

COUNCIL

- AGENDA -

20 SEPTEMBER 2006

<u>ITEM</u>		<u>PAGE</u>
1.	MINUTES – 28 JUNE 2006	
1.1	To approve and sign as an accurate record the Minutes of the Ordinary Council Meeting held on 28 June 2006.	Circulated separately
2.	APOLOGIES FOR ABSENCE	
3.	MAYOR'S / CHIEF EXECUTIVE'S ANNOUNCEMENTS (IF ANY)	Circulated separately
4.	DECLARATIONS OF INTEREST	
4.1	If a Councillor has any personal or prejudicial interest in a particular report they should declare an interest.	
4.2	A Councillor should not take part in the discussion or vote on a matter in which they have a prejudicial interest. They should withdraw from the meeting whilst the matter is under consideration unless the disability to participate has been removed by the Standards Committee, or unless a relevant exemption applies under the Council's Code of Conduct.	
5.	PUBLIC QUESTIONS (20 MINUTES)	
	The Leader / relevant Cabinet Member to reply to questions submitted by members of the public:	
	PQ1. Ms.Henrietta Bewley, 4 Ravenscourt Place W6	
6.	ITEMS FOR DECISION / COMMITTEE REPORTS (IF ANY)	
6.1	Treasury Management Outturn Report	
6.2	Local Development Framework: Adoption of Statement of Community Involvement	

- 6.3 [Introduction of a Borough-Wide Controlled Drinking Area](#)
- 6.4 [Pensions Fund Investment Panel – Revised Constitution & Terms of Reference](#)
- 6.5 [Personnel Appeals Panel / JHSW – replacement of member-level bodies](#)
- 6.6 [Grant of Leases to Notting Hill Housing Group re:3c & 21a Bridge Avenue W6 & approval to seek necessary permissions for same from the Secretary of State](#)

7. SPECIAL MOTIONS

To consider and determine any Special Motions:

- 7.1 [Special Motion No.1 – Affordable Homes](#)
- 7.2 [Special Motion No.2 – Borough-Wide Controlled Drinking Area](#)
- 7.3 [Special Motion No.3 – School Governor Criminal Record Bureau Checks](#)
- 7.4 [Special Motion No.4 – Polish Community in the Borough](#)
- 7.5 [Special Motion No.5 – Closure of Hammersmith Broadway Post Office](#)
- 7.6 [Special Motion No.6 – Vans Parked off the North End Road](#)
- 7.7 [Special Motion No.7 – Tackling Teenage Pregnancies in the Borough](#)
- 7.8 [Special Motion No.8 – Ravenscourt Park Hospital](#)

8. INFORMATION REPORTS – TO NOTE (IF ANY)

PUBLIC QUESTION TIME

LONDON BOROUGH OF HAMMERSMITH & FULHAM

COUNCIL MEETING – 20 SEPTEMBER 2006

Question by: Henrietta Bewley, 4 Ravenscourt Place, W6 0UN

to the: Leader of the Council

QUESTION

Has the new administration brought in a recruitment freeze, or are they planning to do so;

how many unfilled vacancies are there, and in which Departments;

and which Departments have reductions in staff relative to last year, and how much are those reductions?

ipc/08/09/06

20 SEPTEMBER 2006

LEADER
*Councillor Stephen
Greenhalgh*

**TREASURY MANAGEMENT OUTTURN REPORT
2005/06**

**WARDS
All**

Summary

This report provides information on the Council's debt, borrowing, and investment activity for the financial year ending 31st March 2006

CONTRIBUTORS

RECOMMENDATION:

FD

That the borrowing and investment activity for the period 1 April 2005 to 31 March 2006 be noted.

1. Introduction and Background

1.1 Treasury management in local government is regulated by the 2001 revision of the CIPFA Code of Practice on Treasury Management in the Public Services (the Code). This Council has adopted the Code and fully complies with its requirements. Council approved this in January 2002.

It is a statutory requirement to report to full Council by 30 September, in any given year, the results of the Council's Treasury Management activities in the preceding financial year. This report deals with 2005/06.

1.2 This annual report covers:

- The Council's current treasury position
- Interest Rates
- Performance measurement
- Investment outturn for 2005/06
- Compliance with treasury limits and Prudential Indicators
- Debt rescheduling.

2. Current Treasury Position

2.1 The Council's debt position at the beginning and end of the year was as follows:

	31 March 2005		31 March 2006	
	Principal	Ave. Rate	Principal	Ave. Rate
	£000's		£000's	
Fixed Rate - PWLB	£294,020		£343,520	
Variable Rate - PWLB	£ 15,000		£ 15,000	
	£309,020		£358,520	
Market & Temporary Loans	£ Nil		£ Nil	
Total Debt	£309,020	7.28%	£358,520	6.70%
Total Investments	£27,800	4.81%	£44,700	4.68%

3. Interest rates

3.1 Base rate started 2005/06 at 4.75%, having been unchanged at this level since August 2004. It fell to 4.5% in August 2005 and remained at this level for the rest of the year.

3.2 The PWLB 25-30 year rate started the year at 4.75% and then fell into a range

of 4.30% - 4.50% for most of 2005 after mid May. However, long term PWLB rates plunged to levels unprecedented in recent history of 3.70% in late January 2006 before rising back to a new peak of 4.25% at the end of the financial year.

4. Performance Measurement

4.1 Debt Performance - As shown in para 2.1 the average debt portfolio rate has reduced over the course of the year from 7.28% to 6.70%.

4.2 An analysis of the Council's long term (PWLB) borrowings by maturity (i.e. date of repayment) is as follows:

PWLB	31 March 2005 £000s	31 March 2006 £000s
Up to two years	20,500	5,000
Between two and five years	10,000	16,000
Between five and ten years	56,534	68,056
More than ten years	<u>221,986</u>	<u>269,464</u>
Total	<u>309,020</u>	<u>358,520</u>

4.3 An analysis of movements on loans and investments during the period is shown below:

	Balance 31.03.05 £000s	Loans/Invs Raised £000s	Loans/Invs Repaid £000s	Balance 31.03.06 £000s
PWLB	309,020	75,000	25,500	358,520
Money Market loans	0	1,000	1,000	0
Temporary loans	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total debt	<u>309,020</u>	<u>76,000</u>	<u>26,500</u>	<u>358,520</u>
Investments	<u>27,800</u>	<u>1,030,850</u>	<u>1,013,950</u>	<u>44,700</u>

- 4.4 From 1 April 2005 to 31 March 2006 the Council took 7 new Public Works Loan Board loans totalling £75 million and repaid 5 loans totalling £25.5 million.
- 4.5 Of the £75 million new borrowing, £15 million was replacement borrowing as a result of debt rescheduling done in November 2005, see para 6.1.
- 4.6 Following the inspection of the HFHMS and gaining a 2 star rating, £78 million of supported borrowing has been released from the government for the Decent Homes Initiative for the financial years 2005/06 and 2006/07. £22 million of this was taken in 2005/06 with the remainder to be taken in 2006/07.
- 4.7 However, as a result of PWLB long term borrowing hitting a historical low interest rate of 3.70%, a decision was taken that it would be prudent to take advantage of this rate and borrow an additional £25 million in 2005/06 with a further £31 million to be taken in 2006/07.
- 4.8 The other £13 million of new borrowing was being taken for Housing and General Fund capital projects.
- 4.9 Money Market loans taken during the year.

	Average Market Loans	Average Interest Rate	Benchmark Rate
Internally Managed	£1,000,000	4.65%	4.62%

- 4.10 The benchmark for Market loans is the weighted average 7 day LIBOR rate sourced from the Financial Times. The Council only took out one market loan during 2005/06 and failed to meet the benchmark by 0.03%.
- 4.11 Investment Performance – The authority manages its investments in-house and invests with the institutions listed in the Council's approved lending list. The Council invests for a range of periods from over night to 364 days, depending on the Council's cash flow, its interest rate view and the interest rates on offer.

	Average Investment	Average Interest Rate	Benchmark Return
Internally Managed	£50,895,659	4.68%	4.59%

4.12 The benchmark for internally managed funds is the weighted average 7-day LIBID rate sourced from the Financial Times.

4.13 Investments as at 31 March 2006 stood at £44.7 million, whilst the average for the year was £50,850,000. The Council exceeded the benchmark by 0.09%

5. Investment Outturn for 2005/06

5.1 For the majority of the year surplus cash was invested in an Abbey National Call Account and two Bank of Scotland accounts, one of them a call account and the other a 7 day notice account. The Abbey National and the Bank of Scotland call accounts track base rates, and were on average higher than over night and other short dated rates, whilst still allowing instant access to the funds.

5.2 The 7 day notice Bank of Scotland Account guarantees to receive the best rate of either Base Rate or Bank of Scotland Managed rate whichever is the higher. This rate has fluctuated between a low of 4.52% and a high 4.61%.

5.3 Other surplus balances were invested for a range of periods from 364 days to overnight depending on the fluctuations in the authority's cash flow and the interest rates on offer.

6. Debt Rescheduling

6.1 The opportunity was taken during November 2005 to take advantage of the interest differential in the yield curve between long-term and shorter-term rates. This involved repaying loans totalling £15 Million, which had an average life of two years, and refinancing them with a loan of £15 Million for 30 years, at 4.25%, thus realising approximate savings of £220,000 per annum for the Authority's General Fund in the process.

7. Compliance with Treasury Limits

7.1 During the financial year the Council operated within its treasury limits and the Prudential Indicators as set out in the Council's Treasury Strategy Report. The Prudential Indicators were reported to Leadership Scrutiny Panel every 3 months and the limits have not been exceeded.

8. RECOMMENDATIONS

8.1 To note the borrowing and investment activity for the period 1st April 2005 to 31st March 2006.

LOCAL GOVERNMENT ACT 2000 - BACKGROUND PAPERS

No.	Brief Description of Background Papers	Name/Ext. of holder of file/copy	Department/Location
1.	<u>Loans and Investments Ledger</u>	<u>Rosie Watson</u> <u>Ext: 2563</u>	<u>2nd Floor</u> <u>Town Hall Ext.</u>
2.	<u>Treasury Management documents</u>	<u>Rosie Watson</u> <u>Ext: 2563</u>	<u>2nd Floor</u> <u>Town Hall Ext.</u>

**DEPUTY LEADER &
CABINET MEMBER
FOR ENVIRONMENT**

*Councillor Nicholas
Botterill*

**CABINET MEMBER
FOR REGENERATION**

*Councillor Frances
Stainton*

**LOCAL DEVELOPMENT FRAMEWORK:
STATEMENT OF COMMUNITY
INVOLVEMENT IN PLANNING**

The council is legally required to adopt a Statement of Community Involvement (SCI) in planning. Following initial public consultation, the Statement of Community Involvement in planning was submitted to the Planning Inspectorate in October 2005 and there was another period for public comment from 28 October until 9 December 2005. This report provides details of the outcome of the Planning Inspector's examination of the Statement of Community Involvement in planning and seeks approval to adopt the document.

WARDS

ALL

CONTRIBUTORS

DEnvD, HLS, DF

Recommendation:

That the Council adopt the Statement of Community Involvement in planning as amended by the Inspector and include the document in the Council's Local Development Framework.

BACKGROUND

- 1.1 The Planning and Compulsory Purchase Act 2004 introduced a new local development planning process known as the Local Development Framework (LDF) to replace the Unitary Development Plan. One of the documents that each local planning authority has to prepare is a Statement of Community Involvement in planning (SCI). This sets out how the community will be involved in the preparation of the Local Development Framework (LDF) and in the consideration of planning applications. Essentially, the purpose of the document is to set out in advance the guidelines for consultation. With regard to the LDF, this takes account of the objective, inherent in the 2004 Act, for greater community involvement to take place early in the planning process. For planning applications, the SCI sets out an approach that reflects current practice. In both cases, the SCI takes account of expected staff and financial resources.
- 1.2 Consultation on a draft SCI took place in June and July 2005. The council's proposed SCI was then submitted to the Planning Inspectorate in October 2005 with further public consultation from October to December 2005. The document and the representations we received were subsequently subject to a written representations examination by an Inspector. The Inspector's final report was received on 6 June 2006. In accordance with the legislation, the council is bound to accept the Inspector's recommendations.

2. INSPECTOR'S REPORT

- 2.1 The Inspector undertook an examination into the SCI to assess whether the document meets the tests of soundness as set out Planning Policy Statement 12: Local Development Frameworks. He made four recommendations, which refer to points of clarification and the availability of the document in alternative formats, and do not materially affect the content of the SCI. The Inspector also supported minor changes that officers had suggested in response to representations. The Inspector noted that these "do not affect the substance of the SCI, but they do improve the clarity and transparency of the submission SCI".

3. ADOPTION OF THE SCI

- 3.1 In accordance with the Town and Country Planning Regulations, it will be necessary for the full Council to formally adopt the SCI. It is proposed that this should happen at the 20 September Council meeting. A copy of the SCI proposed to be adopted is attached to this report .
- 3.2 After adoption, the council will need to place an adoption statement in the local press and, amongst other things, make the SCI and the Inspector's report available. It will also be necessary to notify all those who made a

representation on the SCI of the adoption of the document and the publication of the Inspector's report. At the same time we will inform people of the response to their representations.

- 3.3 In accordance with the Regulations, the adoption statement will indicate that a person aggrieved by the SCI may make an application to the High Court under Section 113 for permission for judicial review of the decision to adopt the SCI.

4. DIRECTOR OF FINANCE COMMENTS

- 4.1 The Local Development Framework process will require increased spending on public consultation, but provision has been made within Environment Services Department budgets through the Medium Term Financial Strategy process and application of Planning Delivery Grant. The Statement of Community Involvement does not have particular financial implications for the processing of planning applications as it reflects existing practice.

5. COMMENTS OF THE HEAD OF LEGAL SERVICES

- 5.1 The Head of Legal Services has read this report and is satisfied with its content.

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS**

No.	Description of Background Papers	Name/Ext. of Holder of File/Copy	Department/ Location
1.	Inspector's Report June 2006	Trevor Harvey x3039	EnvD, TH Ext.
2.	Copies of representations received during consultation	“	“

***STATEMENT OF COMMUNITY
INVOLVEMENT IN PLANNING***

2006

This and other Local Development Framework documents are or will be made available in large copy print, audio cassette, Braille or languages other than English on request. If you require the document in one of these formats please contact: Sophie Evans, Development Plans Team, Environment Services Department, London Borough of Hammersmith and Fulham, Town Hall, King Street, Hammersmith, London, W6 9JU. Tel: 020 8753 3317. E-mail: sophie.evans@lbhf.gov.uk

EXPLANATORY NOTE

This Statement of Community Involvement in Planning (SCI) has been prepared under the terms of the Planning and Compulsory Purchase Act 2004.

The draft SCI was subject to public consultation during June and July 2005. The council received a number of representations from individuals, amenity groups and businesses. These representations were considered in detail and led to a number of changes being made to the SCI to improve the document.

On 21 September 2005, the council approved the altered SCI. This document was published for further public consultation from 28 October 2005 to 9 December 2005. The altered SCI was also submitted to the Planning Inspectorate for independent examination, together with copies of representations made. The Planning Inspectorate held a written representations examination into the soundness of the SCI and the Inspector recommended some minor amendments to the document.

On 20 September 2006, a full council meeting will approve the final version of the SCI. Any person aggrieved by the SCI may apply to the High Court for permission to apply for judicial review of the decision to adopt the SCI. Any such application must be made promptly and in any event not later than 3 months (20 December 2006) after the day on which the SCI was adopted.

