

INSPECTOR'S REPORT
CHARNWOOD BOROUGH COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: Keith Holland

Date: 17th November 2005

Charnwood Borough Council - Statement of Community Involvement (May 2005)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the Charnwood Borough Council Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is a clear need in the light of the tests in PPS 12.
- 1.2 A total of 22 written representations were received all of which have been considered.

Test 1

- 2.1 This test has been dealt with in the pre-submission consultation statement. However, copies of the document were not sent to all consultees. Charnwood Borough Councils did however inform the bodies not sent documents by letter and I am therefore satisfied that no one has been prejudiced by this failure.
- 2.2 The test is met.

Test 2

- 3.1 The Council recognises the important links between the LDF and the Community Strategy. A review of the Community Strategy is about to commence and where possible, consultation on the LDF will be linked with consultation exercises proposed for the Community Strategy. The Council also notes the important links with other Council strategies including the Corporate Strategy and the Economic Development Strategy (page 22 of the SCI). Reference to the Charnwood Local Strategic Partnership and links with the Community Strategy is also made on page 5 of the SCI.
- 3.2 This test has been met.

Test 3

- 4.1 This test has been dealt with by the information provided in Appendix 4 of the SCI. However, it should be made clear that the list should not be regarded as complete for all time. Hence reference should be made to the possibility of amendment.
- 4.2 Recommendation.

An indication of the status of the list in Appendix 4 should be made by the inclusion of the following statement "This is not an exhaustive list, and will be updated as necessary"

Test 4 and Test 5

- 5.1 These tests are considered together as they are interrelated. They have been met by the detail provided in Section 2.0 of the SCI.
- 5.2 Page 6 of the SCI refers to the Council's intention to provide early warning of consultation periods, recognising that it is often difficult for local interest groups and town/parish council's to respond within the 6-week periods for consultation set out in the regulations. It is clear from the SCI (see Table 1 on page 10 of the SCI) that appropriate community involvement and consultation will be carried out to allow for appropriate engagement at each of the stages of DPD preparation, including the issue and options stage.
- 5.3 It is also noted on page 17 of the SCI that there will be opportunities for consultation at key stages in the preparation of the Sustainability Appraisal.
- 5.4 Page 21 of the SCI sets out the Council's commitment to engaging as wide a range of groups and interests as possible, particularly 'hard to reach' groups.
- 5.5 These tests have been met.

Test 6

- 6.1 Page 22 of the SCI refers to resources. The Council recognises that successful engagement of the local community can be a time consuming exercise and can also be expensive. Appendix 3 provides an assessment of various consultation methods and provides an indication of costs based on past experience. Staffing arrangements are also referred to.
- 6.2 This test has been met.

Test 7

- 7.1 The SCI clearly explains how the results from the various community involvement techniques will be fed into LDD and DPD production. Figure 1 (page 3 of the SCI) sets out the key stages in the preparation of a Charnwood Local Development Framework, including the preparation of development plan documents (DPDs) and supplementary planning documents (SPDs). The table also shows the stages in the Sustainability Appraisal of issues and options as they emerge. The following sections of the SCI detail how groups and individuals will be informed, consulted, provided with feedback at these key stages, and told how they can participate in the development of options and proposals. Amplification is provided in Table 1 (page 10 of the SCI).
- 7.2 This test has been met.

Test 8

- 8.1 The 'Monitoring' section on page 22 of the SCI acknowledges the importance of monitoring. The Council will review the SCI and seek comments on the consultation and engagement methods used through the use of questionnaires. Page 8 of the SCI refers to the use of the Annual Monitoring Report to outline progress against the Local Development Scheme and assess progress in the implementation of policies.

8.2 This test has been met.

Test 9

9.1 Pages 17 to 20 of the SCI set out the local authority's policy for consultation on planning applications.

9.2 This test has been met.

Council's Response to Representations

10.1 The Council has suggested a number of amendments following representations to the submission draft (May 2005). These amendments are set out in a Report that was presented to the Council's Cabinet on 22nd September 2005 included as Appendix B of this report. They include the expansion of Appendix 4 listing the types of groups to be consulted to reflect guidance in PPS12, an amendment to the section on hard to reach groups and various amendments requested by the Government Office for the East Midlands. These suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore recommend that they be included and I set out the recommendation below.

10.2 **Recommendation:** Insert the amendments set out in the Council's Report to Cabinet (September 2005) in the Submission SCI (May 2005).

Conclusion

10.3 Subject to the above amendments the Charnwood Borough Council Statement of Community Involvement (May 2005) is sound.

K Holland
Inspector

APPENDIX A
TESTS OF SOUNDNESS

Examination of the soundness of the statement of community involvement

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;¹
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

From: Planning Policy Statement 12: Local Development Frameworks

¹ The Town and Country Planning (Local Development) (England) Regulations, 2004.

