

Spelthorne Borough Council  
**Draft Statement of Community Involvement**  
**Table of Responses and Officer Comments**

Document Section or Question	Name	Comment	Response	Amendment Agreed?
Whole	The Royal Borough Of Windsor And Maidenhead	RBWM has no comments to make on the Statement of Community Involvement.	Noted.	N/A.
Whole	Runnymede Borough Council	RBC has no comment to make on the Draft SCI.	Noted.	N/A.
Whole	London Borough Of Richmond Upon Thames	Spelthorne's Statement of Community Involvement is thorough and clear in explaining how the Council intends to effectively involve all sections of the community in the review of the Local Plan, preparation of other planning documents and determination of planning applications.  LBRuT does not have any specific comments or suggestions for improvement.	Noted.	N/A.
Whole	Mr Alan Doyle Keep Kempton Green	We welcome this opportunity to submit our comments on the Spelthorne Draft Statement of Community Involvement.  In drawing up this submission, we have taken advice from a specialist solicitor in the field of Public Law, and a leading QC in the field of Public, Planning and	Noted.	

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		<p>Environmental Law. We refer you to a petition of almost 500 signatures from all corners of Spelthorne endorsing the overall purpose of this submission, as follows:</p> <p>In summary:                      * The Draft Statement of Community Involvement does not go far enough to satisfy the requirements of the relevant legislation and guidance for community involvement                      * Consultation must be undertaken at a time when proposals are still at a formative stage                      * Consultation must include sufficient reasons for particular proposals to allow those consulted to give intelligent consideration and an intelligent response                      * Adequate time must be given for this purpose                      * The product of consultation (including the current consultation on the Draft Statement of Community Involvement) must be conscientiously taken into account when the ultimate decision is taken</p> <p>These summary points are discussed in detail in what follows.</p>	<p>Comments on these points are made elsewhere.</p>	<p>See comments against separate chapters.</p>

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Whole	Natural England	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.</p> <p>We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: <a href="https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals">https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals</a></p> <p>We now ask that all planning consultations are sent electronically to the central hub for our planning and development advisory service at the following address: <a href="mailto:consultations@naturalengland.org.uk">consultations@naturalengland.org.uk</a>. This system enables us to deliver the most</p>	Noted.	N/A.

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		efficient and effective service to our customers.		
Whole	Staines Town Society	Staines Town Society appreciates Spelthorne Borough Council's decision to consult on the draft Statement of Community Involvement.	Noted.	N/A.
Whole	Lower Sunbury Residents Association (LOSRA)	The draft Statement of Community Involvement is a welcome document and one which clearly embraces the principles suggested by its title. Whilst supportive of its general thrust and intent, our Association nevertheless feels obliged to make the following comments:	Noted.	See comments against separate chapters.
Whole	Kempton Residents Association	<p>From the way in which your document has been worded, it is evident that the extent to which the Council is obliged to engage in consultation is left to the discretion of the Council.</p> <p>Understandably, it would be unrealistic to expect a consultation on every issue relating to the Local Plan. However, we would urge the Council to inform us on matters of concern to our residents, particularly those relating to Green Belt policy and housing strategy.</p>	<p>Noted. Whilst the Council does have some discretion over certain engagement/involvement, it also has statutory requirements for consultation which must be met.</p> <p>Noted.</p>	N/A.

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		Please notify our Association when the SCI has been adopted, and ensure that we are kept on your consultation database.	Noted.	
Whole	Environment Agency	We look forward to working with you on your review of your Local Plan and are pleased to note that in the SCI we are listed as a 'specific consultation body' to be consulted under the Town and Country (Local Planning) Regulations 2012.	Noted.	N/A.
Whole	Health & Safety Executive	We have concluded that we have no representation to make on this occasion. This is because your consultation request is not concerned with the potential encroachment of future development on the consultation zones of major hazard installations or MAHPs. As the request is not relevant for HSEs land-use planning policy, we do not need to be informed of the next stages in the adoption of the Statement of Community Involvement.	Noted.	N/A
Whole	Waverley Borough Council	Thank you for consulting Waverley on the above documents. We have no comments to make.	Noted.	N/A.

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Whole	Spelthorne Business Forum Dr Sabine Lohmann	<p>Overall I applaud the document for being very clear and detailed. However this leads directly to my question, is there a way to streamline the document a little bit to make it easier to read and follow? Can similar processes be combined in the PowerPoint parts of the document or can chapters who are of less interest to the wider stakeholder group be shifted to an appendix?</p> <p>Additionally as the Chairman of the Spelthorne Business Forum it would be in the interest of our members to be informed on any developments where they could either comments or apply to be involved with the applying party. As such is it possible to be included in the stakeholder list on page 32 of the document?</p>	<p>The tables in section 3 set out the procedures for involving stakeholders for different types of planning document and section 4 the different stages of the planning application process. Whilst some of the procedures will be similar, there are subtle differences for each type of planning document and for different types of planning application. As such, the document is considered to be as streamlined as it can be. The earlier sections of the SCI are considered necessary to set the context of the document and are not best placed as an appendix.</p> <p>Appendix B sets out the General Consultation Bodies which includes bodies representing persons carrying on a business in the area. The Spelthorne Business Forum already fall into this stakeholder group and as such will be consulted on future planning documents of interest to the group. In terms of being informed of developments, the Council publishes a list of all planning applications received on a</p>	<p>No change.</p> <p>No change.</p>

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			weekly basis which is available on the Council's web-site.	
Whole	The Equality And Human Rights Commission	<p>The Commission does not have the resources to respond to all consultations, but will respond to consultations where it considers they raise issues of strategic importance.</p> <p>Local and other public authorities have obligations under the Public Sector Quality Duty (PSED) in the Equality Act 2010 to consider the effect of their policies and decisions on people sharing particular protected characteristics. We provide advice for public authorities on how to apply the PSED, which is an on-going legal obligation and must be complied with as part of the planning process. Thus, the PSED is the mechanism through which public authorities involved in the planning process should consider the potential for planning proposals to have an impact on equality for different groups of people. To assist, you will find our technical guidance at <a href="http://www.equalityhumanrights.com">www.equalityhumanrights.com</a> using the search term: 'Technical Guidance on the Public Sector Equality Duty'.</p>	Noted.	N/A
Whole	Office Of Rail Regulation	Thanks for your e-mail of 26.02.15 in	Noted.	N/A.