A statement of the consultation undertaken during the preparation of the SCI, together with copies of the representations received and the Inspector's report are also available and may be seen on the council's website (www.lbhf.gov.uk) and at the Local Development Framework information points. For further details contact Sophie Evans at sophie.evans@lbhf.gov.uk or 020 8753 3317.

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1. INTRODUCING OUR STATEMENT OF COMMUNITY INVOLVEMENT

What is this document about?

1.1 Every local planning authority must prepare a Statement of Community Involvement (SCI) to explain how the community will be involved in the preparation of the Local Development Framework (LDF) and in the consideration of planning applications¹. The SCI is a means of improving the quality of the planning process. It aims to ensure that an appropriate type and scale of engagement is undertaken whether for a planning policy document or a specific development proposal.

1.1: Objectives for the Statement of Community Involvement

- Set out the principles that should be applied in involving the community.
- Identify and assess appropriate mechanisms for community involvement.
- Show how these principles and mechanisms will be applied to the preparation and review of local development documents, the consideration of planning applications and pre-application discussions.
- Show how we aim to surpass the minimum legal requirements for consultation and publicity that are set out in national legislation².

Why get involved in planning?

1.2 Planning affects us all in many ways. It is about achieving a sustainable, safe and quality environment and ensuring there are jobs, affordable housing and the facilities people need in accessible places. It is about ensuring that development respects the local heritage and townscape, and takes account of the impact on the local area and the people living and working there. Some people and organisations are more aware of, and regularly take part in, the planning process. Others may become involved less frequently, while still many more remain unaware of what planning can do for them and the opportunities for dialogue on planning matters. At times, the planning process can be seen as remote and bureaucratic with off-putting technical language. However, it is important that everyone has the opportunity to access information, understand what policies and proposals mean for them and give their views.

2. THE SCOPE OF THE STATEMENT OF COMMUNITY INVOLVEMENT

2.1 The SCI deals with community involvement in the preparation of development plans (in the new Local Development Framework), in the consideration of applications for planning permission and in the consideration of proposals before they become planning applications. This includes applications for listed building and conservation area consent, applications for planning permission affecting the setting of a listed building or conservation area and works to trees

¹ In accordance with Section 18 of the Planning and Compulsory Purchase Act 2004, planning authorities must prepare and include a Statement of Community Involvement in the Local Development Framework.

² Town and Country Planning (Local Development) (England) Regulations 2004

protected by a tree preservation order. In this section, we summarise those three areas. In section 3, we set out the principles for community engagement. In the appendices, we set out in detail how we propose to involve you in the planning processes.

The Local Development Framework (LDF)

2.2 The LDF is part of a new planning system (brought in by the Planning and Compulsory Purchase Act 2004) that will eventually contain a number of documents setting out planning policies and guidance for the borough. Currently, the LDF includes the borough's Unitary Development Plan³ (UDP) 2003. However, by 2008, we aim to replace the UDP. The scope and programmes for the new documents is set out in the Local Development Scheme⁴. The programme for the LDF enables it to be set in the context of the Community Strategy mid-term review which took place in 2004/5 (published July 2005) and updated the 2001 Strategy. Consultation results can, therefore, be fed into the issues and options process and LDF consultation will inform future reviews of the Community Strategy.

2.3 The LDF (including the existing UDP for the time being), together with the London Plan, is the basis for considering and assessing planning applications. Although people are often more interested in planning at the stage of the individual planning application, it is important that they are also involved in developing the policies in the first place. Appendices 1a and 1b show how we will carry out community engagement for different development plan documents and supplementary planning documents that will comprise the LDF. It is especially important that people have the opportunity to be involved in the initial stages of the LDF process, for example, the issues and options stage of development plan documents, if they wish to maximise their influence on planning documents. This involvement is important to seek consensus on essential issues, and even if that proves difficult, people will at least have the opportunity to understand each other's positions. The documents that we intend to include in our LDF are identified in our Local development Scheme (LDS). The LDS came into effect in June 2005 but will be kept under review. The LDS is available to see at Hammersmith Town Hall and on the council's website.

Planning applications

2.4 Although development plans, against which a planning application is assessed, are prepared on the basis of public consultation and independent scrutiny, it is still important that there are additional opportunities for community involvement in the planning application process. The scope and extent of community involvement in commenting on an individual planning application that has been submitted to the council will vary according to the significance of the proposal, it will also depend on the amount of time that is available in which to

³ Hammersmith and Fulham UDP August 2003

⁴ Hammersmith and Fulham LDS June 2005

make a decision in accordance with Government targets⁵. Appendix 2 shows how we will undertake community involvement for planning applications.

2.5 This SCI does not seek to be prescriptive in terms of the way in which the council will undertake consultation for different types or scale of planning applications it has received. Rather, we suggest that the nature of an application and its local circumstances should dictate the level and type of engagement. We have identified broad categories of development set out in Appendix 2, these need to be considered flexibly, but they will help us to decide the nature and level of consultation required. It must be borne in mind that judgement about the scale and nature of consultation is based on an initial assessment of the scheme's significance when an application is received.

Pre-application consultation

2.6 We always encourage applicants to discuss the more complex major proposals with us at an early stage, this can also sometimes be helpful for small applications. Early discussions can also help identify problem areas and improve the quality and acceptability of a planning application. However, discussions are undertaken on an "in confidence" basis and without prejudice to future decisions on a planning application.

2.7 Pre-application public consultation undertaken by an applicant can also have positive benefits, for example, it can help improve a planning application and make its formal consideration more straightforward, it allows local people to become aware of emerging proposals and it also highlights areas of local sensitivity before an application is finalised. Inevitably, our own role in pre-application consultation must be limited to taking an impartial watching brief and providing factual information on planning policies and process. It is important that council officers, and councillors involved in the eventual consideration of a planning application, do not pre-judge the outcome of the proper determination of an application. It is also important that applicants make clear, in any pre-application consultation, that their scheme will need to be considered in the context of development plan policies.

2.8 We will expect the applicant to prepare a statement setting out how it will involve the community in line with the principles of the SCI and consult the council on it. The results of any pre-application consultation should be made available to the council to assist in understanding community views and identifying material planning matters that need to be taken into account. The results should also be made available by the developer to the consultees so that they can see how their comments were reported and considered. However, any pre-application consultation carried out by an applicant will be considered not only in terms of the results, but also in terms of the rigour of the methodology adopted. In addition, pre-application consultation will not remove the need for involvement and scrutiny of the subsequent planning application which may, in any event, be different to the scheme at pre-application stage.

⁵ Best Value Performance Indicators 2005/06 and Environmental Impact Assessment Regulations 1999

2.9 We cannot refuse to accept a valid application because we disagree with the way in which a developer has consulted the community, but failure by the developer to consult could lead to objections being made which could be material to determination (see ODPM publication Community Involvement in Planning: The Government's Objectives, February 2004, para 3.18).

3. OUR CORE PRINCIPLES OF COMMUNITY INVOLVEMENT

3.1 This section of the SCI sets out our core principles. The way in which we intend to apply these principles is dealt with in more detail in Appendices 1a and 1b for the LDF and Appendix 2 for planning applications.

Table 3.1 Core principles for community involvement

- | |
|---|
| <ul style="list-style-type: none"> • Aiming to hear a full range of views • Ensuring an inclusive approach • Being clear about the consultation process • Clearly communicating information and opportunities for discussion • Enabling straight forward interaction • Respecting and valuing comments • Making the most of information technology • Ensuring feedback and continuity • Responsible resourcing • Monitoring effectiveness |
|---|

Aiming to hear a full range of views

3.2 It is important that consultation should allow for a full range of relevant views to be canvassed in relation to a specific issue, policy or proposal, this includes the specific consultation bodies that we are required to consult in accordance with the Planning and Compulsory Purchase Act and the Regulations (see Appendix 5). We need to ensure that the consultation techniques which we adopt are accessible and inviting to a range of different organisations and people right across the community. In particular, we need to focus on situations where individuals and/or groups may have an interest in a particular site or area, either because they are based in the vicinity or because they have a specific interest in issues such as local housing and job provision, heritage, access, environment or youth facilities. We will therefore seek to identify the relevant geographical area for public consultation as well as canvassing the opinions of particular organisations where relevant.

3.3 The involvement of a variety of organisations in planning consultation is very important and we will give full consideration to all the categories identified in the Town and Country Planning (Local Development) (England) Regulations 2004 and in Annex E of PPS 12 on Local Development Framework. We will particularly target the general consultation bodies identified in PPS 12 because they are often under represented in consultation exercises. These consultation bodies may include people in a particular geographical area or people with interest in a particular topic, they may also present the views of sections of our diverse community from the point of view, for instance, of race, ethnicity, faith, gender,

disability or age. Such organisations have a key role to play in helping us to develop a wider understanding of the planning process amongst the community as well as acting to mobilise interest amongst individuals, these organisations may not always be based in the borough. The SCI does not set out full lists of these organisations because contact details will change over time. We will maintain lists for all council consultation purposes. A broad categorisation of general consultation bodies is outlined in Table 3.2 below:

Table 3.2 Categories of general consultation bodies
Amenity and environmental organisations
Representing people with an interest in planning, conservation and environmental sustainability issues in the borough or parts of it (including parks). Examples include: Hammersmith and Fulham Historic Buildings Group and Hammersmith and Fulham Friends of the Earth.
Business organisations operating in the borough
Representing businesses within particular areas or with a common type of business, including the development industry, major land owners and registered social landlords. Examples include: Hammersmith and Fulham Chamber of Commerce and Notting Hill Housing Group.
Community organisations and networks
Representing people from particular black and minority ethnic communities, people of a particular age, gender or gender orientation, faith groups, disabled people and refugees. There is a well developed Community and Voluntary Sector Network of area and community of interest forums in the borough. Examples include: HAFAD (Hammersmith and Fulham Action on Disability), Hammersmith Community Trust and North Fulham NDC.
Representative Fora
These are regular meetings of community representatives such as the Better Government for Older People forum, the Local Agenda 21 Forum and the Community and Voluntary Sector Network (CVSN).
Special interest organisations
Representing people with a common interest in topics such as sport or other activities. Examples include: the Fulham Palace Meadows Allotment Association and the West London River Group.

Tenants' and Residents' Associations

Representing the broad interests of tenants and residents within estates, streets, small areas or wards. Examples include: the Fulham Society, the Brook Green Association and Stamford Brook Residents Association.
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Ensuring an inclusive approach

3.4 Hammersmith & Fulham is a diverse borough. Planning consultation must be inclusive. Equality and diversity are not minority issues and may well be material considerations in planning policies and decisions. We need to ensure that no sectors of the community are discriminated against in their ability to take part in consultation, and that planning issues of particular relevance to specific sections of the community are identified and discussed (in particular in relation to age, disability, ethnic or national origins, faith, race, responsibilities for children or dependants, gender or gender orientation).

3.5 We recognise that effective engagement with diverse communities sometimes requires us to be proactive and to reach out to individuals and groups. The Hammersmith & Fulham Borough Partnership's 2004 "compact" with the voluntary and community sector aim, amongst other things, to improve communication and information flow between groups and sectors, enhance the effectiveness of all partners in meeting the needs of the community and widen community access to decision-making processes. As well as out reach methods, we will notify community organisations and relevant stakeholders, such as those outlined in Table 3.2, of consultation opportunities on the LDF and take steps to ensure their involvement in discussions. Where the development of particular policies has apparent implications for particular sections of the community, we will take additional steps to engage them. In addition, we would hope that those organisations will be able to help take the discussions on planning issues out into their communities and help explain the process and the reasons why it is important to take part. For the LDF, we will aim, in particular, to work with established community networks, especially where these can help engagement with communities for which English is not the first language.

3.6 Where applicants carry out public consultation on development proposals, we will expect them to take into account diversity and equality implications and state how they have done so.

Being clear about the consultation process

3.7 We will aim to give clear notification of the consultation process, explain what it is about and set out the ground rules for participation (e.g. the timescale for comments and how to comment). We will ensure that there is sufficient information to enable a person to decide, in principle, if this is something they may wish to follow up with a view to commenting. At this stage, it will rarely be practicable or appropriate to provide the full details of the proposal to all those consulted as part of the notification process, however, it will be made clear how more information can be obtained.

3.8 We will state where consultation documents can be seen or obtained, how to make comments, where to send comments and the deadline for any response.

We will always provide details of a named officer who can be contacted, including a telephone number and email, should anyone have any queries about the consultation.

Clearly communicating information and opportunities for discussion

3.9 Nobody should be disadvantaged in the planning process because information is not available or because they are unable to access information. We will aim to provide information in an accessible and engaging way, to this end, we will use plain English, avoid jargon and only use technical terms where absolutely necessary. Where there is technical language we will provide a glossary, and the LDF documents that we publish will always have a summary. The initial notification of the opportunity for consultation will explain where summary or detailed information on the proposal can be obtained. Full copies of any LDF consultation documents will also be made available for a reasonable charge to cover copying and printing costs, although bodies consulted under Regulation 25 of the Town and Country Planning (Local Development) (England) Regulations 2004 will receive these without a charge. Where information is made available at LDF information points, or say exhibitions, we will aim to ensure that venues are fully accessible.

3.10 A summary of different mechanisms used to provide accessible information and advertise consultation is set out in Table 3.3 below, the way we will use these is indicated in Appendices 1a, 1b and 2.

Table 3.3 How we will communicate	
Letters	We will send letters by post or hand deliver door to door where this is appropriate in small areas. Where there are issues directly affecting people in specific areas of the borough (e.g. individual sites/streets/estates) we will use targeted methods of notification such as direct mailing or door-to-door delivery. For planning applications, or pre-application consultation, the extent of notification will vary depending on the nature of the application and the likely extent of its impact. The council shall seek to notify those people or organisations that have previously made representations on a site or application.
Email	If you tell us that you would prefer to be contacted and receive information by email, we will use that method.
Council website	Wherever possible we will use electronic methods for providing information alongside a hard copy. We will use the website to provide more information for the LDF with copies of written documents and summaries. We already make planning applications and Unitary Development Plan information available in accordance with the Pendleton criteria.
The council magazine H&F News	H&F News is a well established fortnightly magazine distributed to residents, businesses and other organisations in the borough; it is an effective way of providing more information on stages in the LDF process and summarising proposals.

Local newspapers
In accordance with the Regulations, public notices will be placed in local newspapers concerning consultation on the LDF and planning applications. Press releases will also be issued where appropriate.
Information points
For the LDF, we will aim to use venues that are accessible, such as borough libraries, Town Halls and the Hammersmith Broadway Information Centre to distribute information about the process and copies of documents (see Appendix 3). In addition, we will look to use opportunities to provide information at locations such as schools, colleges, doctors' surgeries, faith centres, shopping centres and other community meeting places.
Partner websites
We will invite partners such as the Primary Care Trust and Registered Social Landlords to have links to our website for the LDF process.
Using accessible formats
It may often be important to make summaries of relevant information available in accessible formats, for example: audiotape, Braille, large print versions, hard copies for those without Internet access and summaries in another language. Using interpreters and signers at meetings may be appropriate. Where public meetings, exhibitions, workshops and other methods of community engagement are arranged, these will be in accessible buildings in safe locations and at convenient times.

