countryside Agency¹⁴ English Nature (Devon Team) Highways Agency...”</p>	<p>Revise to: “Other Regional Bodies e.g. Regen South West Natural England (xx footnote) Highways Agency...” (Also amend number of footnote at bottom of page by replacing 26 (printing error) with x)” (see note relating to revised footnote numbers in <u>Change No.15 for page 11, above</u>)</p>
	Appendix 2B continued	49	No change to page	N/A
	Appendix 3	50	No change to page	N/A

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	Appendix 4	51	No change to page	N/A
	Back Cover	52	No change to page	N/A