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		<p>regard to the Spelthorne Borough Council Duty to Co-operate scoping statement &amp; Draft Statement of Community Involvement. We have reviewed your proposals &amp; note that your proposals do not affect the current or (future) operation of the mainline network in Great Britain.</p> <p>It might be helpful if I explain that the office has a number of key functions and duties in our role as the independent regulator of Britain's Railways. If your plans relate to the development of the current railway network including the operation of passenger and freight services, stations, stabling and freight sites (including the granting of track and station access rights and safety approvals) within your administrative area, we would be happy to discuss these with you once they become more developed so we can explain any regulatory and statutory issues that may arise.</p> <p>I have attached a copy of our localism guidance for reference, which can be found at: <a href="http://www.rail-reg.gov.uk/upload/pdf/localism-guidance.pdf">http://www.rail-reg.gov.uk/upload/pdf/localism-guidance.pdf</a></p>		

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Chapter 1	Mr Lawrence Nichols	<p>Paragraphs 1.5 &amp; 1.6</p> <p>The Council should be seeking to improve the level of consultation in the whole area of planning. For example the latest Borough Bulletin does not mention this current consultation - this would have cost nothing. The Local plan will affect every resident for the rest of the time that they live in the borough. We are currently living with previous failures to defend the borough (e.g. London Irish building on protected urban open space and the so-called Eco-Park at Charlton). In considering the "the possible benefits of involvement against costs" the Council should be looking at ways to genuinely involve the public to the greatest degree possible. The way Kempton Park is being handled by the Council has eroded public confidence in the transparency and motivation of the Council.</p> <p>Paragraph 1.7</p> <p>Irrespective of government requirements the Council should absolutely commit to the greatest level of community possible. This is our borough.</p>	<p>Publicity for the SCI consultation included the Council's web-site (latest news on the front page, current consultations page and Planning Policy pages), contacting specific groups and individuals on the Planning Policy database as well as contacting all individuals who have signed up for the e-newsletter from the Council and notifying the Spelthorne Business Forum. This level of publicity is considered to be appropriate for this non-statutory consultation. Further, the consultation could not use the Borough Bulletin in this instance due to the long lead in time to publication and the fact that the bulletin is only published 3 times a year.</p> <p>Noted. The draft SCI does set out how the Council intends to go 'beyond' the statutory minimum for involvement in planning documents.</p>	<p>No change.</p> <p>No change.</p>
Chapter 1	Mrs Caroline Nichols	Spelthorne Borough Council is already in	Publicity for the SCI consultation	No change.

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		<p>danger of failing at community engagement (SCI) if this document is indicative of what is to follow. This seems to be the first official communication concerning the review of the Local Plan (although I am aware that the process was mentioned at the public meeting of 3rd February 2015 on possible development at Kempton Park). This 38-page SCI document is complicated and time consuming to digest and it seems to have been sent out only to a few selected 'stakeholders' rather than to all residents. The SCI process is not clearly advertised on SBC's website and it is not mentioned in the Borough Bulletin.</p> <p>I am reluctant to indulge SBC by responding to each paragraph having done so on the previous Local Plan to no effect other than to give a spurious</p>	<p>included the Council's web-site (latest news on the front page, current consultations page and Planning Policy pages), contacting specific groups and individuals on the Planning Policy database as well as contacting all individuals who have signed up for the e-newsletter from the Council and notifying the Spelthorne Business Forum. This level of publicity is considered to be appropriate for this non-statutory consultation. Further, the consultation could not use the Borough Bulletin in this instance due to the long lead in time to publication and the fact that the bulletin is only published 3 times a year.</p> <p>The Tables in the SCI set out the procedures for the preparation of planning documents and planning applications and are shown as a stage by stage process with involvement at each of those stages highlighted.</p> <p>Noted. Points raised by Mr Lawrence Nichols have been considered and responded to elsewhere.</p>	<p>See comments listed elsewhere.</p>

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		<p>legitimacy to a process which was designed by SBC to control public involvement rather than genuinely engage with and respond to it. However, in order to comply with the SCI process which demands that specific paragraphs are referenced, please refer to the submission by Mr Lawrence Nichols, 29th March 2015, which I endorse in full concerning the following paragraphs -</p> <p>1.5, 1.6, 1.7, 3.5 and appendix B, 3.9, 3.10, Table 3-4 Evidence based studies, 3.13, 3.14 and 3.15, 4.22, 4.23 and 4.27, 4.26.</p>		
Chapter 2	Mr Alan Doyle Keep Kempton Green	<p>5. Other matters</p> <p>5.1 In Chapter 2, the draft Statement of Community Involvement specifically links the new Local Plan to:</p> <ul style="list-style-type: none"> <li>* the Spelthorne Community Plan</li> <li>* the Spelthorne Corporate Plan</li> <li>* the Spelthorne Economic Strategy</li> <li>* the Draft Spelthorne Housing Strategy</li> </ul> <p>The Spelthorne Leisure &amp; Culture Strategy is not linked in the same way, however.</p> <p>5.2 A paragraph 2.11 should be inserted</p>	Noted.	Reference to be added that the Local Plan will need to take account of the Leisure & Culture Strategy.

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		<p>as follows:</p> <p>2.11 The Local Plan will need to take account of the Leisure and Culture Strategy.</p>		
Chapter 2	Staines Bowls Club	<p>Chapter/paragraph: 2.10 point 6</p> <p>Staines Bowling club would wish to be included in the above as any decisions made by the Council could affect us and how we function in the future.</p> <p>Our primary concern is to keep up our membership numbers and to attract new members and to keep up the number of fixtures during the season. This includes the lucrative Middlesex County games that we host which bring us in extra revenue that in turn keeps the club financially viable. This is currently being made much more difficult because of the parking difficulties in the currently owned by Surrey County Council (and used by health centre patients, school visitors and staff and long term commuters using the station). Any new parking restrictions in the area could make matters worse.</p> <p>Over the last three years approaches to Surrey C.C about this have made no</p>	<p>Noted. The SCI sets out how local communities and other stakeholders such as the Bowls Club will be notified and/or involved in the planning process and not about specific issues that may affect the club. However, as set out in the SCI the Club will be notified of any planning applications which may affect it and continue to be involved in the Local Plan process.</p> <p>Comments have been forwarded to the Spelthorne Leisure Team as they also refer to the Spelthorne Leisure and Culture Strategy 2014-2016.</p>	N/A.