3.11 There will be occasions, particularly on complex planning issues and development proposals, when some people may wish to discuss their views with us in more detail or may need further information or clarification from us. There will always be a named officer for people to contact by telephone, email or in person, by appointment, at our reception. We may not be able to immediately provide the appropriate officer for discussions on the phone or in person, but we will phone back or make it clear when an appointment can be expected. We will also ensure that reception and call centre staff are able to provide key information and help with initial enquiries as much as possible.

3.12 In some cases, for development planning, planning applications and pre-application consultation, it may be appropriate to seek local opportunities for community engagement, both for information and/or discussion, this could take various forms as set out in Tables 3.4 and 3.5. The use of these methods needs to be considered in relation to their effectiveness in particular cases relative to the subject, the resources needed and the time available. It may often be more effective to hold discussions at other organisations' regular meetings and link planning to their agendas and objectives. We will aim to ensure that meetings take place in venues that are fully accessible.

Table 3.4 Quantitative methods
Opinion surveys
These are surveys designed to obtain views on a particular subject, normally from a representative sample of the population. For example, as part of the evidence gathering process for the LDF we carried out a major survey of residents' views on shopping in the borough. General surveys of satisfaction with council services are carried out regularly and can identify issues to be dealt with in the LDF process. Opinion surveys can be useful for pre-application consultations but need to be carried out carefully to avoid bias. The time it takes to carry out these surveys normally makes them unsuitable for consideration of planning applications.
Citizen's panel
The council has a panel of approximately 1000 residents and regularly surveys the members on a variety of topics. We have put questions to the panel as part of the evidence gathering process for the LDF. The panel is not a suitable consultation method for planning applications, partly because of the timescale for surveying, but mainly because it is best able to respond to questions that its members can answer from their own experience.

Table 3.5 Qualitative methods
Exhibitions
These are most useful when explaining particular development proposals at a pre-application stage or dealing with local planning proposals. They can be used effectively with drop-in sessions where officers are available to deal with ad-hoc queries. Small displays at information points and centres can alert passing members of the public to proposals. Exhibitions may also be held by developers as part of pre-application consultation.
Workshops and focus groups
These are methods of engaging with a smaller number of stakeholders or community representatives to explore particular planning issues in more depth than is often possible at a general public meeting. We will use these as part of consultation on the local development plan documents. They may also be useful in the early stages of discussion on development proposals at pre-application stage, but not when schemes have been finalised as part of a planning application.
Public meetings
Public meetings can sometimes be effective ways of providing an introduction to particular proposals. However, there are limits to their effectiveness in gauging a wide range of opinion on all relevant issues, or engaging sufficiently wide community representation. They are not normally suitable for in depth discussions. Public meetings could be held as part of the consideration of some very major planning applications at the pre-application stage to inform people about proposals and to enable clarification, but it is for the applicant to present their proposals.

Hammersmith and Fulham Urban Studies Centre (HFUSC)
HFUSC is an independent organisation which receives council funding. It has developed effective methods of engaging young people in planning and environmental matters through project working with schools.
Enquiry by Design TM
This is a mechanism requiring specialist skills and frontloaded resources for enabling the community and stakeholders to be engaged in developing a three dimensional masterplan and an agreed vision for their area through in depth workshops and discussion. It is best suited to large scale area redevelopment and is able to deliver a consensus for complex development issues.
Planning for Real [®]
This is a community planning method which may secure community involvement in either developing solutions or in consideration of a proposed scheme before the pre-application stage. Specialist advice is needed to ensure that the most suitable methods are matched to the development circumstances.
Community Initiatives
These could include local evidence or survey work carried out by local communities and interest groups.

3.13 We will also take LDF documents to our Environment and Regeneration Scrutiny Panel for discussion. This is a council scrutiny panel composed of councillors and certain community and special interest organisations. Meetings of the Panel are open to the public.

Enabling straightforward interaction

3.14 We will ask for views in writing by post, fax or e-mail with respect to community consultation relating to both the LDF and individual planning applications. Non-attributable comments can be made on request. Comments can also be made by Minicom. We will also record comments from meetings and focus groups.

3.15 The timescales for commenting will be reasonable and appropriate to the level of planning involved and allow for effective and meaningful community engagement. We recognise, however, that it is important that we provide an efficient planning service and therefore we must always take into account the need to meet statutory targets in plan preparation and consideration of planning applications.

3.16 In some cases, people may wish to employ a planning consultant to provide advice on planning issues and to respond on their behalf. There are many private sector planning consultants operating in West London. Planning Aid⁶ is a voluntary service offering free, independent and professional advice on town planning matters to community groups and individuals who cannot afford to employ a planning consultant. Hammersmith Community Trust is an independent local organisation (council funded) that operates the Hammersmith Broadway Information Centre⁷ on

⁶ Planning Aid for London, Unit 2, 11-29 Fashion Street, London, E1 6PX

⁷ Hammersmith Community Trust, Information Centre, 20 Broadway Shopping Centre, London, W6 9YD

behalf of the council. The Trust can provide advice and information on planning matters.

Respecting and valuing comments

3.17 We will consider the merits and planning relevance of all consultation responses. Where necessary we may contact respondents to clarify or discuss individual responses. If comments are not relevant to a particular issue, we will forward these as appropriate to other council departments or other organisations and seek a response as appropriate.

3.18 All responses relating to the LDF process will be reported in summary to the council's Cabinet before any final decision is made. For planning applications, which are either determined by our Planning Applications Committee or by officers acting under the delegated authority of the Director of Environment, all consultation responses will be summarised in the final report before a planning application is determined.

3.19 We will make all consultation responses publicly available unless requested to do otherwise and such a request is a legitimate exemption in accordance with the Freedom of Information Act. Personal information will not be made public in accordance with the Data Protection Act. We will also summarise consultation responses so that key issues can be easily understood and make this publicly available after the end of the consultation.

Ensuring feedback and continuity

3.20 The planning decision making processes must be open and transparent if it is to be credible, it is important therefore that we provide feedback explaining how views and comments have been considered. We will communicate the results and outcomes of consultation to respondents either directly where we have their contact details and/or using the range of different communication tools outlined in Table 3.3. In addition, the results of consultation will be forwarded to applicants where this is practical. Committee reports, delegated reports and decisions will be publicly available at Hammersmith Town Hall and on the council's website and, in respect of LDF documents, at other LDF information points.

3.21 During LDF preparation we will ensure that consultees are kept involved and informed as policies are developed. Where we use out reach methods to involve community groups and these are effective, we will endeavour to maintain those methods during successive stages. Where pre-application consultation takes place, it should be arranged so that consultees are kept involved and can be informed of the eventual planning application. We will maintain a (post and email) mailing list for all those who wish to be kept informed of progress on the LDF and we will add to it those who comment at any stage.

3.22 We will also ensure a two-way flow of information exists between planning and other council consultation. The council carries out numerous consultation exercises and has established the internal Consultation Board to coordinate these processes and ensure dissemination of results so that all parts of the council can benefit from the overall understanding of community views from the various exercises. Conversely, the LDF process will draw on the results of consultation on the Community Strategy mid term review (2004/05) and other local strategies and the Local (Transport) Implementation Plan. We shall also consider the results of

consultation carried out by partner organisations, these are listed in the Local Development Scheme.

Making the most of information technology

3.23 Increasingly, information technology can be used to improve both communication and consultation with the community. Although, it must be recognised that many people do not have appropriate access or may not wish to use such methods, we aim to make electronic methods of communication and information dissemination available for those who do wish to use them. We will communicate by email with all those who wish to use this method.

3.24 Planning applications are available to view on the council website and comments can be emailed directly. Weekly lists of planning applications showing applications received during the last 8 weeks are also available to view on the website. The planning service meets all the Pendleton criteria (see Glossary).

Responsible resourcing

3.25 Undertaking community involvement, particularly in the development plan process, can be a resource intensive task both for the council and those who are being consulted. Effective consultation can improve the efficiency and creativity of the planning process. However, efficient planning also needs to have regard to available resources and statutory timescales. Therefore, when considering the type and level of community involvement to be undertaken (beyond the minimum requirements set out in Regulations) we will need to balance the resources available against other factors, such as the need to maintain programmes. Appendices 1 and 2 commit the council to a number of tasks which can be fulfilled under existing available resources, but these will be kept under review. We will also ensure that council staff involved have sufficient capacity and competencies.

3.26 Equally, we also need to consider the capacity within the community to respond, and avoid over-consulting or creating consultation fatigue. We will ensure that development plan and other planning processes link in with other consultation exercises, and public opinion surveys, involving other council documents, for example, future reviews of the Community Strategy.

3.27 Because planning processes linked to the LDF can seem complicated, we will aim to explain them as clearly as possible to achieve the fullest possible engagement. We will also expect developers to fully explain pre-application proposals. We have already held a meeting with representatives of community groups to explain and discuss the LDF process and also to discuss community engagement in planning (as part of our Planning Best Value Review).

Monitoring effectiveness

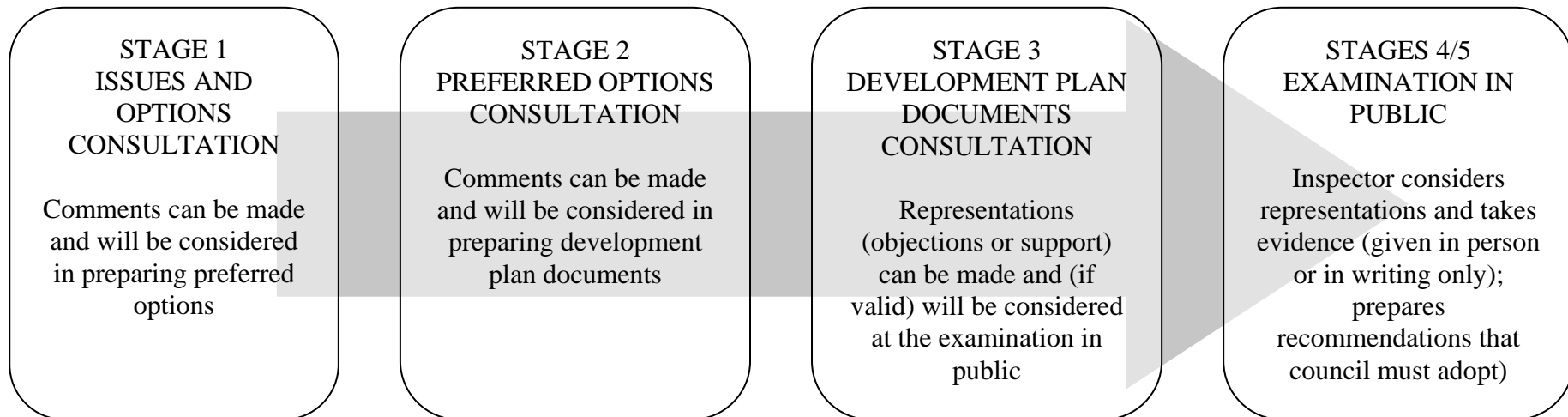
3.28 We will regularly evaluate the effectiveness of consultation, in particular the effectiveness of the methods we use, the number of responses we receive, the type of responses we receive and how the comments made have helped improve decision making. In this way we can learn lessons, for example that a particular method of communication is more popular than another, or that it is not possible to resource all the tasks that we intend to undertake and proceed to review the SCI

accordingly if this is considered necessary. We will also disseminate evaluation results within the council (via the council Consultation Board) to help inform future consultations and identify good practice. We will review the operation of the SCI as a whole at the same time as the LDF Annual Monitoring Report and propose any changes that may be necessary. As part of the process we will report to the council Consultation Board. These changes will need to be undertaken in accordance with the Regulations and will follow stages broadly similar to the preparation of DPDs.

Appendix 1. Community Involvement for the Local Development Plan Framework

- Community involvement will be essential to draw up the following parts of the LDF which are described in more detail in the Local Development Scheme:
- Development Plan Documents (DPDs) (Appendix 1a). These will set out planning policies to replace the UDP and must be in general conformity with the London Plan. These documents will have an examination in public before an independent Inspector. The Inspector's recommendations for any changes are binding on the council.
- Supplementary Development Documents (SPDs) (Appendix 1b). These will provide additional guidance on the application of development plan policies. The Council will approve SPDs without an independent examination after considering public comments.
- Sustainability Appraisal Report. Sustainability appraisal is an integral part of the LDF process and also involves consultation. This will coincide with specific DPD and SPD stages as indicated in Appendices 1a and 1b.

Summary of key stages of community involvement for Development Plan Documents



Appendix 1A: Key stages and community involvement for Development Plan Documents and sustainability appraisal

	Stage 1 ISSUES AND OPTIONS	Stage 2 PREFERRED OPTIONS	Stage 3 SUBMISSION DPDS	Stage 4 INDEPENDENT EXAMINATION IN PUBLIC	Stage 5 ADOPTION
What happens at this stage?	Consultation on the issues and options for dealing with them identified at this early stage. Opportunity to raise other issues and options.	Consultation on the council's preferred policy options for the LDF and the draft sustainability appraisal report.	Comments can be made on proposed detailed policies and the sustainability report.	This is held under an independent Inspector. Anyone can appear and/or submit written evidence.	The Inspector reports with required changes to the DPD. The council adopts the amended DPDs. There is no consultation at this stage.
How long is each stage?	There is no fixed period. For the first round of DPDs this will last for about 3 months from October 2005.	The period is set by the Government as 6 weeks.	The period is set by the Government as 6 weeks. A further 6 week period will be set to permit representations on site allocation representations that may have been made.	The length of the examination depends partly on the number of people who wish to appear and how the Inspector organises the examination.	There is no opportunity for comment or change after the Inspector's report is received.

