

The Government published, as a guide to interpreting PPS1, a document "Community Involvement in Planning: The Government's Objectives".

One key passage from this document states:

1.11 Planning plays an important part in local governance. Decisions about local plans and planning applications are taken by local representatives, accountable to their local electorates.

At the 7th July 2010 DCC, the Chief Executive of the Bath Preservation Trust asked the Committee whether there would be a planning reception after the move to Lewis House and the Chairman of the Committee said "**We shall ensure there is a proper reception.**" The Minutes misquote that as a best endeavours statement but Watchdog was in the public gallery and wrote down his exact words.

The important thing to note is that Cllr Les Kew is accountable to the local electorate. The announcement of changes to planning was sponsored by a Council officer who is not accountable to the local electorate and therefore this officer, according to the Government guidelines, does not have the authority to introduce such changes. There is certainly no authority allowing a Council officer to override a clear statement made by an elected representative.

The second key passage from the Government's Objectives states:

3.11 Each LPA will also prepare a Statement of Community Involvement (SCI), a statement of their policy for involving interested parties in preparing and revising Local Development Documents and for consulting on planning applications. There will be an independent examination of the SCI. The LPA must comply with its SCI. The SCI does not have to be prepared before other Local Development Documents and not having an SCI does not invalidate the process for preparing them. But as the SCI is so important, we would expect it to be prepared at an early stage.

The Council did prepare a Statement of Community Involvement which was adopted in 2007. The Government's Objectives say that "The LPA must comply with its SCI" so having adopted it, the policies within it cannot arbitrarily be changed. To effect changes, the full procedure of preparing a new Statement of Community Involvement, offering it for public consultation, submitting it for independent examination, and only then formally adopting it at a Council meeting, must be followed.

The currently adopted Statement of Community Involvement says:

4.16 After a planning application has been submitted and validated, details of the application are publicly available and details of the application are publicised. Planning applications are available to view on the Council's website 2-3 days after validation. Hard copies can be viewed on request from the Planning reception.

The commitment to the Government and the public that "Hard copies can be viewed on request from the Planning reception" is not therefore negotiable. Certainly the expectation that if a hard copy is required the public is expected to bear the cost of printing their own copy rather than requesting a view of it at Planning Reception, is an unauthorised deviation from the adopted policy.

The final consideration is the flaw in the idea that on-line documentation alone will suffice. Some drawings can be large, so there is a trade-off between the amount of fine detail viewable (small print must be readable, for example) and the size of the electronic file and the time it takes to view it. One document in the Green Park application took two hours to download through a dial-up connection (and some of Watchdog's members do use dial-up rather than broadband). The Western Riverside update would have taken several days to download, and even then some of the documents were virtually illegible because of the electronic scale. If a planning application includes large pieces of paper, there is no practical substitute to viewing them on paper at the size submitted.

The documents referred to are available on-line

Government Objectives -

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/147588.pdf>

Statement of Community Involvement -

<http://www.bathnes.gov.uk/SiteCollectionDocuments/Environment%20and%20Planning/Adopted%20SCI%202007%20with%20cover.pdf>

Council's announcement -

<http://www.bathnes.gov.uk/SiteCollectionDocuments/Environment%20and%20Planning/Planning/Changes%20to%20Planning%20Service%20delivery%2013%20Sept%202010.pdf>