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		<p>progress in spite of consultations with both County and local meetings regarding the problems. In fact the Club committee feel that there is no likelihood of help from County at all.</p> <p>Application was made 2 years ago for signage on Burges way to indicate where Bowls Club was and the answer was no as they were pursuing a "decluttering" policy and anyway a bowls club would not qualify.</p> <p>All of these rather negative responses are combining to make bowls at Staines less rather than more accessible in the physical sense. Meanwhile the Club itself is doing its best with Opendays etc to make it as accessible as possible in other ways</p>		
Chapter 2	NHS NW Surrey Clinical Commissioning Group	<p>Theme 3: Health &amp; Wellbeing  Aim: To improve the health and well-being of Spelthorne residents</p> <p>As you know, the NHS North West Surrey Clinical Commissioning Group works in partnership with Spelthorne Borough Council on a number of initiatives to enable all people within North West Surrey to enjoy the best possible health.</p> <p>With a significantly ageing population,</p>	Noted.	N/A.

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		<p>frailty is a fast-growing challenge to the delivery and affordability of health and care services in the future.</p> <p>In response to this challenge North West Surrey CCG, in partnership with social care, local GP practices and colleagues in acute, community and mental health providers, aims to integrate services around the needs of the patient and make them accessible through one point - the Locality Hub, an integrated care model focusing on enhancing support to the frail and elderly.</p> <p>This programme will provide Spelthorne residents with the best possible, fully integrated, appropriate and most cost-effective care; delivering better outcomes for one of our most vulnerable groups of patients.</p> <p>The NHS North West Surrey Clinical Commissioning is actively engaging with the Spelthorne Local Area Committee and local residents on this, and other, programmes.</p> <p>The local engagement strategy is well thought out, appropriately structured and includes all key stakeholders.</p>		

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Chapter 3	Mr Alan Doyle Keep Kempton Green	<p>1. An adequate response?</p> <p>1.1 The Council's proposals for community engagement are set out in the tables in chapter 3 of the document. Table 3.2 deals with Methods of Involvement in Local Plans, Table 3.3 Methods of Involvement in Supplementary Planning Documents and Table 3.4 Methods of Involvement in Local Plan Evidence Base Studies. The relevant parts of all of these tables concern early community/stakeholder involvement. An overview of the Council's position is set out in table 3.2 and the principle contained there is reproduced in tables 3.3 and 3.4.</p> <p>1.2 The Council's position is summarised as follows:</p> <p>"Dependent upon the subject matter of the Local Plan Document or individual local plan issue, the Local Planning Authority may undertake early engagement as deemed appropriate including on evidence based documents."</p> <p>1.3 The advice we have been given is that this is not an adequate response to the</p>	<p>Points are noted, however it is the intention of the Borough Council to involve a range of stakeholders in the preparation of the Local Plan including the preparation of evidence studies where involvement/engagement has been cited by the Planning Practice Guidance (PPG). Indeed the paragraphs cited from the National Planning Policy Framework (NPPF) and from the PPG are covered by those set out within Appendix A of the draft SCI to which the Council has had regard.</p>	<p>See comments below regarding early engagement process.</p>

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		<p>requirement to involve the community in the Local Plan Review.</p> <p>1.4 Extracts from the relevant legislation and guidance for community involvement are as follows. (The parts highlighted in bold are our emphasis.)</p> <p>1.5 National Planning Policy Framework (NPPF)</p> <p>a) Paragraph 69:</p> <p>"... local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions and should facilitate neighbourhood planning."</p> <p>b) Paragraph 155:</p> <p>"Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential"</p> <p>1.6 Planning Practice Guidance (PPG)</p> <p>a) Housing and Economic Development Needs Assessments (paragraph 007):</p> <p>"Local communities, partner organisations, Local Enterprise Partnerships, businesses</p>		

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		<p>and business representative organisations, universities and higher education establishments, house builders (including those specialising in older people's housing), parish and town councils, designated neighbourhood forums preparing neighbourhood plans and housing associations should be involved from the earliest stages of plan preparation, which includes the preparation of the evidence base in relation to development needs."</p> <p>b) Housing and Economic Land Availability Assessments (paragraph 008):</p> <p>"The following should be involved from the earliest stages of plan preparation, which includes the evidence base in relation to land availability: developers; those with land interests; land promoters; local property agents; local communities; partner organisations, Local Enterprise Partnerships; business and business representative organisations; parish and town councils; neighbourhood forums preparing neighbourhood plans."</p> <p>c) Local Plans (paragraph 014)</p> <p>"Local planning authorities should publish</p>		

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		<p>documents that form part of the evidence base as they are completed, rather than waiting until options are published or a Local Plan is published for representations. This will help local communities and other interests to consider the issues and engage with the authority at an early stage in developing the Local Plan. It will also help communities bringing forward neighbourhood plans, who may be able to use this evidence to inform the development of their own plans."</p> <p>1.7 Thus, stakeholders, including local community organisations, should be involved "from the earliest stages" of plan preparation including the preparation of the various evidence bases. Further, local planning authorities should publish documents that form part of the evidence base as they are completed.</p> <p>1.8 From the above it is clear that the Council's response to the need for community involvement is insufficient.</p> <p>1.9 Rather than committing to community engagement, the Council states that it "may undertake engagement depending on the circumstances."</p>	<p>It is the Council's intention to involve stakeholders at the earliest opportunity and to publish evidence studies prior to either Issues &amp; Options or pre-Submission consultation. As an example the draft Retail &amp; Other Town Centre Uses Study has been open to stakeholder engagement. In July 2013 the Council consulted on a draft Local Economic Assessment, albeit that this was not part of a review of the Local Plan but background work to a review of existing evidence and preparation of an Economic Strategy.</p>	<p>See comments below regarding early engagement process.</p>

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		<p>1.10 In other words, the Council's formulation is that generally speaking it will not engage unless it deems it appropriate, and that the onus is really on the community to show why engagement should take place.</p> <p>1.11 The guidance, however, is consistent with an approach where the Council should consult unless there are exceptional circumstances which mean that this is not possible. In this approach, the onus is on the Council to demonstrate why it will not engage.</p> <p>3. General consultation principles</p> <p>3.1 The classic statement of consultation principles are those set out in the judgment of Lord Woolf in the case of R v North and East Devon Health Authority Ex Parte Coughlan [2001] QB 213, where he stated that:</p> <p>"To be proper, consultation must be undertaken at a time when proposals are still at a formative stage. It must include sufficient reasons for particular proposals to allow those consulted to give intelligent consideration and an intelligent response; adequate time must be given for this purpose; and the product of consultation</p>	<p>It is not the case that it will be for the community to show why early engagement should take place and the Council is not proposing that it should. Where the NPPF/PPG guides which stakeholders should be involved in plan or evidence preparation then the Council will engage with those stakeholders as identified by the NPPF/PPG for that particular issue either through a Forum or by targeted consultation. This ensures that the mechanisms for involvement remain flexible taking into account the resources available to the Council.</p>	<p>Clarification to be added to the SCI in terms of the early engagement process.</p>