	Stage 1 ISSUES AND OPTIONS	Stage 2 PREFERRED OPTIONS	Stage 3 SUBMISSION DPDS	Stage 4 INDEPENDENT EXAMINATION IN PUBLIC	Stage 5 ADOPTION
THIS IS WHAT WE WILL DO					
What documents will be available?	Issues and options documents and summary document	Preferred options documents and summaries. Comments made at previous stage. A draft sustainability report. Reports on consultation at the previous stage.	DPDs. Comments made at previous stages. Sustainability Appraisal report. Reports on consultation at the previous stage. Site allocation representations.	Representations made at previous stage and evidence submitted to the EIP by the council and others. The Inspector decides who appears at the EIP.	The Inspector's report and the adopted DPDs
How will documents be made available?	<p>All documents that we publish will be available:</p> <ul style="list-style-type: none"> • on the council website to be seen or downloaded free of charge • to be seen at the LDF information points (Appendix 3) (which also have access to the council website) • for purchase or free of charge depending on size and printing cost: in person at the Environment Services Department , Hammersmith Town Hall or by post <p>In addition, these documents will be sent to specific consultation bodies identified in PPS 12 and Regulations. They will also be made available at any exhibitions, workshops or other consultation exercise that the council undertakes (see Table 3.5 for examples of consultation).</p>				

	Stage 1 ISSUES AND OPTIONS	Stage 2 PREFERRED OPTIONS	Stage 3 SUBMISSION DPDS	Stage 4 INDEPENDENT EXAMINATION IN PUBLIC	Stage 5 ADOPTION
	<p>We will make our documents available in larger print on request; and provide translations of summaries on request. Audiotape summaries will be prepared and distributed as requested.</p> <p>All comments and other documents that are received as part of consultation will be copied and made available for others to see at LDF information points (Appendix 3). All evidence submitted to the Examination in Public will be made available in the EIP library. We will encourage everyone to submit documents electronically so that they can be easily made available on our website.</p>				
Who will we consult or notify?	<p>We will invite comments from:</p> <ul style="list-style-type: none"> • General public • Consultees as identified in PPS12 Local Development Frameworks and the Town and Country Planning (Local Development) (England) Regulations • General consultation bodies (see Table 3.2) • Mailing list of those who tell us they wish to be consulted or notified and those who have commented at previous stages <p>We will also invite established community network organisations to engage in the process and help pass on information and encourage responses.</p>			<p>Notice of the EIP will be published at least 6 weeks before it is due to commence. We will also write to those we have previously consulted.</p> <p>The Inspector's programme officer will contact all those who make representations on the DPDs.</p>	<p>Notice of the adoption to all those who we have previously consulted, or made representations on DPDs or who took part in the EIP.</p>

	Stage 1 ISSUES AND OPTIONS	Stage 2 PREFERRED OPTIONS	Stage 3 SUBMISSION DPDS	Stage 4 INDEPENDENT EXAMINATION IN PUBLIC	Stage 5 ADOPTION
How will we notify you?	<p>General public Notices will be displayed in H&F News (Council magazine) and local newspapers, usually the Gazette, and on the council web-site. Notices will also be displayed at LDF public information points and council notice boards and will be distributed to general consultation bodies and other organisations. The website will have advance information of all consultation opportunities. We will also use websites of our partners where appropriate.</p> <p>Other consultees Letters or email will be used where this is the preferred method of communication. All notices and letters will give details of purpose and scope of consultation and when and how to take part.</p> <p>We will make arrangements with general consultation bodies and other organisations representing black and minority ethnic groups, and disabled people to ensure that appropriate methods are used to notify people for whom written English is not a suitable means of communication. Notifications will also be available in larger print on request.</p>				
How will we consider your comments?	<p>The results of consultation will be reported to our Cabinet. We will make the Cabinet reports available on our website and at Hammersmith Town Hall.</p> <p>The comments received at each stage will be taken into account in preparing documents for the next stage.</p>			<p>The examination Inspector will consider comments made at the submission DPD stage and the council's response at the independent examination stage.</p>	<p>The Inspector's recommendations for revisions must be incorporated in the adopted DPD.</p>
Giving feedback	<p>We will prepare a summary of the comments and write to all participating consultees to inform them of its availability in time for the start of the next stage. After the comments have been considered by the Cabinet we will write to all those who commented with our response to individual comments</p>		<p>We will prepare a summary of all comments received at the end of the consultation period, and write to all participating consultees to</p>	<p>We will write (by post or email) to all participating consultees with details of the result of the examination. The Inspector's Report will be published on the council website.</p>	

	Stage 1 ISSUES AND OPTIONS	Stage 2 PREFERRED OPTIONS	Stage 3 SUBMISSION DPDS	Stage 4 INDEPENDENT EXAMINATION IN PUBLIC	Stage 5 ADOPTION
	and how these were considered. We will make all representations available for inspection at the LDF information points listed in Appendix 3 and, where practicable, on our website. Summaries of comments and our response will similarly be made available. We will make the minutes of our Cabinet meetings (including confirmed decisions) publicly available at Hammersmith Town Hall and on our website.		inform them of its availability in time for preparation of evidence for the EIP.		
THIS IS WHAT YOU CAN DO					
How can you get more information or take part in discussions?	Officer contacts will be available to provide information at the Environment Services Department reception and by telephone during normal working hours. If an officer is not available to answer your enquiry an appropriate officer will contact you by email or phone, as you wish, within 24 hours.				
		During the preferred options and submission stages (6 week periods) we will provide the service by telephone from 8.15 a.m. to 7.15 p.m. on working days and 9 a.m. to 12 noon on specified Saturdays.			

	Stage 1 ISSUES AND OPTIONS	Stage 2 PREFERRED OPTIONS	Stage 3 SUBMISSION DPDS	Stage 4 INDEPENDENT EXAMINATION IN PUBLIC	Stage 5 ADOPTION
	Local area workshops for public and general consultation bodies (see Table 3.2) will be held in accessible venues in Fulham, Hammersmith and Shepherds Bush. We will also hold workshops on particular topics including: disability, business issues and affordable housing, and will be holding workshops with amenity and community groups.	Area and topic workshops will be organised on the basis of experience of Stage 1. Fewer workshops will be possible in view of statutory time limit.	Area drop-in sessions to provide information on this stage.	The Inspector will arrange a pre-meeting to explain the process for the EIP.	The Inspector's report is binding on the council so there is no opportunity for further discussion.

	Stage 1 ISSUES AND OPTIONS	Stage 2 PREFERRED OPTIONS	Stage 3 SUBMISSION DPDS	Stage 4 INDEPENDENT EXAMINATION IN PUBLIC	Stage 5 ADOPTION
	We will give at least four weeks notice of meetings in H&F News, on the website and in letters or emails. We will engage with community & voluntary sector network forums.				
	Meetings with the Local Agenda 21 Forum will focus on the sustainability appraisal.				
How can you give us your views?	<p>Written comments can be sent by post, faxed, minicom or email. Where people are unable to provide written comments we will consider requests to provide comments in other formats.</p> <p>(Please note that in accordance with the regulations, changes proposed by consultees at the DPD submission stage 3 (such as new site proposals) will need to be accompanied by a sustainability appraisal of the effect of the proposals).</p> <p>We will send you an acknowledgement of your comments within 3 working days of receipt, preferably using email. We will not respond to comments at this stage.</p> <p>We will take notes of what is said at public events but these cannot be used as formal comments.</p>			The Inspector will decide the format for the examination in public which may include: formal evidentiary sessions, informal hearings, round table discussions and written representations.	The Inspector's report is binding on the council so there is no opportunity for further discussion.

	Stage 1 ISSUES AND OPTIONS	Stage 2 PREFERRED OPTIONS	Stage 3 SUBMISSION DPDS	Stage 4 INDEPENDENT EXAMINATION IN PUBLIC	Stage 5 ADOPTION
Where can you see what other people have said?	We will make copies of all written comments available within 3 working days at the Environment Services Department reception at Hammersmith Town Hall and at other LDF information points (see Appendix 3). Summaries and, where practicable, full representations will also be included on the council's website.				

Appendix 1b: Key stages and proposed consultation methods for Supplementary Planning Documents (including development briefs) and sustainability appraisal

	Issues and options (for SPDs this will not normally involve general public consultation)	Draft supplementary planning document	Adoption by the council
What can you do?	You can comment on any documents that are published.	You can comment on the draft SPD and its sustainability appraisal report	Any person aggrieved by the SPD may apply to the High Court for permission to apply for judicial review of the decision to adopt the SPD, but not later than 3 months after the date on

	Issues and options (for SPDs this will not normally involve general public consultation)	Draft supplementary planning document	Adoption by the council
			which it was adopted.
How long is each stage?	Variable depending on the subject and complexity	4-6 weeks	
Who will we consult or notify?	Where appropriate we will informally consult relevant statutory consultees, relevant general consultation bodies and other organisations on our mailing list (postal and email).	We will consult: relevant statutory consultees, relevant representative organisations depending on the subject groups and the general public.	Within 10 working days we will notify relevant statutory consultees and all consultation participants.
How will we notify you?	By post and email	<p>General public Notices will be placed in H&F News (Council magazine) and local newspapers, usually the Gazette, and on the council web-site. Notices will also be displayed at LDF public information points and distributed to general consultation bodies and other organisations. The website will have advance information of all consultation opportunities. We will also use websites of our partners where appropriate.</p> <p>Other consultees Letter or email will be used where this is the preferred method of communication. All notices and letters will give details of purpose and scope of consultation and when and how to take part. We will make arrangements with general consultation bodies and other organisations representing black and minority ethnic groups, and disabled people to ensure that appropriate methods are used to notify people for whom written English is not a suitable means of communication. Notifications will also be available in larger print on request.</p>	

	Issues and options (for SPDs this will not normally involve general public consultation)	Draft supplementary planning document	Adoption by the council
How will documents be made available?	Draft documents will be made available direct to consultees.	<p>All documents that we publish will be available: on the council website to be seen or downloaded free of charge; to be seen at the LDF information points (Appendix 5) (which also have access to the council website); for purchase or free of charge depending on size and printing cost; in person at the Environment Services Department , Hammersmith Town Hall or by post.</p> <p>In addition, these documents will be sent to specific consultation bodies identified in PPS 12 and Regulations. They will also be made available at any exhibitions, workshops or other consultation exercise that the council undertakes (see Table 3.5 for examples of consultation). We will make our documents available in larger print on request; and provide translations of summaries on request. Audiotape summaries will be prepared and distributed as requested.</p> <p>All comments and other documents that are received as part of consultation on the draft SPD will be copied and made available for others to see at LDF information points (Appendix 3). We will encourage everyone to submit documents electronically so that they can be easily made available on our website.</p>	

	Issues and options (for SPDs this will not normally involve general public consultation)	Draft supplementary planning document	Adoption by the council
How you can get more information or take part in discussions?	Where appropriate we will hold meetings, in accessible venues, with relevant general consultation bodies and other organisations	<p>Officer contacts will be available to provide information at the Environment Services Department reception and by telephone during normal working hours. If an officer is not available to answer your enquiry an appropriate officer will contact you by email or phone, as you wish, within 24 hours.</p> <p>We will provide the service by telephone from 8.15 a.m. to 7.15 p.m. on working days and 9 a.m. to 12 noon on specified Saturdays.</p> <p>Area drop-in sessions to provide information on this stage.</p> <p>Meetings with the Local Agenda 21 Forum will focus on the sustainability appraisal.</p>	<p>Officer contacts will be available to provide information at the Environment Services Department reception and by telephone during normal working hours. If an officer is not available to answer your enquiry an appropriate officer will contact you by email or phone, as you wish, within 24 hours.</p> <p>We will provide the service by telephone from 8.15 a.m. to 7.15 p.m. on working days and 9 a.m. to 12 noon on specified Saturdays.</p>

	Issues and options (for SPDs this will not normally involve general public consultation)	Draft supplementary planning document	Adoption by the council
How can you give us your views?	<p>Written comments by post, faxed, minicom or email. Where people are unable to provide written comments we will consider requests to provide comments in other formats.</p> <p>We will send you an acknowledgement of your comments within 3 working days of receipt, preferably using email. We will not respond to comments at this stage.</p> <p>We will take notes of what is said at public events but these cannot be used as formal comments.</p>		
How will we consider your comments?	Comments made at this stage will be taken into account in preparing the draft SPD.	We will consider all comments and the need for revisions. All comments with the proposed response will be reported to the council Cabinet.	
Giving feedback	We will prepare a statement setting out the names of those we consulted, a summary of the issues raised and how these were addressed in the SPD.	We will prepare a summary of all comments received at the end of the consultation period, together with responses and action taken, make this available for inspection and send it to all participating consultees.	We will write (by post or email) to all participating consultees with details of the adoption. We will prepare an adoption statement in accordance with Regulations 16 and 18(4) (b). We will send the adoption statement to any person who has asked to be notified of the adoption of the SPD.

	Issues and options (for SPDs this will not normally involve general public consultation)	Draft supplementary planning document	Adoption by the council
Where can you see what other people have said?	We will include summaries in the statement referred to above and prepared in accordance with Regulation 17(b).	We will make copies of all written comments available within 3 working days at the Environment Services Department reception at Hammersmith Town Hall and at other LDF information points (see Appendix 3). Summaries and, where practicable, full representations will also be included on the council's website.	

Appendix 2: Planning applications and pre-applications consultation, this includes applications for listed building and conservation area consent, applications for planning permission affecting the setting of a listed building or conservation area and works to trees protected by a tree preservation order.

Categories of scheme that may require different levels of consultation at application and pre-application stage
<p>Tier level 1</p> <p>These are normally very major schemes that are likely to have considerable issues of scale or impact over a wide geographical area. This includes proposals that:</p> <ul style="list-style-type: none"> • are so large that they would need to be referred to the Mayor of London or Secretary of State if the council was minded to approve; • are clearly substantial potential departures from the development plan (or where there is a substantially different approach between the London Plan and the local development plan); • need an Environmental Impact Assessment and Access Statement • have, for some other reason, substantial potential controversy over a wide area beyond the vicinity of the site <p>We would expect the developer of these schemes to hold pre-application consultation from an early stage of scheme preparation, using methods identified in Tables 3.4 and 3.5 where appropriate.</p>
<p>Tier level 2</p> <p>These are major schemes and will normally require consultation in an area that covers at least the surrounding streets but possibly in a wider area, depending on the scale of the proposal and initial assessment of likely impacts. The factors that could influence the extent of consultation could include:</p> <ul style="list-style-type: none"> • a substantial impact on a conservation area or the Thames Policy Area, or a statutory listed building; • issues of local traffic impact or requiring a Transport Impact Assessment; • issues requiring an Access Statement; • a likely significant impact on the capacity of local facilities such as schools, shopping, health or public open spaces; • buildings of substantially greater height than the surroundings; • a significant intensification of the use of the site. <p>We would encourage developers to carry out pre-application consultation appropriate to the scale and impact of the scheme.</p>
<p>Tier level 3</p> <p>These are minor schemes but they may appear to raise particular issues beyond the immediate vicinity of the site, such as those for Tier level 2; or involve significant departures from the development plan. Consultation may be required beyond the neighbouring properties, and pre-application consultation by the applicant may be appropriate on particular issues.</p>

Tier level 4
These are minor schemes where any implications will be in the immediate vicinity of the site. This includes most householder applications, such as for residential extensions. Statutory consultation requirements are sufficient, namely site notices, neighbour notification in the immediate surroundings and local advertisement in newspapers where required.

