

Paula Street
Secretariat
UK Airport Consultative Committees
- Liaison Group
West Sussex County Hall
Chichester, West Sussex
PO19 1RQ

Contact: John O'Brien
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Our reference:
Your reference:
Date: 13th July 2009

Dear Ms Street

Thank you for your letter dated 5 June 2009 regarding consultation and publicity arrangements in respect to planning applications, particularly in cases where the impact of a major planning application affects neighbouring authorities.

London local authorities have already recognised the need for greater consistency regarding notification, consultation and publicity in relation to planning applications which are close to the boundary of neighbouring planning authorities. In order to address this, the Implementation Plans Committee of the Association of London Borough Planning Officers (ALBPO) have produced a consultation protocol to guide the process of identifying properties to notify when an application is close to a local planning authority's boundary.

The protocol includes a requirement for the determining local planning authority to identify properties affected by the application and carry out publicity in the locality. It is hoped that this will achieve a more consistent approach to consultation on major planning applications. All 33 London local authorities have agreed to abide by this protocol and a copy has been attached for your information. I would welcome your views on whether you feel that this protocol is sufficient in addressing the concerns raised by the UK Airport Consultative Committee Liaison Group. I have also copied this letter to the Chairman of the ALBPO Implementation Plans Committee, Mike Kiely.

However, it is important to note that it is the responsibility of the applicant when preparing a planning application to carry out consultation with the community to ensure that the proposal that they are putting forward is of good quality and steps have been taken to take on board the views and concerns of residents. It is the duty of the applicant to lead this, but the local planning authority has an important facilitating role. Once an application is submitted, the role of the local planning authority changes to that of the decision maker and the process of engagement changes to one of notification and consideration of views. This is not a process of consultation and the difference between these two processes needs to be understood and there needs to be a clear understanding of the roles and responsibilities of the applicant and the local planning authority.

In response to your question regarding whether London Councils believes that the Department for Communities and Local Government should be doing more to take forward the recommendations of the Review of the Publicity Requirements for Planning Applications that was published by the Office of the Deputy Prime Minister in 2004, London Councils agrees that there would be benefits in providing greater clarity on this issue. The requirements for statutory consultation when dealing with planning applications are not as clear as they should be. Requirements to advertise are contained across a range of Government guidance, statements, Circulars and Statutory Instruments and a very quick win would be to carry out a consolidation exercise to ensure that all the requirements are contained in one place.

If you have any questions regarding the points raised in this letter, please contact Ruth Bradshaw, Head of Infrastructure Policy (ruth.bradshaw@londoncouncils.gov.uk or 020 7934 9909).

Yours sincerely

A handwritten signature in blue ink that reads "John O'Brien".

John O'Brien
Chief Executive

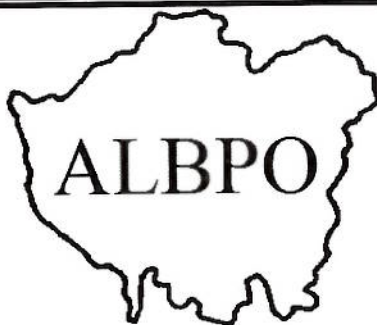
cc: Mike Kiely, Chairman, ALBPO Implementation Plans Committee

Association of London Borough Planning Officers

CHAIR Implementation Committee

MICHAEL KIELY

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ALBPO IMPLEMENTATION COMMITTEE

CONSULTATION PROTOCOL

This Protocol guides the process of identifying properties to notify when an application is close to a local planning authority's boundary.

Definitions

The determining council is referred to as the LPA

Other councils affected by an application are referred to as an Article 10 Council

Protocol

- The LPA is responsible for notifying all those properties affected by a development and carrying out publicity in the locality.
- It is for the LPA to decide who is affected by a development and how they are notified, save that a borough boundary shall not be a factor in that decision.
- If the LPA decides that properties in an Article 10 Council's area are affected by the development and should be notified about it, the LPA are responsible for notification and publicity unless they agree alternative arrangements with that Article 10 Council.
- If the LPA requires assistance in identifying property addresses in an Article 10 Council's area, the Article 10 Council shall provide all reasonable assistance to the LPA.

All planning authorities in London have agreed to abide by this protocol. These are:

City of London	Hammersmith & Fulham	Newham
Barking & Dagenham	Haringey	Redbridge
Barnet	Harrow	Richmond upon Thames
Bexley	Havering	Southwark
Brent	Hillingdon	Sutton
Bromley	Hounslow	Tower Hamlets
Camden	Islington	Waltham Forest
Croydon	Kensington & Chelsea	Wandsworth
Ealing	Kingston upon Thames	Westminster
Enfield	Lambeth	ODA PDT
Greenwich	Lewisham	LTGDC
Hackney	Merton	GLA

The wording of the protocol was agreed by the ALBPO Implementation Committee at its meeting on 14 March 2008 and issued following agreement by the above authorities on 12 June 2008.

Michael Kiely
Chair ALBPO Implementation Committee