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		<p>must be conscientiously taken into account when the ultimate decision is taken."</p> <p>In Moseley v Haringey [2014] UKSC 56, the Supreme Court has recently analysed the nature of obligations arising where consultation is required. In its judgment the Court makes clear the obligation - even where not specifically required by a statutory consultation scheme - for consultees to be provided with adequate information about alternative options.</p> <p>3.2 Lord Wilson (with whom Lord Kerr agreed) explained that:</p> <p>"23 A public authority's duty to consult those interested before taking a decision can arise in a variety of ways. Most commonly, as here, the duty is generated by statute. Not infrequently, however, it is generated by the duty cast by the common law upon a public authority to act fairly. The search for the demands of fairness in this context is often illuminated by the doctrine of legitimate expectation; such was the source, for example, of its duty to consult the residents of a care home for the elderly before deciding whether to close it in R v Devon County Council, Ex p Baker [1995] 1 All ER 73. But irrespective</p>		

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		<p>of how the duty to consult has been generated, that same common law duty of procedural fairness will inform the manner in which the consultation should be conducted.</p> <p>24 Fairness is a protean concept, not susceptible of much generalised enlargement. But its requirements in this context must be linked to the purposes of consultation. In R (Osborn) v Parole Board [2014] AC 1115, this court addressed the common law duty of procedural fairness in the determination of a person's legal rights. Nevertheless the first two of the purposes of procedural fairness in that somewhat different context, identified by Lord Reed JSC in paras 67 and 68 of his judgment, equally underlie the requirement that a consultation should be fair. First, the requirement "is liable to result in better decisions, by ensuring that the decision-maker receives all relevant information and that it is properly tested": para 67. Second, it avoids "the sense of injustice which the person who is the subject of the decision will otherwise feel.": para 68. Such are two valuable practical consequences of fair consultation. But underlying it is also a third purpose, reflective of the democratic principle at the heart of our society. This</p>		

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		<p>third purpose is particularly relevant in a case like the present, in which the question was not: "Yes or no, should we close this particular care home, this particular school etc?" It was: "Required, as we are, to make a taxation-related scheme for application to all the inhabitants of our borough, should we make one in the terms which we here propose?"</p> <p>3.3 Lord Reed explained that:</p> <p>"38. .... The purpose of this particular statutory duty to consult must, in my opinion, be to ensure public participation in the local authority's decision-making process.</p> <p>39 In order for the consultation to achieve that objective, it must fulfil certain minimum requirements. Meaningful public participation in this particular decision-making process, in a context with which the general public cannot be expected to be familiar, requires that the consultees should be provided not only with information about the draft scheme, but also with an outline of the realistic alternatives, and an indication of the main reasons for the authority's adoption of the draft scheme. That follows, in this context,</p>		

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		<p>from the general obligation to let consultees know "what the proposal is and exactly why it is under positive consideration, telling them enough (which may be a good deal) to enable them to make an intelligent response": R v North and East Devon Health Authority, Ex p Coughlan [2001] QS 213, para 112, per Lord Woolf MR.</p> <p>3.4 As can be seen proper consultation places specific requirements on the local authority - not least the obligation to provide sufficient reasons for particular proposals and to take the product of consultation into account conscientiously. This is more than simply sharing information which could be characterised as engaging with the local community.</p>	<p>Reference to Case Law is noted. The Council is seeking to adhere to 'Gunning Principles' in its approach to consultation, namely:</p> <p>(i) Consultation must take place when the proposal is still at a formative stage - The Council will be engaging and consulting with the stakeholders identified in the NPPF/PPG for that related issue/evidence study. The Council will also consult on a borough wide basis on Issues &amp; Options, pre-Submission or on draft SPD and this is set out in the draft SCI in Tables 3-2 to 3-4.</p> <p>(ii) Sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response - The Issues &amp; Options</p>	<p>See comment above regarding early engagement process.</p>

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			<p>and pre-Submission documents will explain why options have been put forward and/or preferred and the reasons/evidence for this.</p> <p>(iii) Adequate time must be given for consideration and response - For statutory consultations the periods set out by the Town &amp; Country Planning (Local Planning)(England) Regulations 2012 for SPDs and Local Plans will be adequate and the Council may adopt these for non-statutory engagement/consultation as well i.e. periods of 4 or 6 weeks.</p> <p>(iv) The product of consultation must be conscientiously taken into account and that alternative options require consideration - The draft SCI sets out in paragraphs 3.11 to 3.17 how the Council will take consultation comments into account and the process for considering them. Further, Local Plan documents are required to be supported by Sustainability Appraisal (incorporating Strategic Environmental Assessment), which appraises a range of options and alternatives considered by the Council. The SA/SEA is a public</p>	

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		<p>4. The nature of consultation on the Local Plan Review</p> <p>4.1 As stated above, the advice we have been given is that the onus is on the council to follow the guidance.</p> <p>a) Housing and Economic Development Needs Assessments (paragraph 007) says that involvement should be:</p> <p>"from the earliest stages of plan preparation, which includes the preparation of the evidence base in relation to development needs."</p> <p>b) Housing and Economic Land Availability Assessments (paragraph 008) says that involvement should be:</p>	<p>document available for comment at each stage of plan preparation. Also, the Issues &amp; Options and pre-Submission versions of the Local Plan will need to justify the options chosen, why certain options are preferred and why others were rejected. This has been a fundamental element of plan making since 2004.</p>	

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		<p>"from the earliest stages of plan preparation, which includes the evidence base in relation to land availability"</p> <p>4.2 In light of a) and b) above, paragraph 3.10 should be removed from the Statement of Community Involvement.</p> <p>Residents should be free as part of consultation to suggest inputs to the methodology whose output will be the evidence base. The product of such consultation should be conscientiously taken into account by the Council.</p> <p>4.3 Once such evidence base studies are completed (including the conscientious taking-into- account of the product of consultation), such studies should be published, rather than waiting for the Issues and Options stage of the process.</p>	<p>Paragraph 3.10 is pointing out that for many evidence studies, methodologies have been established either because they are set out in government guidance or because they have been scrutinised at previous Local Plan examinations and found to be robust. The Council is not closed to others making suggestions on methodologies or the assumptions that underlie the evidence but any departure will require a strong justification that another methodology/assumption is more suitable, has been tested elsewhere and found to be robust. Paragraph 3.10 can be amended to reflect this, but its deletion is not agreed.</p> <p>In addition to any consultation/involvement on draft evidence, the Council intends to publish evidence studies once they are complete and prior to Issues &amp; Options and/or pre-Submission. This can be clarified in the SCI, although</p>	<p>Paragraph 3.10 to be amended with regard to input on methodologies/ assumptions but not deleted.</p> <p>Clarification to be added to the SCI that evidence studies will be published once completed and the location where they can be inspected.</p>