Consultation on planning applications and at pre-application stage

Stages	Applications (Pre-application consultation should generally follow the same approach, as indicated)	Consideration of planning applications and representations
What can you do?	You can comment on planning applications	You can attend Planning Applications Committee, but less than 10% of applications are considered by the Committee. The rest are determined by officers.
How long do you have to comment?	There is a minimum period of 21 days, or as otherwise stated in any related published documentation	All comments received prior to the decision will be taken into account

Stages	Applications (Pre-application consultation should generally follow the same approach, as indicated)	Consideration of planning applications and representations
Who will we consult or notify, and how will we notify?	<p>All tiers 1-4 Site notice(s) will be placed or neighbours will be notified by letter. In addition, applications will be shown on the council's website, newspaper advertisements will be used where required and Statutory Consultees will be notified where necessary.</p> <p>For any application involving a listed building, redevelopment in a conservation area or archaeological protection area, a letter or email will be sent to the relevant Amenity and Environmental Organisations (see Table 3.2).</p> <p>For any application affecting a nature conservation area, a letter or email will be sent to community Ecological Organisations and the GLA's biodiversity strategy unit. Bodies such as English Nature will be allowed a longer period of time to comment on applications where this is prescribed by legislation.</p> <p>Letters or email will be sent to other general consultation bodies where relevant (e.g. HAFAD (Hammersmith and Fulham Action on Disability) (see Table 3.2).</p>	<p>We will give notice of the decision on the planning application by post or email where we have contact details, to all those who commented in writing (unless agreed otherwise in case of special needs formats).</p> <p>The decision will also be on our website.</p>

Stages	Applications (Pre-application consultation should generally follow the same approach, as indicated)	Consideration of planning applications and representations
Who will we consult or notify, and how will we notify?	<p>All tiers 1-4 Site notice(s) will be placed or neighbours will be notified by letter. In addition, applications will be shown on the council's website, newspaper advertisements will be used where required and Statutory Consultees will be notified where necessary.</p> <p>For any application involving a listed building, redevelopment in a conservation area or archaeological protection area, a letter or email will be sent to relevant Amenity and Environmental Organisations (see Table 3.2).</p> <p>For any application affecting a nature conservation area, a letter or email will be sent to community Ecological Organisations and the GLA's biodiversity strategy unit. Bodies such as English Nature will be allowed a longer period of time to comment on applications where this is prescribed by legislation.</p> <p>Letters or email will be sent to other general consultation bodies where relevant (e.g. HAFAD (Hammersmith and Fulham Action on Disability) (see Table 3.2).</p>	<p>We will give notice of the decision on the planning application by post or email where we have contact details, to all those who commented in writing (unless agreed otherwise in case of special needs formats).</p> <p>The decision will also be on our website.</p>

Stages	Applications (Pre-application consultation should generally follow the same approach, as indicated)	Consideration of planning applications and representations
Who will we consult or notify, and how will we notify?	<p>All tiers 1-4 Site notice(s) will be placed or neighbours will be notified by letter. In addition, applications will be shown on the council's website, newspaper advertisements will be used where required and Statutory Consultees will be notified where necessary.</p> <p>For any application involving a listed building, redevelopment in a conservation area or archaeological protection area, a letter or email will be sent to the relevant Amenity and Environmental Organisations (see Table 3.2).</p> <p>For any application affecting a nature conservation area, a letter or email will be sent to community Ecological Organisations and the GLA's biodiversity strategy unit. Bodies such as English Nature will be allowed a longer period of time to comment on applications where this is prescribed by legislation.</p> <p>Letters or email will be sent to other general consultation bodies where relevant (e.g. HAFAD (Hammersmith and Fulham Action on Disability) (see Table 3.2).</p>	<p>We will give notice of the decision on the planning application by post or email where we have contact details, to all those who commented in writing (unless agreed otherwise in case of special needs formats).</p> <p>The decision will also be on our website.</p>

Stages	Applications (Pre-application consultation should generally follow the same approach, as indicated)	Consideration of planning applications and representations
	<p>Tier levels 1-2 applications Letters will be sent by post, or direct mail drop, to residential, business and other addresses in an area identified as having the most direct local impact from the proposal.</p> <p>Letters or email will be sent to appropriate Tenants and Residents Associations, and to other general consultation bodies and organisations where relevant operating in the ward or surrounding area for Tier level 1 and, where appropriate, Tier level 2 (see Table 3.2).</p> <p>Letters or email will be sent to Statutory Consultees where relevant.</p> <p><i>Tier Level 3 applications</i> The extent of consultation will be considered on a site by site basis depending on the likely impacts.</p> <p>For pre-application consultation, the developer should follow the same approach as for applications although leaflets may be used instead of letters. Additionally, the developer should agree in advance with the council the approach to be taken to engaging with different sectors of the community in the relevant area.</p>	
How will documents be made available?	<p>Copies of planning applications and accompanying information such, as Access Statements, will be made available at Hammersmith Town Hall Extension third floor reception, and on the website.</p> <p>Planning applications are available to view at Hammersmith Town Hall, and those made since 23 June 2004 can be seen on the council web site.</p>	<p>Where an application is being reported to the planning applications committee we will make the agenda available 5 working days before the committee meeting: on our website, at Hammersmith Town Hall, and at public libraries. A copy of decision letter on the statutory register held at Hammersmith Town Hall and website.</p>

Stages	Applications (Pre-application consultation should generally follow the same approach, as indicated)	Consideration of planning applications and representations
	For pre-application discussions the developer should make information available to view in the locality and on its website.	
How you can get more information or take part in discussions?	<p>For all applications the name of an officer contact will be included in notifications, for contact on the phone, by letter or email, and for discussion at our reception by appointment. For pre-application consultation the developer must have clear contact details for more information.</p> <p>At application stage, in the case of some Tier level 1 and possibly Tier level 2 schemes, it may be appropriate for there to be public meetings and/or exhibitions at suitable venues. This will be a site by site judgement and these events should be led by the applicant.</p> <p>At pre-application stage, the developer should hold public meetings and exhibitions for Tier Level 1 schemes and some Tier Level 2 schemes, and include information about the proposals in publicity leaflets distributed in the relevant area.</p>	
How can you give us your views?	The consultation period will be for a minimum period of 21 days. Tier level 1 and Tier level 2 schemes may have an extended period. However, all comments received prior to the decision will be taken into account. Written comments may be posted, faxed or emailed. Where people are unable to provide written comments, we will consider requests to provide comments in other formats. We will make copies of comments received publicly available on request at Hammersmith Town Hall.	

Stages	Applications (Pre-application consultation should generally follow the same approach, as indicated)	Consideration of planning applications and representations
	The timescale for pre-application consultations should be substantially longer than the statutory period for applications. For Tier Level 1 schemes, we would encourage initial consultation on issues and options before schemes are drawn up for consultation. A variety of consultation methods* should be considered (see tables 3.4 and 3.5).	
Consideration of comments and decision making	We will consider all consultation comments before making a recommendation.	We will summarise all relevant comments received in the planning application report to be considered by the planning Applications Committee or officers under delegated powers. The comments will be addressed within the body of the report.
	For pre-application consultation, the developer should prepare a report on the results of consultation and show how comments have been considered and taken into account. This report should be made available to the council at application stage.	
Giving feedback	<p>Depending on the scale and nature of any revisions to application, we will notify consultation participants.</p> <p>Any pre-application consultation report should be made available for anyone who wishes to read it.</p>	<p>Where an application is being reported to the Planning Applications Committee we will make the minutes of the meeting (including confirmed decisions) publicly available at Hammersmith Town Hall and on our website.</p> <p>Copies of delegated decision reports will be made available at the Town Hall and on the website once the application has been decided.</p>

Appendix 3 LDF Information points

Hammersmith Town Hall Extension third floor: Environment Services Department reception, King Street, London W6 9JU

Fulham Town Hall Housing Office, Fulham Road, London, SW6 1ET

Public reference libraries, namely

- **Hammersmith Library, Shepherds Bush Road, London, W6 7AS**
- **Shepherds Bush Library, 7 Uxbridge Road, London, W12 8EE**
- **Fulham Library, 598 Fulham Road, London, SW6 5NT**

Hammersmith Broadway Information Centre, Queen Caroline Street, London, W6 9YD

Appendix 4 Glossary

(Note: terms in *italics* are explained elsewhere in the glossary)

Community strategy: local authorities are required by the Local Government Act 2000 to prepare these, with aim of improving the social, environmental and economic well being of their areas. Through the Community Strategy, authorities are expected to co-ordinate the actions of local public, private, voluntary and community sectors. Responsibility for producing Community Strategies may be passed to *Local Strategic Partnerships*, which include local authority representatives.

Core strategy: set out the long-term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. The Core Strategy will have the status of a *Development Plan Document*.

Development plan: as set out in Section 38(6) of the Act, an authority's development plan consists of the relevant Regional Spatial Strategy (or the Spatial Development Strategy in London) and the *Development Plan Documents* contained within its *Local Development Framework*.

Development plan documents: spatial planning documents that are subject to independent examination, and together with the relevant Regional Spatial Strategy, will form the *development plan* for a local authority area for the purposes of the Act. They can include a *Core Strategy*, *Site Specific Allocations of land*, and Area Action Plans (where needed). Other Development Plan Documents, including generic Development Control Policies, can be produced. They will all be shown geographically on an *adopted proposals map*. Individual Development Plan Documents or parts of a document can be reviewed independently from other Development Plan Documents. Each authority must set out the programme for preparing its *Development Plan Documents* in the *Local Development Scheme*.

Generic development control policies: these will be a suite of criteria-based policies which are required to ensure that all development within the areas meets the spatial vision and spatial objectives set out in the *Core Strategy*. They may be included in any *Development Plan Document* or may form a stand alone document.

Issues and Options: produced during the early production stage of the preparation of *Development Plan Documents* and may be issued for consultation to meet the requirements of Regulation 25.

Lifetimes Home: Lifetime Homes have a number of design features that ensure a new house or flat will meet the needs of most households. Developers are required to take Lifetime Homes standards into consideration when designing new homes.

Local development document: the collective term in the *Act* for *Development Plan*

Documents, Supplementary Planning Documents and the Statement of Community Involvement.

Local development framework: the name for the portfolio of *Local Development Documents*. It consists of *Development Plan Documents, Supplementary Planning Documents*, a Statement of Community Involvement, the *Local Development Scheme* and Annual Monitoring Reports.

Local development scheme: sets out the programme for preparing *Local Development Documents*. All authorities must submit a Scheme to the Secretary of State for approval within six months of commencement of *the Act*.

Local strategic partnership: partnerships of stakeholders who develop ways of involving local people in shaping the future of their neighbourhood in how services are provided. They are often single non-statutory, multi-agency bodies which aim to bring together locally the public, private, community and voluntary sectors.

London plan: the Spatial Development Strategy for London. The Plan came into effect in February 2004 and sets out an integrated social, economic and environmental framework for the development of London over the next 15-20 years. It provides the London wide context within which individual boroughs set their local planning policies.

Pendleton Criteria: used to survey local authorities e-planning capabilities (see internet link <http://www.pendletonassoc.com/PendletonCriteria.pdf>).

Planning Inspectorate: is a government body whose main work involves processing planning and enforcement appeals and holding inquiries into local development frameworks.

Planning Portal: A national website that offers a wide range of services and guidance on the planning system advising on planning permission, online planning applications, planning appeals and how the planning system works (see <http://www.planningportal.gov.uk/>).

Planning Obligations: Legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken. For example, the provision of highways. Sometimes called "Section 106" agreements or Planning Agreements.

Preferred options: produced as part of the preparation of *Development Plan Documents*, and is issued for formal public participation as required by Regulation 26.

Proposals map: the adopted proposals map illustrates on a base map all the policies contained in *Development Plan Documents*, together with any saved policies. It must be revised as each new *Development Plan Document* is adopted, and it should always reflect the up-to-date planning strategy for the area.

The Regulations: Town and Country Planning (Local Development) (England) Regulations 2004, and the Town and Country Planning (Transitional Arrangements) Regulations 2004.

Supplementary plan documents: provide supplementary information in respect of the policies in *Development Plan Documents* and may take the form of design guides, development briefs, master plans or issue based documents that supplement the policies in a DPD. They do not form part of the Development Plan and are not subject to independent examination.

Sustainability appraisal: tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all local development documents.

Unitary development plan: sets out the Council's framework for development, development control and conservation in the borough. These plans will be replaced following changes to the development plan system.

Appendix 5 Consultees

Planning Policy Statement 12: Local Development Frameworks includes an annex of consultees. This includes the following specific consultation bodies that must be consulted in accordance with the Planning and Compulsory Purchase Act and Regulations:

- (a) The regional planning body if the local planning authority's area is in a region other than London;
- (b) The Mayor of London if the authority is a London Borough;
- (c) A relevant authority any part of whose area is in or adjoins the area of the local planning authority;
- (d) The Countryside Agency; (from October 2006 the Countryside Agency will form part of the newly created body 'Natural England')
- (e) The Environment Agency;
- (f) Highways Agency;
- (g) The Historic Buildings and Monuments Commission for England (English Heritage);
- (h) English Nature;
- (i) Network Rail;
- (j) A Regional Development Agency whose area is in or adjoins the area of the local planning authority;
- (k) Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3) (a) of the Communications Act 2003;
- (l) Any person who owns or controls electronic communications apparatus situated in any part of the area of the local planning authority; and
- (m) Any of the bodies from the following list who are exercising functions in any part of the area of the local planning authority:
 - i. Strategic Health Authority;
 - ii. Person to whom a licence has been granted under Section 7(2) of the Gas Act 1986;
 - iii. Person to whom a licence has been granted under section 6 (1) (b) or (c) of the Electricity Act 1989

- iv. Sewage undertaker; and
- v. Water undertaker.

Government Departments

Government for London will also be consulted together with any Government Departments or agencies where those departments or agencies have large land holdings in the area covered by a local development document:

- (a) Home Office;
- (b) Department for Education and Skills (through Government Offices);
- (c) Department for Environment, Food and Rural Affairs;
- (d) Department for Transport (through Government Offices);
- (e) Department of Health (through relevant Regional Public Health Group);
- (f) Department of Trade and Industry (through Government Offices);
- (g) Ministry of Defence;
- (h) Department of Work and Pensions;
- (i) Department of Constitutional Affairs;
- (j) Department for Culture, Media and Sport;
- (k) Office of Government Commerce (Property Advisers to the Civil Estate); and
- (l) The Countryside Agency (from October 2006 the Countryside Agency will form part of the newly created body 'Natural England').

General consultation bodies

- (a) Voluntary bodies some or all of whose activities benefit any part of the authority's area;
- (b) Bodies which represent the interests of different racial, ethnic or national groups in the authority's area;
- (c) Bodies which represent the interests of different religious groups in the authority's area;
- (d) Bodies which represent the interests of disabled persons in the authority's area; and

- (e) Bodies which represent the interests of persons carrying on business in the authority's area.

Other consultees

Where appropriate the following agencies and organisations will also be consulted in the preparation of local development documents.

- (a) Age Concern;
- (b) Airport operators;
- (c) British Chemical Distributors and Traders Association;
- (d) British Geological Survey;
- (e) British Waterways, canal owners and navigation authorities;
- (f) Centre for Ecology and Hydrology;
- (g) Chambers of Commerce, Local CBI and local branches of Institute of Directors;
- (h) Church Commissioners;
- (i) Civil Aviation Authority;
- (j) Coal Authority;
- (k) Commission for Architecture and the Built Environment;
- (l) Commission for New Towns and English Partnerships;
- (m) Commission for Racial Equality;
- (n) Crown Estate Office;
- (o) Diocesan Board of Finance;
- (p) Disability Rights Commission;
- (q) Disabled Persons Transport Advisory Committee;
- (r) Electricity, Gas, and Telecommunications Undertakers, and the National Grid Company;
- (s) Environmental groups at national, regional and local level, including:

- i. Council for the Protection of Rural England;
- ii. Friends of the Earth;
- iii. Royal Society for the Protection of Birds; and
- iv. Wildlife Trusts;
- (t) Equal Opportunities Commission;
- (u) Fire and Rescue Services;
- (v) Forestry Commission;
- (w) Freight Transport Association;
- (x) Gypsy Council;
- (y) Health and Safety Executive;
- (z) Help the Aged;
- (aa) Housing Corporation;
- (bb) Learning and Skills Councils;
- (cc) Local Agenda 21 including:
 - i. Civic Societies;
 - ii. Community Groups;
 - iii. Local Transport Authorities;
 - iv. Local Transport Operators; and
 - v. Local Race Equality Councils and other local equality groups;
- (dd) National Playing Fields Association;
- (ee) Network Rail;
- (ff) Passenger Transport Authorities;
- (gg) Passenger Transport Executives;
- (hh) Police Architectural Liaison Officers/Crime Prevention Design Advisors;

- (ii) Port Operators;
- (jj) Post Office Property Holdings;
- (kk) Rail Companies and the Rail Freight Group;
- (ll) Regional Development Agencies;
- (mm) Regional Housing Boards;
- (nn) Regional Sports Boards;
- (oo) Road Haulage Association
- (pp) Sport England;
- (qq) The House Builders Federation;
- (rr) Transport for London;
- (ss) Traveller Law Reform Coalition;
- (tt) Water Companies; and
- (uu) Women's National Commission.

If you would like any part of this document interpreted into your own language, please phone 020 8753 4040.