INSPECTOR'S REPORT
CHARNWOOD BOROUGH COUNCIL
APPENDIX B – CABINET REPORT

Inspector: Keith Holland BA(Hons) Dip TP MRTPI ARICS

Date: 17th November 2005

CABINET 22nd September 2005

Report of the Director of Development

ITEM 6 Charnwood Local Development Framework – Statement of Community Involvement

Purpose of the Report

To consider representations received on the submission version of the Statement of Community Involvement (SCI) and approve a response to the representations for submission to the Independent Inspector appointed to examine the soundness of the document.

Recommendation

1. That the response to the representations received on the submission version of the SCI is approved for submission to the independent Inspector;
2. That authority is delegated to the Director of Development in consultation with the Lead Member for Development to submit any further evidence to the examination in response to other parties or issues that arise during the examination or as may be requested by the Inspector.

Reason(s)

1. To assist the Inspector in his consideration of the soundness of the SCI;
2. To ensure a timely response to any request by the Inspector for more information.

Policy Context

The SCI is one of the documents the Council is required to produce as part of the Local Development Framework (LDF). It sets out the Council's approach to involving the local community in the preparation of the LDF and on planning applications. It will be an important tool in helping deliver the Council's commitment to partnership working as outlined in the Community Strategy and Corporate Plan.

Background

The Planning and Compulsory Purchase Act 2004 came into force in September 2004 and introduced the requirement for local planning authorities to produce LDFs for their areas. The Government has indicated that the SCI should be one of the first documents produced.

Following two previous consultations, the Issues and Options consultation in October 2004 and the Preferred Options consultation in January 2005, the SCI was formally submitted to the Secretary of State in May 2005 and published for a 6 week period of consultation from the 27th May 2005 to the 8th July 2005.

The Secretary of State has now appointed an independent Inspector who will examine the soundness of the document. The Inspector will assess the SCI on the basis of evidence submitted to the examination, including any representations made on the submitted SCI.

As there were no requests from respondents to appear in person before the Inspector a written representations examination will be carried out to the timescales in the Local Development Scheme.

The Inspectorate has set out the deadlines for the submission of any further material from objectors and any response from the local planning authority. Objectors were required to submit any further material to support their representation by the 14th September, and the Council has until the 28th September to respond. Any additional material submitted by objectors will be presented at the meeting along with any recommended response from the Council as local planning authority. During the examination the Inspector may seek to clarify matters raised and may direct participants to address particular issues concerning the soundness of the SCI.

Following the examination the Inspector will produce a report with recommendations setting out any changes required to the SCI. The conclusions reached by the Inspector will be binding. Any changes required by the Inspector will need to be incorporated before the SCI is adopted.

Response to the Submission Stage Consultation of the SCI

A total of 22 written representations were received on the SCI from organisations and individuals with 17 objecting to the SCI. These representations are summarised at Appendix I. Copies of the representations have been placed in the Members' room.

The main issues raised by respondents in relation to the soundness of the SCI can be summarised as follows:

- concerns from a number of respondents that the list of specific and general consultation bodies is not sufficiently comprehensive;
- objections to the proposed approach to pre-application consultation with the local community in relation to certain types of planning application;
- concerns that the SCI does not provide sufficient guidance on how hard to reach groups will be engaged;
- Storer and Ashby Residents Group make a number of detailed comments on the SCI. Their main concerns relate to the transparency of approaches to consultation and engagement on the LDF and planning applications, including section 106 agreements, and the need for effective monitoring.

A response to the representations received is set out at Appendix I. It is considered that the submission SCI meets the tests of soundness set out in PPS12. However, in order to assist the Inspector should he conclude that a revision to the SCI is required, possible amendments to the SCI have been identified where appropriate. These include the expansion of Appendix 4 listing the types of groups to be consulted to reflect guidance in Planning Policy Statement 12, an amendment to the section on hard to reach groups and various detailed amendments requested by GO-EM.

Financial Implications

None

Risk Management

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
Inspector requests the submission of further evidence.	Medium	Low	Report seeks delegated authority for submission of any further information requested by the Inspector.

Key Decision: No

Background Papers: The Planning and Compulsory Purchase Act 2004.
www.hmso.gov.uk/acts/acts2004/20040005.htm
The Town and Country Planning (Local Development) (England) Regulations 2004.
www.hmso.gov.uk/si/si2004/20042204.htm

A Framework for assessing soundness and focusing representations on Statements of Community Involvement PINS

www.planning-inspectorate.gov.uk/pins/appeals/local_dev/Soundness_of_DPD.htm

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SUMMARY OF RESPONSES TO SUBMISSION VERSION OF THE STATEMENT OF COMMUNITY INVOLVEMENT

Respondent	Summary of Representation	Response of Director of Development
Supporting Representations		
RN: 03 National Farmers Union	<p>Pleased to see landowners included in the target groups.</p> <p>Do not overestimate the use of the internet. Many people in rural areas are without broadband and cannot download large documents.</p> <p>We hope that the NFU is included in the list of other consultation bodies mentioned in Appendix 4 Section 3.</p>	<p>I. Appendix 4 of the SCI is intended to outline the range of groups to be consulted. A more detailed list will be maintained separate to the SCI and the NFU are included on this list. This list will be made available on the web site.</p>
RN: 189 Peacock & Smith	WM Morrison would like to be kept informed and consulted on further stages of preparation of documents, which will comprise the LDF.	
RN: 363 National Forest Company	NFC supports the inclusion of the NFC as a consultation body for the Charnwood LDF.	
RN: 372 Charnwood Disability Forum	Supports document in terms of reference to disability groups.	
RN: 379 Gordon Smith Associates	Would like notification of the submission of a DPD to the Secretary of State, the publications of an inspector's report and the adoption of a DPD or SPD and all stages in the plan review process.	