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			there may be occasions when this is not possible due to circumstances beyond the control of the Council i.e. a change in national policy necessitating additional or updated evidence which occurs after issues/options or pre-Submission.	
Chapter 3	Terence O'Rourke	<p>Paragraph 3.8</p> <p>Local Plan Stakeholder Forum.</p> <p>Terence O' Rourke Limited are planning consultants with a number of active clients with interests across the Borough. If the Council decides to create a Local Plan Stakeholder Forum, we would request an invitation to be involved.</p> <p>Table 3.2 &amp; 3.4</p> <p>Paragraph 14 of the section on Local Plans within the Planning Practice Guidance (PPG) states that Local Planning authorities should publish documents that form part of the evidence base as they are completed, rather than waiting until options are published or a Local Plan is published for representations. This will help local communities and other interests consider</p>	<p>Noted.</p> <p>The Council intends to publish evidence studies once they are complete and prior to Issues &amp; Options and/or pre-Submission. This can be clarified in the SCI, although there may be occasions when this is not possible due to circumstances beyond the control of the Council i.e. a change in national policy necessitating additional or updated</p>	<p>N/A.</p> <p>Clarification to be added to the SCI that evidence studies will be published once completed and the location where they can be inspected.</p>

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		<p>the issues and engage with the authority at an early stage in developing the Local Plan.</p> <p>Evidence base studies that are being produced to support the local plan should be made available to all, as they are completed. There should be an explicit reference to such a commitment within the SCI, along with details of how stakeholders will be notified of the publication of such documents.</p>	<p>evidence which occurs after issues/options or pre-Submission</p> <p>The Council will consider how it notifies stakeholders when evidence studies are published, both in draft for comments and final formats. Reference to this can be added to the SCI.</p>	<p>Add reference to how stakeholders will be notified.</p>
Chapter 3	Mrs Caroline Nichols	<p>I wish to add one further comment to Mr Nichols submission as follows:</p> <p>Please would the Council publish in full and on a regular basis an analysis of all costs associated with the review of the Local Plan.</p> <p>In considering "the possible benefits of involvement against costs" the impression given is that SBC sees the opportunity to consult with all residents (as opposed to a group of selected stakeholders) as a cost to be regretted rather than an investment to be embraced. This is a pity as good quality public consultation has the potential to save costs over the long term as well as recognising that the most</p>	<p>The Council's budget for Planning Policy is set out within its Coded Budget Book which is available on the Council's web-site at <a href="https://www.spelthorne.gov.uk/article/2134/Coded-Budget-Book-201415">https://www.spelthorne.gov.uk/article/2134/Coded-Budget-Book-201415</a></p> <p>Spelthorne Borough Council will consult with all residents of Spelthorne at the earliest statutory consultation stages of plan preparation and not just with a list of identified stakeholders. This will be via the other engagement techniques identified in Table 3-2 such as articles in the Borough Bulletin and issuing press releases.</p>	<p>N/A.</p> <p>N/A.</p>

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		important stakeholders are the residents. If residents can see all the costs they can decide how much they are willing to pay to be consulted.	However, when it comes to non-statutory stages of plan preparation e.g. evidence studies, the Council is seeking to engage stakeholders which represent the widest range of individuals, communities and businesses and therefore have the widest reach. In setting up a Forum, the Council has to be mindful of the costs and resources available against the need to involve communities as fully as possible in the planning process. It is considered that the proposals in the draft SCI take a balanced approach to achieving this.	
Chapter 3	Mr Lawrence Nichols	<p>Paragraph 3.5 &amp; appendix B</p> <p>The channelling of consultation through selected groups is just a way of limiting real community consultation. There should be ways which genuinely give opportunities for individuals who do not feel that residents associations or other groups represent their view in the compilation of the evidence base.</p> <p>Paragraph 3.9</p> <p>The use of the Forum will allow the</p>	<p>The groups set out in Appendix B reflect the specific and general consultation bodies as set out in the Town &amp; Country Planning (Local Planning)(England) 2012 Regulations. It also contains a range of other groups many of whom will represent a variety of different stakeholders including individuals. The purpose of the list is not to limit community engagement but to ensure that those who would not</p>	No change.

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		<p>Council to manage community engagement by regulated who can be involved. There should be opportunities for individuals to be involved.</p> <p>Paragraph 3.10</p> <p>The statement that "involvement to discuss how these studies might be undertaken is unlikely to be of value" says a great deal about how the Council sees consultation. Given this view the involvement of the Forum at the "draft study stage" would appear to be irrelevant.</p>	<p>normally respond to engagement events are represented by bodies/groups who will. Further, the list in Appendix B is not exhaustive. Further, as explained in paragraph 3.9 the Council's resources are limited and therefore any forum needs to take this into consideration whilst enabling the widest involvement possible. It is considered that the draft SCI aims to strike this balance.</p> <p>The involvement of a forum at the draft stage of an evidence study is not considered to be irrelevant. Paragraph 3.10 is pointing out that many evidence studies are required to be undertaken in line with methodologies as set out in national planning policy advice and to depart from them is unlikely to be appropriate. However, should a member of the forum be able to provide an alternative methodology which can be justified and has been tested through examination then this can be considered by the Council and other forum members. The forum would also be the place to</p>	<p>Paragraph 3.10 to be amended with regard to input on methodologies/ assumptions but not deleted.</p>

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		<p>Table 3-4 - Evidence based studies</p> <p>There should be an absolute commitment to consult on the evidence based studies. There are a number of unique characteristics of the borough that must be properly considered e.g. flood plain, high proportion of water area relative to the total area and how these should relate to future levels of sustainable development.</p> <p>3.13, 3.14 &amp; 3.15</p> <p>The Council's Local Plan Working Party should meet in public and its papers should be made available to residents prior to the meetings. As well as having all submissions made public, the Officers recommendations should also be publicised instead of just a summary as proposed. Under the proposed</p>	<p>consider the assumptions that have fed into the study and how robust they are. This can be made more explicit in the SCI.</p> <p>The Council will engage with stakeholders on evidence base studies where appropriate. Where the NPPF/PPG guides which stakeholders should be involved in plan or evidence preparation then the Council will engage with those stakeholders as identified by the NPPF/PPG for that particular issue either through a Forum or by targeted consultation. This ensures that the mechanisms for involvement remain flexible taking into account the resources available to the Council.</p> <p>Noted, although it is a summary of the representations that is proposed not a summary of Officer recommendations. However, the proposals in the SCI set out that all representations will be considered with an Officer response where appropriate with an indication of</p>	<p>Clarification to be added to the SCI in terms of the early engagement process.</p> <p>No change.</p>