Russian

Если вы хотите, чтобы какая-либо часть этого документа была устно переведена на ваш язык, пожалуйста, позвоните по телефону 020 8753 4040.

Polish

Jeśli chciałbś jakaolwiek część tego dokumentu przetłumaczoną na język ojczysty, to proszę zadzwonić pod numer 020 8753 4040.

French

Si vous souhaitez qu'une partie de ce document soit traduite dans votre langue, veuillez appeler le 020 8753 4040.

Spanish

Si desea alguna parte de este documento en su propio idioma, llame al 020 8753 4040.

Albanian

Nese do deshironi ndonje pjese te ketij dokumenti te perkthyer ne gjuhen tuaj, telefononi 020 8753 4040.

Amharic

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Portuguese

Se desejar qualquer parte deste documento interpretada no seu idioma, telefone por favor para 020 8753 4040.

Somali

Haddii aad jeclaan laheyd in qeyb dukumentigan ka mid ah luqaddaaada ama afkaaga laguugu turjumo, fadlan teleefoon u soo dir 020 8753 4040.

Punjabi

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸ ਦਸਤਾਵੇਜ਼ ਦੇ ਕਿਸੇ ਵੀ ਹਿੱਸੇ ਦਾ ਕੀਤਾ ਹੋਇਆ ਅਨੁਵਾਦ ਤੁਹਾਡੀ ਆਪਣੀ ਭਾਸ਼ਾ 'ਚ ਚਾਹੀਦਾ ਹੈ, ਤਾਂ ਕ੍ਰਿਪਾ ਕਰਕੇ ਟੈਲੀਫੋਨ ਕਰੋ 020 8753 4040.

Gujarati

જો તમને આ દસ્તાવેજનાં કોઈપણ ભાગનું કંઈક ભાષાંતર તમારી પોતાની ભાષામાં જોઈએ છે તો, મહેરબાની કરી ટેલિફોન કરો 020 8753 4040.

Hindi

यदि आपको इस दस्तावेज के किसी भी हिस्से का किया हुआ अनुवाद अपनी भाषा में चाहिये, तो कृपया टैलिफोन करें 020 8753 4040.

Urdu

اگر اس دستاویز کے کسی بھی حصہ کا ترجمہ آپ کو اپنی زبان میں چاہئے تو براہ مہربانی ٹیلی فون کریں: 020 8753 4040

Farsi

اگر شما میخواهید هر بخشی از این سند به زبان شما برایتان ترجمه شفاهی بشود لطفاً با شماره تلفن 020 8753 4040 تماس بگیرید.

Arabic

إذا كنت ترغب بالحصول على ترجمة فورية لأي جزء من هذه الوثيقة، فيرجى الاتصال بـ: 020 8753 4040.

20 SEPTEMBER 2006

**CABINET MEMBER
FOR CRIME & ANTI-
SOCIAL BEHAVIOUR**
Councillor Greg Smith

**INTRODUCTION OF A BOROUGH-WIDE
CONTROLLED DRINKING AREA – REPORT &
CONSULTATION FINDINGS**

WARDS
All

Summary

This report sets out the findings and results of the consultation exercise on the proposal to introduce a Borough-Wide Controlled Drinking Area.

CONTRIBUTORS

DRUG AND ALCOHOL
ACTION TEAM

H&F METROPOLITAN
POLICE

RECOMMENDATIONS:

- 1. That the proposals to implement a borough-wide controlled drinking area be approved.**
- 2. That the Council hereby makes an order designating all public places within the Borough (as defined by S.16 of the Criminal Justice and Police Act 2001) as places to which S.13 of that Act applies with effect from 1st November 2006.**
- 3. That the Assistant Director (Safer Communities) be authorised to take all necessary steps to ensure the implementation of the Order by 1st November 2006.**

Report on the findings and consultation results relating to Proposed Borough Wide Controlled Drinking Area (CDA) for Hammersmith and Fulham (H&F)

Background

Section 13 of Criminal Justice and Police Act 2001 provides local authorities with the adoptive power to restrict anti-social drinking in public spaces by designating specified areas in which the Police are provided with the enabling powers under section 12 of the Criminal Justice and Police Act 2001 to either:

- Request the surrender of intoxicating liquor. Police can dispose of the alcohol as they see fit, for example, pouring away the contents. Failing to surrender the intoxicating liquor when requested is an offence.

Or:

- It is an offence to continue to consume alcohol having been asked by a Police Constable not to.

In order to designate an area, the Council has to be satisfied that alcohol consumption within the area has led to either disorder or nuisance/annoyance to the public. The Council must therefore be satisfied that there is evidence of an existing problem and consider that the problem will continue unless the powers are adopted. The Council must also ensure that the powers are not being used disproportionately. The designated area has to be a 'public place' which includes all areas open to the public whether for payment or not. The areas exclude licensed premises and their curtilages. The Council can only decide to proceed with a designation order when they have met, examined the proposal and report thoroughly taken into account any representations from the public and other stakeholders.

Introduction

The following sections of the report present the documentation relating to the main practices carried out to evaluate the link to Anti Social Behaviour (ASB) and crime to alcohol consumption in H&F in consideration of implementing a borough wide CDA. The following are presented as factors to evaluate the suitability of the proposed CDA:

1. Police report summarising alcohol related ASB across the borough
2. Police data and analysis of recorded street drinking related crimes in H&F
3. Street count figures and street drinking enquiries
4. Previous approaches to address street drinking related ASB
5. Consultation results

- 1.0 Police report summarising evidence of alcohol related ASB
(see separate report attached)

1.1 As part of the process, the council were required to obtain a police report detailing alcohol-related ASB / crime in the borough. The report is available as a background paper, however some key points from the report highlight that:

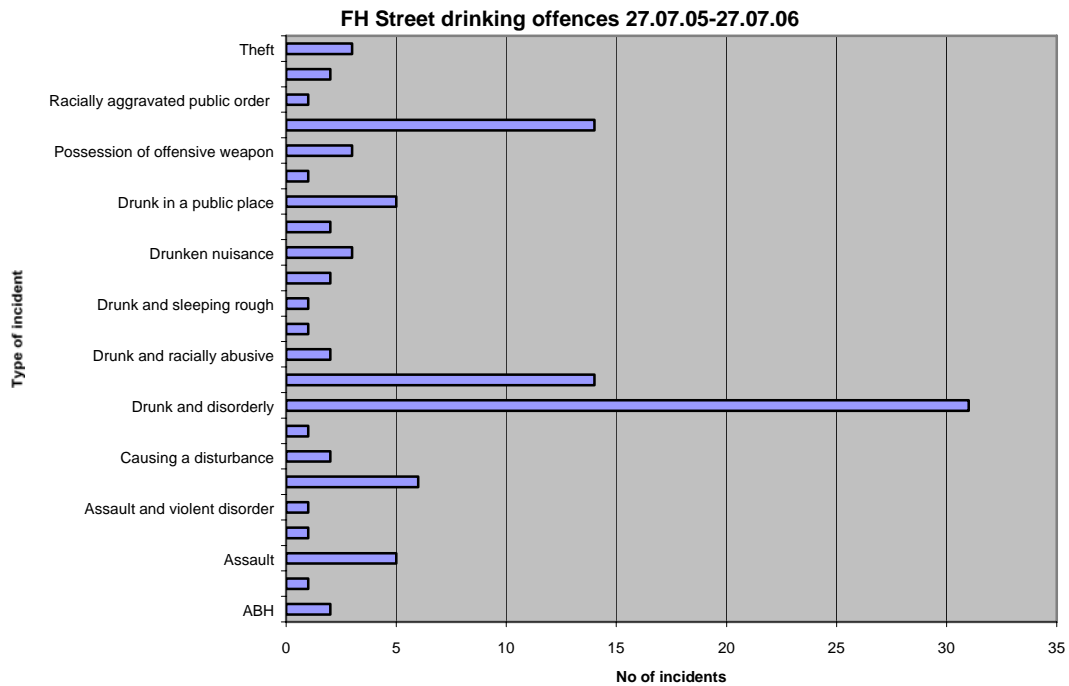
- The police perceive the problems to be getting worse
- A second group of street drinkers has been emerging-those from European accession states
- Street drinking is now a borough wide problem. A ward by ward summary showed some issues instances of street drinking in all wards with some extensively affected
- A number of previous approaches have been taken, many with positive effects, although often causing displacement. For instance, work from local police Safer Neighbourhood Teams (SNTs) and previous use of localised CDA/Dispersal Zones
- Key issue of displacement-previous work has commonly caused displacement of street drinkers so a borough wide order is supported
- A CDA could help address other alcohol related problems such as disorder on football match days and violent crime in the borough
- High numbers of alcohol related calls received by police. From July 2005 to June 2006 police had:
 - 5,320 calls for 'disturbance in a public place'
 - 1,562 calls for 'drunkenness'
- Demand on police resources for alcohol related calls
- Overall support for borough wide CDA

2.0 Police data and analysis of recorded street drinking related crimes in H&F

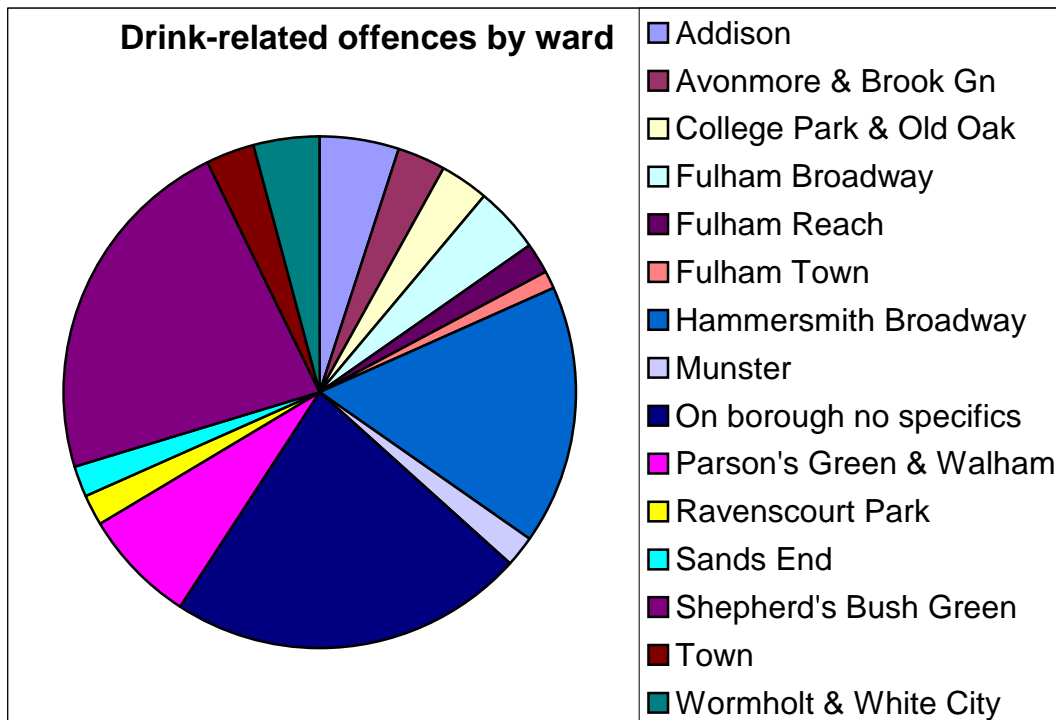
2.1 The police have collected data from the CRMINT database, which is used to log details of crimes. The database can be searched for specific information and this has been carried out for street drinking related incidents in the borough. This information does not include alcohol incidents related to the night time economy or football matches.

However, due to the large number of alcohol-related incidents and the limitations on police resources to collate this information, the reports were only able to provide an indication of the profile rather than the complete picture. However, the following information has been profiled:

- Between 27/07/05 and 27/07/06, 23 incident types shows a total of 104 incidents directly recorded for street drinkers (see table)



- The CRIMINT data also showed street drinkers to be the victims of crime, most commonly robbery where 6 incidents were recorded for the period 27/07/05 to 27/07/06
- A ward analysis shows that these incidents took place across the borough, but with the greatest number of incidents occurring in Shepherd's Bush Green and Hammersmith areas



- Only two wards had no specific entries for street drinking related

incidents, Palace Riverside and Askew. However, the joint largest proportion of logged incidents was 'On borough no specifics' for location (23%) so it is possible some incidents may have taken place in these wards but are not specified as such.

3.0 Street count figures and street drinking enquiries

3.1 Street count

On the 10th August 2006 between 13:30 and 15:00, partners including police, parks constabulary, outreach and street wardens conducted a borough wide street count. The objective was to get a snapshot of the numbers of street drinkers that could be counted at a given time. The count showed a total of 107 street drinkers, at least 38 of which were believed to be from European A8 accession states. Only three wards yielded a nil return. The count was intended to be during peak season as numbers tend to correlate to weather, although the day actually turned out slightly overcast. The count will be repeated in order to monitor street populations.

3.2 Street drinking enquiries, complaints and reports

The Community Safety Unit has collated member and public enquiries to help indicate the nature of the problem. From June 2005 to July 2006, 35 street drinking related enquiries from members were received, representing 11 wards. Of the public enquiries logged, from November 2003 to July 2006, 29 enquiries are recorded, representing 10 of the wards. A report from the parks police identifies street drinking in parks of every ward except one- College Park and Old Oak. However, the street count showed there to be 4 street drinkers in this ward, possibly an indicator of recent beliefs that street drinkers are moving further up to the north of the borough. The reason for this could be attributed to some displacement from neighbouring wards in the north such as Ealing, Brent and Kensington and Chelsea, all of which have CDAs.

4.0 Previous approaches to address street drinking related ASB

Hammersmith and Fulham has a history of street drinking populations and in 2003, the Crime and Disorder Reduction Partnership agreed funds to support street population work to address the behaviour of street drinkers and provide appropriate support and services.

In March 2004, growing public concern about street drinking in Jerdan Place (Fulham) led to a consultation and designation of a localised CDA. Evaluation of this CDA one year later highlighted issues of concern linked to displacement, long-term support for the vulnerable street drinkers, lack resources to fully enforce the CDA and the need to look at environmental changes to reduce the capacity for crowds of street drinkers to gather.

In May 2004, Hammersmith and Fulham saw the start of an influx of migrant workers predominantly from Poland. Most workers are transient and pass through the borough following success with employment and

accommodation. However, some of the more vulnerable workers have become part of street populations particularly in the areas of Ravenscourt, Loris Gardens, Brook green and other small pockets across this area.

The levels of disorder and anti-social behaviour related to street drinking has been a growing source of concern to the public, local authority and the police for a number of years. Support and enforcement agencies have targeted the hot spot areas of Brook Green and Loris Gardens areas to alleviate the impact of alcohol related anti-social behaviour, however, these initiatives have not solved the problem entirely, often reportedly displacing the issue and there regularly continue to be large numbers of street drinkers in these areas.

The Housing Options and Assessment Division and the Drug and Alcohol Action Team have been working on the delivery of a Street Population Strategy to identify short and longer term actions for addressing street population issues. One of the key target areas of work within this strategy is to tackle the issue of anti-social behaviour linked to street drinking. One possible action is to identify resources to introduce wet centre provision to support enforcement and provide an alternative drinking space for street drinkers where they can access primary care and possible treatment.

Over the last six months, the local residents of Brook Green, Loris Gardens and Melrose Gardens as well as the police have lobbied the council, asking for further assistance in dealing with street drinking. This has resulted in the Cabinet Member for Crime and Anti-social Behaviour requesting that the council to consult the public on the introduction of a borough-wide controlled drinking area.

5.0 Consultation results

5.1 Following decision to consult on the proposal for a borough wide CDA, a consultation period ran from the 4th of August 2006 through to 4th September 2006. Consultation included:

- Statutory Notice in the Gazette and Chronicle
- Chief Executives and Borough Commanders in Hammersmith and Fulham, Brent, Kensington & Chelsea, Wandsworth and Ealing.
- All Licensed premises
- Owners and occupiers of land
- All business forums including the Business Improvement District Board and the Chamber of Commerce
- Tenant and Resident Associations
- Top 12 Housing Associations including the ALMO
- Registered Community forums
- Hammersmith Hospitals Chief Executive
- All wards through Police SNT Panels
- Posters and leaflets in borough town halls, neighbourhood housing offices and parks notice boards.
- Safer Neighbourhood Teams leafleted all businesses within the three town centres

- Online form on the intranet
- Meeting of Shepherds Bush Pub and Bar Watch
- Meeting of the North Fulham Business Association
- Street Drinker questionnaire
- Public meeting at Hammersmith Town Hall
- Client meeting at Broadway day centre

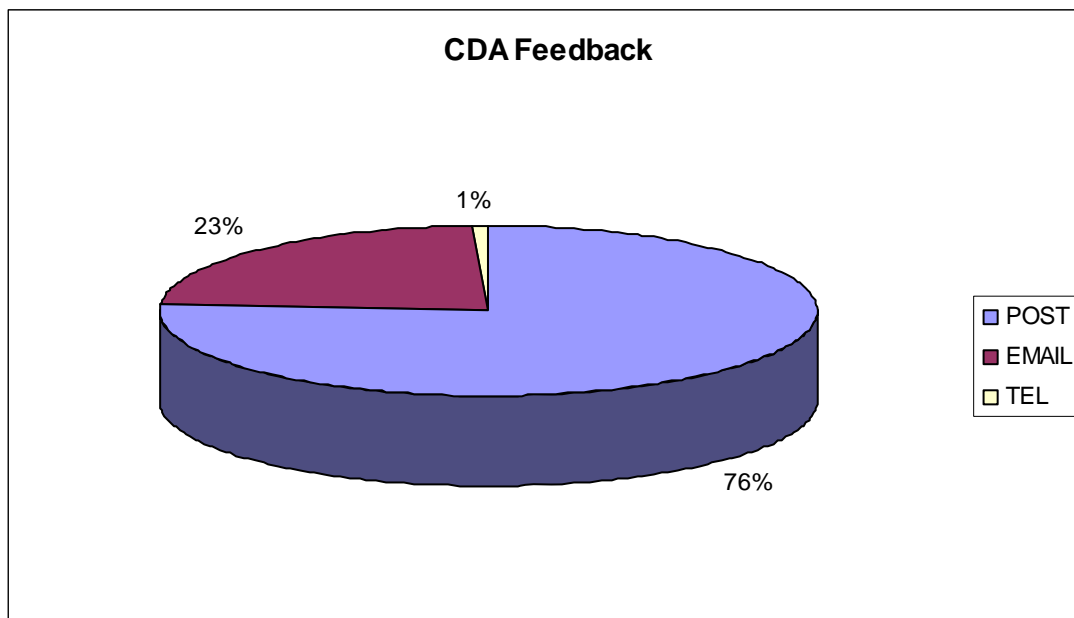
All of the above individuals and groups either received a letter explaining the consultation process for the controlled drinking area or a batch of consultation leaflets for public display.

5.2

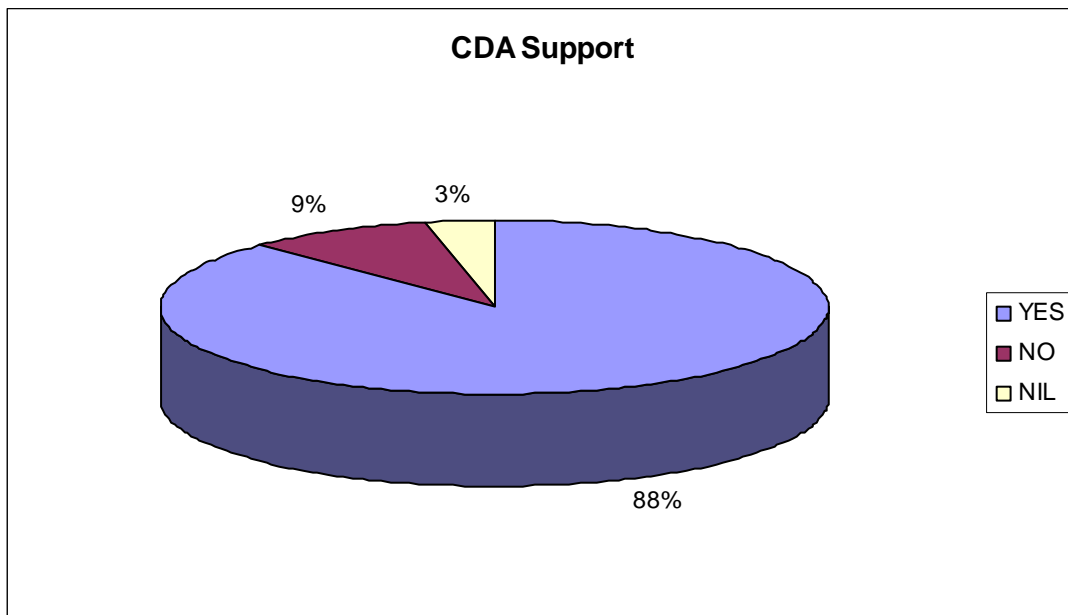
RESPONSES TO THE CONSULTATION

The council recorded 217 responses to the public consultation

The pie charts below represent the breakdown of the consultation responses:



Most of the responses came by post (76%) with respondents completing the consultation form from the leaflet or by letter directly to alert the council to their concerns or support.



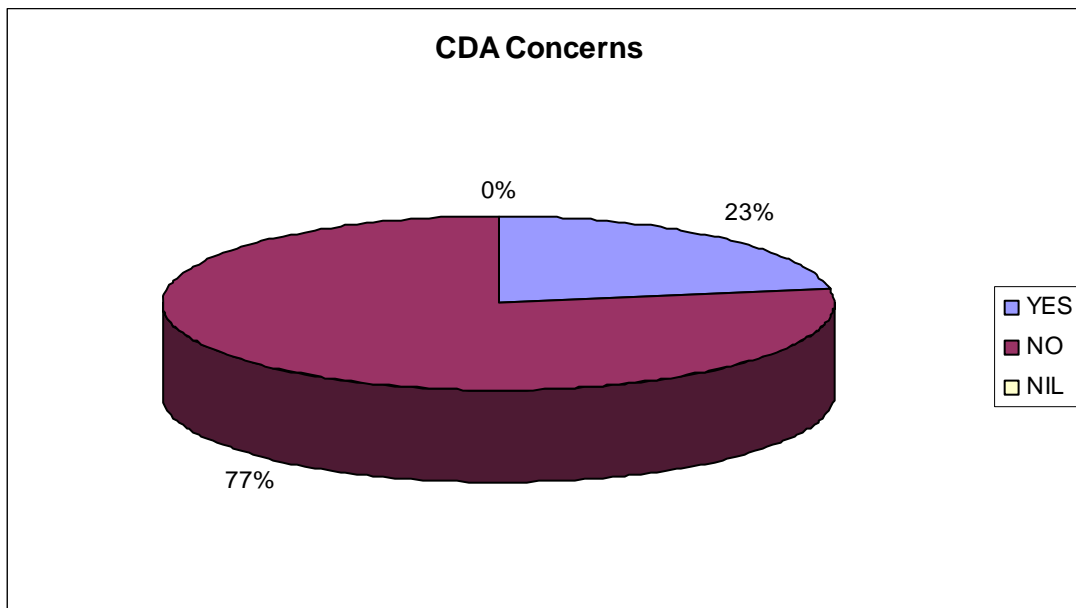
The responses show a significant majority support the introduction of a borough-wide controlled drinking area with 89% of respondents supporting this action. 3% did not comment on whether they were for or against.

Of the (88%) responses supporting the introduction of a borough-wide controlled drinking area:

- 35% cited reasons of tackling the presence of the street drinkers
- 15% cited reasons related to intimidation
- 11% cited reasons of ASB related to noise
- 11% cited reasons of ASB related to litter
- 12% cited reasons of ASB related public urination (12%)
- 4% cited reasons related to begging
- 3% cited reasons relating to generic criminal activity
- 9% cited other reasons

Some examples cited included:

- Street drinkers are both unpleasant and a danger
- Bus stops are often unusable due to street drinkers presence



23% of respondents expressed some concern over the introduction of a borough wide CDA, although were mostly supportive of tackling anti social street drinking

Of the 23% of respondents who expressed concerns:

- 44% expressed concerns over the level of enforcement that would be used to tackle the problem.

For example issues cited included:

- Were there enough police resources to manage the order borough-wide?
- How could we ensure the police would not abuse the power?

20% of respondents expressed concerns that were put into the “other” section. For example issues cited included:

- We already have powers to tackle anti social behaviour do we need another one?
- Order is draconian and unnecessary

15% expressed concern over the level of support we were going to give to the street drinkers. For example issues cited included:

- What support are we offering?
- It won't stop them drinking- just make them drink in more secluded areas

5.3 Street drinker consultation

Street populations were consulted in two main ways, firstly through a presentation and question and answer session at the Broadway (day centre) and secondly through questionnaires completed by the street population outreach worker.

From the question and answer session, the main issues raised were:

- If people's alcohol was being confiscated, this could cause more crime/ASB

- Police shouldn't have power to "pass sentence" on street drinkers
- Those who are homeless can't drink indoors
- There should be 'designated drinking areas'
- How can they be sure police will not misuse their powers of discretion
- It was requested a police officer attend to reassure this will be used appropriately

From the questionnaire responses, the main issues raised were:

- 6 out of 8 street drinkers supported the idea of a CDA
- 6 out of 8 also believed a CDA would make no difference
- 4 out of 8 supported the idea of wet provision
- 8 out of 8 said they wanted support including housing, substance misuse or centre provision

5.4 Summary from consultation

Before taking a decision to implement any controlled drinking areas, the Council must be satisfied that there is sufficient evidence of nuisance or annoyance to the public or disorder in the proposed area and discharge the statutory consultation requirements.

This report summarises the key evidence obtained which indicates the extent of alcohol related anti social behaviour in the borough and the responses from the consultation on the borough wide CDA proposal. Consultation has been thorough and has extended beyond the statutory requirements and has produced a significant number of responses.

In summary:

- Police reports show that there is a problem with alcohol related crime and ASB across the borough, although more prolific in central and known hotspot areas. Acknowledgment of displacement as a key issue linked to enforcement
 - Street count figures and members enquiries show high numbers of street drinkers across the borough, again concentrated in known hotspot areas
- Across all groups, consultation shows a significant majority support for the CDA proposals. Concerns predominantly focus on police resources to enforce, how it should be enforced and what support services are available for street drinkers.

Officers are therefore of the view that in all the circumstances, having considered all the relevant evidence and the results of the consultation that a controlled drinking area should be designated covering the whole of the borough.

6. Comments from the Director of Finance

The Introduction of a further CDA will result in the one-off costs for the council in 06-07.
£30 000 has been allocated to meet the costs of a borough-wide CDA.

The intention is that these costs will be met from the Corporate Contingency held within the revenue budget.

7. Comments from the Head of Legal Services

The legal effects of a controlled drinking area and the legal and procedural requirements to designate such an area are set out in detail in the body of the report.

The Head of Legal Services is satisfied that the statutory consultation requirements have been complied with.

In order to make an order under S.13 of the Criminal Justice and Police Act 2001 the Council must be satisfied that nuisance or annoyance to members of the public (or a section of them) or disorder has been associated with the consumption of alcohol in the public place concerned.

A public place is defined as any place to which the public has access on payment or otherwise as of right or by virtue of express or implied permission. Licensed premises are excluded.

In considering the recommendations members must take into account all relevant matters and ignore irrelevant matters. The relevant matters are summarised in the report. The outcome of the consultation must also be conscientiously taken into account. Members should also be satisfied that the making of an order is a reasonable and proportionate response to the problems outlined in the report based on the evidence before them.

The Head of Legal Services is of the opinion that the Council may reasonably conclude, on the basis of the evidence and consultation results above, that nuisance and annoyance to members of the public and/or disorder has been associated with the consumption of alcohol in all public places in the Borough and that an order under S.13 may lawfully be made covering the whole of the borough.

If the Council is minded to make an order then before the order takes effect a further advert must be placed in a local newspaper identifying the area of the order, its effect and the date it takes effect and sufficient signs must be erected in the borough to draw the attention of the public to the effect of the order. A copy must also be sent to the secretary of state.

No	Description of Background Papers	Name/Ext. of Holder of File/Copy	Department/ Location
1.	Local Government (Alcohol Consumption in a Public Place) Regulations 2001	James Morris, ext 2811	Room 48 Hammersmith Town Hall
2.	Criminal Justice and Police Act	James Morris, ext	Room 48 Hammersmith

	2001	2811	Town Hall
3.	Police Report on alcohol related anti social behaviour	James Morris, ext 2811	Room 48 Hammersmith Town Hall
4.	Police data and analysis of street drinking related crimes	James Morris, ext 2811	Room 48 Hammersmith Town Hall
5.	Street count report	James Morris, ext 2811	Room 48 Hammersmith Town Hall
6.	Map highlighting street drinking related complaints and enquiries	James Morris, ext 2811	Room 48 Hammersmith Town Hall

Appendix 1: Police report (see separate document)

PENSIONS FUND INVESTMENT PANEL REPORT TO COUNCIL

6.4

20 SEPTEMBER 2006

LEADER

*Councillor Stephen
Greenhalgh*

**PENSIONS FUND INVESTMENT PANEL –
REVISED TERMS OF REFERENCE**

**WARDS
All**

The Pensions Fund Investment Panel terms of reference (Appendix 1) have been revised to permit representatives from the admitted and scheduled bodies in the Pension Fund to attend and participate in meetings of the Panel, but not to have a formal vote. This change was considered and agreed by the Pension Fund Investment Panel. The terms of reference have also been updated to reflect current statutory requirements, including the approval and publication of the Statement of Investment Principles and Funding Strategy Statement.

CONTRIBUTORS

FD

RECOMMENDATION:

That the Council approve the Pensions Fund Investment Panel Terms of Reference

PENSIONS FUND INVESTMENT PANEL
TERMS OF REFERENCE

1. CONSTITUTION

1.1 The Panel will have the following membership:

Leader (Chairman)

Deputy Leader

Two other Administration Councillors

One Opposition Councillor

1.2 The Panel shall meet at least two times a year, but may meet more regularly if required.

1.3 The quorum of the Panel shall be 2 Members.

1.4 The Pension Fund's external investment managers will be required to attend meetings of the Panel and to submit reports, make presentations, as required.

1.5 The trade unions and representatives from the admitted and scheduled bodies in the Pension Fund shall be invited to attend and participate in meetings of the Panel, but shall not have a formal vote.

1.6 Except as provided, Council Procedure Rules shall apply in all other respects to the conduct of the Panel.

2. DECISION-MAKING POWERS

(The following powers are hereby delegated on behalf of the Council.)