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		arrangements it will be possible for comments and representations to be ignored without any reasons ever being given, with only proposed changes being commented on. This is a serious failure of transparency.	where changes are to be made or not. The reasons for justifying a change or not i.e. how the representation has been taken into account will be a public document available on the Council's web-site. The representations, Officer comments and how the Council has taken these into account will be considered by the Local Plans Working Party (LPWP) and where necessary Cabinet. Comments and responses will be made public after LPWP or if required Cabinet.	
Chapter 3	Staines Town Society	Most sections of tables 3-2, 3-3 and 3-4 describe standard practice, but the first sections of 3-2 and 3-3, on early engagement, need amplification and greater emphasis. We urge SBC to commit to implementing the offer of early community and stakeholder involvement. This is in line with the principles of the NPPF and relevant PPGs, and is the best time for community input, at an early stage when there is still some plasticity in plans.	Noted. Where the NPPF/PPG guides which stakeholders should be involved in plan or evidence preparation then the Council will engage with those stakeholders as identified by the NPPF/PPG for that particular issue either through a Forum or by targeted consultation. This ensures that the mechanisms for involvement remain flexible taking into account the resources available to the Council. The Council is also aware of the publication passed to them by the Staines Town Society 'Collaborative Planning For All' by the Civic Society. The Council	Clarification to be added to the SCI in terms of the early engagement process.

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		<p>Whether done through consultation or by setting up a forum, the same principles apply:</p> <p>a) the relevant information must be supplied - if to a forum, this means documents available in advance, and officers present to give background information and answer questions</p> <p>b) there must be a clear statement of the mechanism by which the collected views of the community will be considered as part of the Plan process. Without a definite commitment to take account of its output, a forum is just a public relations exercise. Para 3.11 states that representations will be published on SBC website, but does not state how and where they will influence the Plan process.</p> <p>In particular (3-4) there should be early engagement on the evidence base documents, and discussion of their findings, as stated in 3.10. The SCI should include a list of existing and</p>	<p>will consider whether any aspects of this publication could apply to a Forum.</p> <p>Noted. The SCI can clarify the timing of documents to the Forum.</p> <p>Paragraphs 3.12-3-15 set out how representations will be taken into account at different stages of plan preparation, SPD and evidence studies. Specifically paragraph 3.15 sets out how comments made at early engagement events including Officer response will be reported to the Local Plans Working Party and Cabinet and published on the Council's web-site.</p> <p>Noted. Any list of evidence studies in the SCI would not be exhaustive and may not reflect the final evidence base. Some studies may not eventually be undertaken and others</p>	<p>SCI to clarify when documents will be made available to a Local Plan Forum.</p> <p>No change.</p> <p>No change.</p>

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		<p>proposed evidence base documents: we assume they include the Economic Strategy, on which there was early engagement and formal consultation, and the draft retail study, which seems to be in the early engagement stage, with formal consultation to come. What other documents have been completed, and which are to come, and will the same procedure be followed?</p> <p>The publication of Issues &amp; Options in the Borough Bulletin as part of the previous planning process was a clear and straightforward way of presenting the main issues to the general public and collecting their replies, and we hope it will be repeated.</p> <p>We welcome para 3.13. Publication of a table of representations, officer responses and explanation, and recommended changes allows senders of representations to see that their views have been considered, and reasons given for their acceptance or rejection. This reassures the public and increases trust in the process. Indeed, we have in the past held this up as an example of good practice to Health Authorities and commissioners planning service changes.</p>	<p>may yet be identified as issues arise during plan preparation that the Council are unaware of or national policy/legislation changes. The procedures for involving stakeholders in the Forum are not prescriptive which allows for greater flexibility given that different types of stakeholder are likely to require different methods of involvement.</p> <p>The intention is to include notification of the Issues &amp; Options in the Borough Bulletin prior to or early in its publication.</p> <p>Noted.</p>	<p>N/A.</p> <p>N/A.</p>

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Chapter 3	Lower Sunbury Residents Association (LOSRA)	<p>Page 6, Para. 3.8. Whilst mindful of 'consideration of cost and resource' (para. 1.6), this passage amounts to not much more than a vague aspiration; and actually commits very little by way of stakeholder involvement. In the final document we would expect to see evidence of firmer intent, to wit; 'The Council will create a Local Plan Stakeholder Forum....'.</p> <p>Furthermore, and for similar reasons, Forum events taking place 'as and when required' is unsatisfactory. It invites the inevitable question; by whom such events would be required, SBC or the stakeholders? It is the Association's view that the LPSF should be held at prescribed intervals (eg. Quarterly) and more frequently should the Local Plan's rate of progress so dictate.</p> <p>The notion of the LPSF taking 'the form of either a discussion group or consultation exercise' brings to mind a 'talking shop'</p>	<p>Paragraph 3.8 states that the Council is only considering creating a Local Plan Stakeholder Forum because at the time of writing the level of interest in a forum was unknown. Hence, should sufficient stakeholders show an interest to be engaged through a forum, then the Council will set one up. This could take on different forms (i.e. discussion events/written consultations/workshops) depending on the subject matter and/or the level of interest. The SCI can give greater clarification as to the types of format for Forum events.</p> <p>There will be times when events may be required within short timeframes and periods with nothing to report. Further, different types of stakeholder (i.e. businesses, communities or developers) involved in the Local Plan are likely to require different methods of involvement. Therefore the reason for proposing forum events as and when required maintains a degree of flexibility.</p> <p>The Local Plan Forum is not intended to be a 'talking shop'. As already stated different types of</p>	<p>Amend SCI to read that the Council will set up a Local Plan Forum and clarify format of Forum events.</p> <p>No change.</p>