2.1 To determine overall investment strategy and strategic asset allocation of the Pension Fund.

2.2 To appoint the investment manager(s), custodian, actuary and any independent external advisors felt to be necessary for the good stewardship of the Pension Fund.

2.3 To monitor the qualitative performance of the investment managers, custodians, actuary and external advisors to ensure that they remain suitable.

2.4 To review on a regular basis the investment managers' performance against established benchmarks, and satisfy themselves as to the managers' expertise and the quality of their internal systems and controls,

2.5 To prepare, publish and maintain the Statement of Investment Principles, and monitor compliance with the statement and review its contents,

2.6 To preparing, publish and maintain The Funding Strategy Statement and revise the statement to reflect any material changes in policy,

2.7 To approve the final accounts and balance sheet of the Pension Fund.

2.8 To receive actuarial valuations of the Pension Fund regarding the level of employers' contributions necessary to balance the Pension Fund.

2.9 To oversee and approve any changes to the administrative arrangements and policies and procedures of the Council for the payment of pensions, compensation payments and allowances to beneficiaries.

2.10 To consider any proposed legislative changes in respect of the Compensation and Pension Regulations and to respond appropriately.

2.11 To approve the arrangements for the provision of AVCs for fund members.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

No.	Description of Background Papers	Name/Ext. of Holder of File/Copy	Department/ Location
1.	Terms of Reference for PFIP	Bob Pearce Ext. 1808	Finance department 2 nd Floor Town Hall Extension

20 SEPTEMBER 2006

LEADER

Councillor Stephen
Greenhalgh

**PERSONNEL APPEALS PANEL / JHSW
COMMITTEE – REPLACEMENT OF MEMBER-
LEVEL BODIES**

**WARDS
All**

This report updates members on the progress made in negotiations with the Trades Unions for the replacement of the Personnel Appeals Panel / Joint Health, Safety & Welfare Committee member-level bodies with alternative mechanisms.

CONTRIBUTORS

ACE(OD)
CHR

RECOMMENDATIONS:

- (1) That, having undertaken consultation, the Joint Health Safety & Welfare Committee be abolished.
- (2) That the Council appoints Councillor Mrs. Adronie Alford (Chairman) and Councillor Victoria Brocklebank-Fowler as Administration members to the Personnel Appeals Panel, (which will continue in existence *pro tem*) and notes the earlier appointment of Councillor Colin Aherne as the Opposition member on the panel.
- (3) That the Assistant Chief Executive (Organisational Development) be authorised and instructed to take all necessary steps to finalise proposals for the abolition of the Personnel Appeals Panel for consideration by Council as soon as practicable.
- (4) That the Council's Constitution be amended to reflect the abolition of the Council and Staff Joint Committee, the Job Evaluation Appeals Panel and the Joint Health, Safety and Welfare Committee.

1.1 The following recommendations were agreed by the Council on 28th June 2006:

“That the Council:

- a) approves the immediate abolition of the following joint committees: Council and Staff Joint Committee & Joint Job Evaluation Appeals Panel;
- b) that the Council delegates authority to ACE (OD) to establish alternative officer level mechanisms to replace the committees in (a) above, in consultation with the Trades Unions.
- c) that the Assistant Chief Executive (OD) consults the Trades Unions on the proposal to remove the contractual right to appeal to the Personnel Appeals Panel and to substitute a right of appeal the Chief Officers; and on the proposal to replace the Joint Health, Safety and Welfare Committee with an appropriate safety committee which does not comprise elected members.
- d) That the Council receives a further report on the outcome of the consultation at its meeting on 20th September.”

Current position

2.1 This report updates Council on progress in relation to the consultation exercise to replace Joint Health, Safety and Welfare and the Personnel Appeals Panel.

a) Joint Health, Safety & Welfare Committee

The trades unions have responded positively to a proposed officer/trades union joint committee to replace the existing arrangements. The Assistant Chief Executive (Organisational Development) expects that the new arrangements will be in place shortly. The current member level Joint Health, Safety and Welfare Committee can therefore now be abolished.

b) Personnel Appeals Panel

Consultation has taken place on varying the contractual right for appeals to be heard by elected members. Joint agreement on a replacement mechanism has not yet been achieved. While dialogue continues, it is recommended that this panel continues *pro tem* to hear appeals.

2.2 The administration nominees for appointment to the Panel are:

- Councillor Adronie Alford (Chairman)
- Councillor Victoria Brocklebank-Fowler

The opposition nomination of Councillor Colin Aherne was previously approved at the Annual Council meeting on 24 May 2006.

2.3 At the point an alternative officer mechanism can be put in place, this Panel can then be dissolved.

Comments of the Head of Legal Services

- 3.1 The Council may now lawfully abolish its member-level safety committee provided that alternative arrangements are put in place. Officers will ensure that such arrangements comply with the Council's duties under the Safety Representatives and Safety Committees Regulations 1977.

20 SEPTEMBER 2006

**CABINET MEMBER
FOR HOUSING**

*Councillor Adronie
Alford*

**APPROVAL TO SEEK NECESSARY
PERMISSIONS FROM THE SECRETARY OF
STATE TO GRANT OF LEASES TO NOTTING
HILL HOUSING GROUP OF 3C AND 21A BRIDGE
AVENUE W6**

WARD

**Hammersmith
Broadway**

As a result of the Cabinet Member for Housing granting approval under her delegated authority to grant leases of the above addresses to Notting Hill Housing Group to facilitate purchase by tenants wishing to buy under the Social Homebuy scheme, approval of the full Council is now sought to seek the necessary consents from the Secretary of State under Sections 32 or 43 of the Housing Act 1985 to give effect to the decision (and any similar decisions relating to any other dwellings and arising from tenants wishing to purchase their homes under the Social HomeBuy scheme or otherwise).

CONTRIBUTORS

DCS
HLS
HPVS

RECOMMENDATION:

That the Council authorises and approves (pursuant to Article 4.02(b) of the Council's Constitution) application being made to the Secretary of State for any necessary consents under Sections 32 or 43 of the Housing Act 1985 to give effect to the Cabinet Member for Housing's decision to authorise grant of leases to Notting Hill Housing Group to facilitate purchases under the Social HomeBuy scheme (and any similar future decisions relating to any other dwellings and arising from tenants wishing to purchase their homes under the Social HomeBuy scheme or otherwise).

- 1.1 Approval has been given by the Cabinet Member for Housing under her delegated authority to grant leases of the above addresses to Notting Hill Housing Group (NHHG) to facilitate purchase by tenants wishing to buy under the Social Homebuy scheme. The 99 year leases that will be granted will allow the tenants to secure mortgages and therefore purchase their dwellings under the scheme.
- 1.2 Social HomeBuy, a new Government initiative that promotes homeownership, allows an existing social housing tenant the right to purchase their property from their landlord on a shared ownership basis. Shared ownership means that a tenant purchases part of the equity of their property (a minimum of 25%) and pays rent on the unsold equity to their landlord. Over time they can purchase more of the equity as their finances permit. Under Social HomeBuy the purchaser is also entitled to a discount of up to £ 16,000 on the open market value dependent on how much equity they initially buy.
- 1.3 Approval is now sought from the Full Council to seek the necessary consents from the Secretary of State at the Department for Communities and Local Government under Sections 32 or 43 of the Housing Act 1985 to give effect to such decision (and also, to avoid having to return to Full council on each occasion, for any similar applications in respect of decisions relating to any other dwellings where tenants wish to purchase their homes under the Social HomeBuy scheme or otherwise).
- 1.4 It is necessary to seek full Council approval because the current wording of Article 4 of the Constitution (reflecting the terms of the relevant statutory instrument) defines "Housing Land Transfer" in such a way that no application to the Secretary of State (for disposal consent under Sections 32 and 43 Housing Act 1985) can be made without the authority of Full Council (see Paragraphs 4.01 (c) and 4.02(b) of the Council Constitution). Normally formal applications to the Secretary of State for disposal consent are unnecessary because transactions are covered by General Consents issued by the Secretary of State. This transaction is not covered by any of the General Consents, because the Council is a superior landlord, not the direct landlord of the tenants (in actual occupation), who wish to purchase under the Social HomeBuy Scheme.

2 Comments of the Director for Community Services

- 2.1 Given that NHHG would have the right to grant an underlease to the tenants of both 3c and 21a Bridge Avenue for the unexpired term, it is Community Services view that the request by NHHG for an extension to the current lease is not unreasonable.

3 Comments of the Head of Valuation and Property Services

- 3.1 The lease extension to 3c has an approximate value of £ 5,000 and 21a Bridge Avenue £6,000. These valuations are now subject to an internal inspection of both flats currently being undertaken. It is understood NHHG are agreeable to paying for the granting of both lease extensions.

4 Comments of Head of Legal Services

- 4.1 The comments of the Head of Legal Services with respect to the need for authorisation by Full Council have been incorporated in the body of this report.

- 4.2 The Council has no legal obligation to facilitate Social HomeBuy disposals by NHHG and without the Council's assistance it would be impracticable for them to do so.
- 4.3 Although the substance of what NHHG request is merely an extension of their lease, it is not legally possible to vary the duration of a lease and therefore NHHG will need to surrender their existing lease (so far as relating to the relevant flats) and new 99 year leases granted by the Council (in a form similar to Right to Buy leases). The new leases may be granted to another company in the Notting Hill Group, which specialises in shared ownership sale.
- 4.4 The statutory power to grant the new leases is Section 32 Housing Act 1985, but exercise of this power requires the consent of the Secretary of State at the Department of Communities and Local Government. In most cases, disposals by the Council are covered by General Consents issued by the Secretary of State, but none applies in this case. Hence the need to make specific application and therefore to comply with Article 4.02(b) of the Council's Constitution.
- 4.5 As the existing lease to NHHG was of the entire buildings concerned for a lease term exceeding 21 years, the normal duty to pool 75% of capital receipts derived from disposal of dwellings held under Part II of the Housing Act 1985 will not apply to the grant of the new leases in exchange for surrendering the old.

5 Comments of the Director of Finance

- 5.1 The lease extensions for the 2 properties will generate estimated income to the Council of £11,000. As set out in the Legal comments, such receipts are not subject to pooling and are fully usable by the Council. They will be taken account of within future capital resource forecasts. The Council will incur costs in extending the lease and it is recommended that NHHG be required to meet such costs.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

No.	Description of Background Papers	Name/Ext. of holder of file/copy	Department/ Location
1	Information on NHHG Social Homebuy Scheme and correspondence with NHHG	Ian Ruegg x1722	CSD, Riverview House

SPECIAL MOTION NO. 1 – AFFORDABLE HOMES

Standing in the names of:

- (i) Councillor Lisa Nandy
- (ii) Councillor Stephen Cowan

“This Council seeks guarantees from the new Conservative Administration that it will not cut the numbers of affordable homes, previously planned to be built by the Labour Administration - which had the best record in London for building affordable homes. It calls on the Conservative Administration to base the affordable homes building programme on the evidence provided by the Housing Needs Survey and hence provide the maximum number of homes to alleviate the suffering of many of the 9300 people on the housing waiting list and the 1700 people living in temporary accommodation.”

jpc/04/09/06

SPECIAL MOTION NO. 2 – BOROUGH-WIDE CONTROLLED DRINKING AREA

Standing in the names of:

- (i) Councillor Lisa Homan
- (ii) Councillor Rory Vaughan

“This Council fully supports the introduction of a borough-wide controlled drinking area in Hammersmith and Fulham and calls on the Council to ensure the effective co-ordination between the police, the Council’s Homelessness Unit, Broadway, and health care services to ensure that this policy is part of a long term successful solution to the problem of street drinking and anti-social behaviour.”

jpc/04/09/06

**SPECIAL MOTION NO. 3 – SCHOOL GOVERNOR CRIMINAL RECORD
BUREAU CHECKS**

Standing in the names of:

- (i) Councillor Reg McLaughlin
- (ii) Councillor Gill Dickenson

“This Council welcomes the introduction of Criminal Record Bureau checks for school governors. However, the £36 charge associated with this should not be passed onto individual governors as this is detrimental to governors on low incomes and state pensions. This charge is an insult to governors who are committed volunteers; giving their time freely and providing a valuable service to our schools. We call on the Tories to reconsider this charge.”

jpc/04/09/06

SPECIAL MOTION NO. 4 – POLISH COMMUNITY IN THE BOROUGH

Standing in the names of:

- (i) Councillor Stephen Cowan
- (ii) Councillor Michael Cartwright

“This Council welcomes the positive contribution that Poles and other minority ethnic communities have made to the economic and social wellbeing of Hammersmith and Fulham. The Polish community is a long-established part of the Borough and like other recent incomers, who have taken advantage of the enlargement of the European Union, have helped start new businesses, create jobs and add to our vibrant local culture. This Council therefore urges the Conservative Administration to recognise its responsibilities to promote harmonious community relations when seeking to find reasons to explain their difficulties in carrying out their manifesto promise both to cut taxes and improve council services.

jpc/05/09/06

SPECIAL MOTION NO.5 – CLOSURE OF HAMMERSMITH BROADWAY POST OFFICE

Standing in the names of:

- (i) Councillor Paul Bristow
- (ii) Councillor Caroline Ffiske

“This Council vigorously opposes the decision of the Post Office to close the Hammersmith Broadway post office;

Condemns the poor democratic consultation that took place and the plans to move vital services from this busy branch to the W.H.Smith store in King’s Mall;

Notes that this is the latest in a relentless strategy of closing branches in the Borough by the Post Office and the Labour Government;

Further notes that the impact of this decision will be felt most acutely by local residents with disabilities, the elderly and vulnerable members of the community;

And resolves to campaign to press the Post Office and the Labour Government to reverse this decision in partnership with local residents, Greg Hands MP, and community interest groups.”

jpc/07/09/06

SPECIAL MOTION NO.6 – VANS PARKED OFF THE NORTH END ROAD

Standing in the names of:

- (i) Councillor Aiden Burley
- (ii) Councillor Rachel Ford

“This Council notes that for a long time there has been a problem with vans being permanently parked on the side roads leading off the North End Road. These have been allowed to fester, and in many cases, become grafittied, vandalised, rendered un-roadworthy and in some cases even untaxed! This Council supports the recently amended parking regulations, supported by a petition of over 120 local residents, which ensures that this abuse of the highway can no longer continue. This Council welcomes the fact that already over half the vans have been removed, and that this major issue of concern to local residents of Fulham Broadway has been so quickly and effectively dealt with under the new administration.”

jpc/07/09/06

SPECIAL MOTION NO. 7 – TACKLING TEENAGE PREGNANCIES IN THE BOROUGH

Standing in the names of:

- (i) Councillor Antony Lillis
- (ii) Councillor Alexandra Robson

“This Council records the success of the work undertaken by officers at the Council, teachers in secondary schools and colleagues in the Primary Care Trust in achieving the greatest reductions in teenage pregnancy in London alongside our neighbours the Royal Borough of Kensington and Chelsea. This outstanding work in reducing conception rates by significantly more than other authorities in the country, as recognised by Beverley Hughes MP, will be held up as good practice for others to follow.

jpc/08/09/06

SPECIAL MOTION NO. 8 – RAVENSCOURT PARK HOSPITAL

Standing in the names of:

- (i) Councillor Lucy Ivimy
- (ii) Councillor Eugenie White

“This Council deplores the Government’s mismanagement of the NHS that has resulted in Hammersmith Hospitals NHS Trust wasting millions of pounds of public money by closing a half-empty Ravenscourt Park Hospital only four years after it was opened.”

jpc/08/09/06