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		<p>which lacks teeth. If the LPSF is to be accorded the status which we believe it deserves, it should provide a platform for debate and the formulation of minuted recommendations to the Local Plan Steering Group. In short, as Para. 3.8 is currently presented, it leaves the impression of a cosmetic device designed to satisfy the minimum requirements of s.18 PCPA 2004.</p>	<p>stakeholder involved in the Local Plan are likely to require different methods of involvement. Paragraph 3.15 of the draft SCI sets out that a summary of oral/written comments made at early engagement events and an Officer response will be reported to the Local Plans Working Party and Cabinet. Any recommendations to Members by the forum would have to be justified by evidence and be consistent with the NPPF.</p>	<p>Clarification to be added to the SCI in terms of the early engagement process.</p>
		<p>Pages 10 &amp; 14, tables 3-2 &amp; 3-3, under columns headed 'How will you be involved?' the word 'may' should be replaced by 'will' so as to read: 'The Borough Council will hold....'</p>	<p>Where the NPPF/PPG guides which stakeholders should be involved in plan or evidence preparation then the Council will engage with those stakeholders as identified by the NPPF/PPG for that particular issue either through a Forum or by targeted consultation. This ensures that the mechanisms for involvement remain flexible taking into account the resources available to the Council.</p>	
		<p>Page 7, Para. 3.10 &amp; Page 16, Table 3-4. The proposed Methods of Involvement seem to imply that, because the methodology for evidence studies is very prescriptive, there is unlikely to be any</p>	<p>Paragraph 3.10 is pointing out that for many evidence studies, methodologies have been established either because they are set out in government guidance or</p>	<p>Paragraph 3.10 to be amended with regard to input on methodologies/ assumptions.</p>

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		<p>early stakeholder involvement; and that the Council will consider involvement only at the 'draft study stage'. It is presumed that this will mean the final draft of the study. If so, there will be little opportunity for meaningful stakeholder involvement. It is accepted that models for economic growth, employment generation, demographic projections and housing demand are well established and prescriptive; but the input parameters and assumptions accompanying them are not* . In short, we see it as imperative that there should be earlier stakeholder involvement in the evidence studies which precede the draft study stage.</p> <p>In conclusion, and subject to the comments described above, the Association is grateful for this opportunity to influence the final SCI document. In this connection we are aware of the submission by Keep Kempton Green (KKG) and the legal opinion which underpins it. LOSRA has no reason other than to endorse that submission.</p> <p>*Runnymede and Spelthorne Borough Councils have commissioned GL Hearne to undertake a Strategic Housing Market Study for both authorities with publication due in February 2015. Additionally, it is</p>	<p>because they have been scrutinised at previous Local Plan examinations and found to be robust. The Council is not closed to others making suggestions on methodologies or the assumptions that underlie evidence studies but any departure will require a strong justification that another methodology/assumption are more suitable, has been tested elsewhere and found to be robust. Paragraph 3.10 can be amended to reflect this, however, draft study stage is considered an appropriate time for stakeholder involvement.</p> <p>Noted. A separate response has been made to the Keep Kempton Green representation.</p> <p>Noted, however draft SHMA publication is likely to be summer 2015 with stakeholder involvement to follow. Spelthorne is likely to have to undertake an assessment of its</p>	<p>See responses to Keep Kempton Green submission.</p> <p>N/A.</p>

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		understood that Arups have recently completed a review of Green Belt land within Runnymede Borough with the object of helping to meet housing targets. Given that Runnymede is the identified adjoining local authority, it may be reasonable to suppose that a similar review will be conducted within SBC?	Green Belt to ensure that all land designated as such still meets the Green Belt purposes as set out in paragraph 80 of the NPPF. This is not however the same as a Green Belt Review.	
Chapter 4	Mr Alan Doyle Keep Kempton Green	<p>5. Other matters</p> <p>5.3 Viability Reports</p> <p>Case law regarding making public developers' Viability Reports (and Local Authorities' assessments of them) is changing.</p> <p>See Royal Borough of Greenwich v IC and Shane Brownie</p> <p><a href="http://www.informationtribunal.gov.uk/DBFiles/Decision/i1478/Royal%20Borough%20of%20Greenwich%20EA.2014.0122%20(30.01.15).pdf">http://www.informationtribunal.gov.uk/DBFiles/Decision/i1478/Royal%20Borough%20of%20Greenwich%20EA.2014.0122%20(30.01.15).pdf</a></p> <p>and</p>		

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		<p>London Borough of Southwark v IC and Lend Lease (Elephant and Castle) Ltd and Adrian Glasspool</p> <p><a href="http://www.informationtribunal.gov.uk/DBFiles/Decision/i1279/London%20Borough%20of%20Southwark%20EA.2013.0162%20%2809.05.14%29.pdf">http://www.informationtribunal.gov.uk/DBFiles/Decision/i1279/London%20Borough%20of%20Southwark%20EA.2013.0162%20%2809.05.14%29.pdf</a></p> <p>and</p> <p>Elmbridge Borough Council v IC and Gladedale Group Ltd</p> <p><a href="http://www.informationtribunal.gov.uk/DBFiles/Decision/i479/%5B2011%5DUKFTT_EA20100106_(GRC)_20110104.pdf">http://www.informationtribunal.gov.uk/DBFiles/Decision/i479/%5B2011%5DUKFTT_EA20100106_(GRC)_20110104.pdf</a></p> <p>and others.)</p> <p>5.4 Paragraph 4.11 of the draft Statement of Community Involvement should be amended to read:</p> <p>4.11 All planning applications including plans and supporting documentation, and developers' Viability Reports and the Council's assessments of those Viability Reports, will be available to view on the Council's web-site via the 'Planning Applications On-line' search facility and/or</p>	<p>Reference to Information Rights Tribunal Decisions are noted. Paragraph 4.11 of the draft SCI states that planning applications and supporting documentation will be available to view on the Council's web-site. The term 'supporting documentation' will include viability studies submitted by an applicant and the Council's appraisal of this, where the public interest overrides</p>	<p>Clarify that public interest vs confidentiality will be considered on a case by case basis.</p>

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		<p>at the Council Offices. Residents of Spelthorne can also sign up to 'My Alerts' on the Council's web-site. The 'My Alerts' service sends an email to residents (who have registered) whenever something of interest happens near their property including the submission of planning applications. Residents can opt to have alerts sent to them for interests up to 500m from their property.</p>	<p>confidentiality. However, public interest vs confidentiality will need to be considered on a case by case basis rather than covered by a blanket approach. This can be explained in paragraph 4.11.</p>	
Chapter 4	Mr Staveley Ferguson	<p>Chapter 8, paragraphs 8.11 and 8.12</p> <p>At pre-application stage on major developments, consultation not just with local amenity groups but also interested local residents.</p> <p>Chapter 8, Planning</p> <p>On major planning applications an explanation and justification of how infrastructure issues are being addresses:</p>	<p>Table 4-1 sets out that the Council will encourage applicants to carry out early consultation with neighbours/communities by letter or leaflet and/or by holding public meetings/exhibitions/workshops. The Council would expect this to include invitation to interested individuals and the SCI could clarify this. However, the scale of involvement will very much depend on the scale of development i.e. how many neighbours/properties to leaflet.</p> <p>Noted. The Council's local list of requirements sets out the scale of information which should be</p>	<p>SCI to clarify that applicants should include interested individuals in pre-application events.</p> <p>No Change.</p>

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		<p>roads, access to utilities, schools, local GPs and hospitals, parking, etc. In recent major developments in Lower Sunbury, such as London Irish, The Police College site, and the Thames Water development, there was little evidence of these being considered in advance.</p>	<p>submitted with a planning application and for major applications includes:</p> <ul style="list-style-type: none"> <li>Flood Risk Assessment</li> <li>Foul Sewage and Utilities Assessment</li> <li>Transport Assessment</li> <li>Travel Plan</li> <li>Sustainable Urban Drainage Systems</li> </ul> <p>The Council would expect developers to address infrastructure requirements as part of this information. Further, for Major applications the Council will consult with a number of infrastructure providers including Surrey County Council for education and transport infrastructure.</p>	<p>No change.</p>
		<p>Chapter 8, Planning</p> <p>Serious scrutiny of the scale of major development proposals, and a presumption in favour of the defence of Green Belt land.</p>	<p>It is not the role of the SCI to set out the Council's policy approach to the Green Belt. The consideration of impacts on the Green Belt are made in accordance with national planning policy in the NPPF and Local Plan policy GB1.</p>	

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Chapter 4	Staines Town Society	<p>In section 4, Planning Applications, we note inconsistency in paras 4.5 and 4.6. A minor development is 1 - 9 units or less than 0.5 ha. A major development is at least 10 units or more than 0.5 ha. These can't both be 'or': one must be 'and' if they are distinct categories. The prospect of high-rise development makes this obvious. For example the 15 storey Masonic development was for 140 units (major) on 0.3 ha (minor). Mrs Spinks's recent letter referring to SuDs makes it clear that the 'or' should be in the definition of major development. Minor development should be defined as 1 - 9 units and less than 0.5 ha. Same applies to non-housing categories.</p> <p>We accept with regret 4.27, Council can only request developers to discuss their plans with the local community, and ask for a firmer statement that such requests be emphasised.</p> <p>The SCI should include details of how compliance will be monitored, in the Plan period for sec 3 and indefinitely for sec 4. The stimulus for this comment arises from our experience of breaches of 4.14, when</p>	<p>Noted.</p> <p>Noted. Engagement by the applicant at pre-application stage is discretionary and the Council can only encourage this in line with the suggestions set out in Table 4-1 of the draft SCI.</p> <p>Compliance with section 3 can be monitored through the Planning Monitoring Report published annually. The SCI could be clarified in para 4.14 that letters of</p>	<p>SCI to clarify definition of major and minor development.</p> <p>SCI to clarify timeframe for publishing comments on planning applications.</p>

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		<p>letters have only been added to the website up to two months after receipt, and after repeated reminders; but the comment is general. How will SBC check compliance with all the requirements of the SCI?</p>	<p>representation will be published on the Council's web-site within a specified time, however this will depend upon the level of resources in the planning department at the time and there may be circumstances when a representation cannot be published within the timeframe. As such, it is considered better to ensure that representations are published on the website as soon as is practicable from date of receipt.</p>	
Chapter 4	Mr Lawrence Nichols	<p>Paragraph 4.22</p> <p>Pre-application advice to developers is important and potentially a very valuable service which should enhance the quality of major applications. However the fact that these are confidential should be reconsidered. When an application is received the details of pre-application meetings should be disclosed together with any fees paid. In recent years developers have run rings round the Council and this is why residents are so sceptical about the way the Council relates to developers. The recent secret dialogue</p>	<p>Noted. However, the confidentiality of pre-application advice is standard practice within local planning authorities and supports early contact with the authority so applicants are made aware of whether or not their proposals are likely to be acceptable. This enables applicants to abandon inappropriate proposals at an early stage or modify them so better proposals are submitted.</p>	No change.

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		<p>with Kempton Park has eroded the confidence the public has in the Council to protect resident's interests. Planning law favours developers to a considerable degree and the Council should promote and maintain the greatest level of transparency possible to demonstrate how it is working for residents and not for the builders.</p>		
		<p>Paragraph 4.23 &amp; 4.27</p>		
		<p>The Council should tell residents (and the Planning Committee) when a developer refuses to undertake an adequate level of community engagement. The "suggestions for approaches that could be adopted by applicants" (Table 4-1) should be stated as a minimum expectation on developers and something that they are expected to meet. This could be sought as a condition for pre-application engagement.</p>	<p>The Council recognises that engagement by the applicant at pre-application stage is very valuable to local communities, however there are no statutory powers to require it and the Council can only encourage this in line with the suggestions set out in Table 4-1 of the draft SCI. As such, the Council cannot make engagement a condition of pre-application advice. Further, the refusal of an applicant to undertake such consultation cannot be prejudicial to the merits of the application and any decision the Council may wish to take.</p>	<p>No change.</p>
		<p>Paragraph 4.26</p>		
		<p>The whole planning process is far from</p>	<p>Paragraph 4.26 is highlighting that</p>	<p>No change.</p>

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		"impartial" as the law is vastly in favour of developers and it is up to the Council to be actively work in the interests of residents (voters).	any consultation event for a pre-application will be down to the applicant not the Council and that the Council must remain impartial during this process.	
Chapter 4	Environment Agency	With regard to planning application consultations, as noted in your paragraph 4.8 you consult under the Development Management Procedure Order (DMPO) 2010. As a statutory consultee we would be consulted on applications within our remit through this process. You will be aware that Government has recently consulted on changes to the DMPO and that the categories under which you will need to consult us will be changing. In anticipation of this we nationally are revising our external consultation list for all local planning authorities. When it is finalised we will be distributing it to all the local authorities we work with, including yourselves.	Noted.	SCI to be checked against the new DMPO.
Appendix A	Mrs Elleke Carling	NPPF Paragraph 69  This should include: Guaranteed supportive infrastructure and weight granted to Local opinion must be decisive	Appendix A is merely repeating paragraph 69 of the National Planning Policy Framework to	No change.

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		factors when it comes to developers being allowed to build.	emphasis when stakeholders should be involved in the planning process. However, all planning applications must be considered on their merits on a case by case basis. This will include a consideration of the impact on local infrastructure and the infrastructure provided by the development and/or material objections raised by the local community.	