Respondent	Summary of Representation	Response of Director of Development
Objections		
RN: 24 Leicestershire Constabulary	In accordance with PPS12, Appendix 4 should be expanded to cover where appropriate other consultees including Police Architectural Liaison Officer.	<p>2. Comments noted.</p> <p>3. Should the Inspector consider a revision to the SCI would be appropriate, it is suggested that Appendix 4 could be amended to reflect the list of other consultation bodies as set out at PPS12 Appendix E which includes a reference to Police Architectural Liaison Officers.</p>
RN: 164 Storer & Ashby Area Residents Group	<p>Paragraph and page numbering on all public documents. These responses would have been far simpler if the SCI had been done in this format.</p> <p>Where documents are on the website there should be an electronic link directly to the document. All documents should be provided in an electronic format.</p> <p>Leaflets and documents that have been distributed should be monitored to ensure they have been delivered, as there have been a number of instances where the notification period does not appear to have worked. The solution is a selective monitoring process to provide audit trail of process effectiveness. The validity and sustainability of the entire consultation process depends on there being respect for the systems being used to carry it out. Any consultation must contain a transparent and independently verifiable mechanism to demonstrate it is effective. The mechanism must be available to anyone who is interested. For example, where leaflets are distributed to inform stakeholders of a consultations and /or requesting feedback from the leaflet, it is essential to know that a defined</p>	<p>4. Comments noted. The final version of the SCI and all future documents will include paragraph and page numbering.</p> <p>5. The Planning pages on the web site are being reviewed to make them more user friendly. All development plan documents produced are placed on the website. The Council has a Charnwood Local Development Framework email alert service to provide the latest information of Local Development Framework documents for Charnwood. This can be found on the Council's website_ www.charnwood.gov.uk/environment/ldfsignup.html</p> <p>6. With leafleting campaigns, back checks on distribution are undertaken as part of the contract with the distribution company in accordance with industry standard procedures. The Council will use a range of methods and media to inform people about the LDF so that it is not over reliant on one method of communication. The SCI recognises the importance of monitoring the effectiveness of consultation exercises and indicates that comments on consultation and engagement methods used will be sought by</p>

Respondent	Summary of Representation	Response of Director of Development
	<p>fraction of the target audience could have known and participated in that process. One way to ensure this is to set up a contact database throughout the Borough, who can be randomly sampled to determine whether any particular communication reached the intended destination. This process should be subcontracted out from the Council to ensure no conflict of interest could arise.</p> <p>The address database on P5 could not be found and or how to sign up for it.</p> <p>Page 6- Early warning notices should also be subject to monitoring.</p> <p>Page 8-, Feedback. Where the answer appears to have misunderstood the point or avoids the issue, the response must be challengeable and a further response issued as an addendum to the consultation process.</p> <p>Meetings with groups to provide feedback welcomed, but an audit trail of such meetings must be maintained to demonstrate this is happening.</p> <p>Page 10, Column 3, Key stakeholders should all be listed on each consultation document and a method to correct the list should be in place.</p> <ul style="list-style-type: none"> • Give confidence this assessment is being carried out • Will inform participants which stakeholders have been designated in any particular consultation • Correct any errors or omissions <p>Column 3, possible use of Citizen’s panel is potentially of great merit. Reference should be to Appendix 3.</p>	<p>questionnaire feedback.</p> <p>7. The address list will be placed on the website on adoption of the SCI.</p> <p>8. Questionnaire feedback could include a question about the email alert system.</p> <p>9. The Council does its best to answer all queries. The Council responds to comments based on its understanding of the issues raised and will clarify issues with respondents where appropriate. For DPDs objectors have the opportunity to clarify their comments through the independent Examination process.</p> <p>10. Where feedback meetings are held a record of the meeting will be produced.</p> <p>11. The statement required under Regulation 28 of the Town and Country Planning (Local Development) (England) Regulations 2004 will set out the groups and organisations consulted at the Issues and Options stage. This will detail the specific and general consultation bodies consulted. The detailed consultee list will be available on the Council’s web site and updated as appropriate.</p> <p>12. Comment noted.</p>

Respondent	Summary of Representation	Response of Director of Development
	<p>Column 5 (also page 12) Each consultee should be advised that a summary of responses has been published, (including the website link to the document).</p> <p>Page 11, Column 1, consider the use of free papers for adverts or inserts for this.</p> <p>Page 18- The time limit for addressing Planning Committees imposed upon mandated councillors should be removed. Alternatively the same time limit should be placed on officers.</p> <p>Pre Application Discussions -We are concerned about the terms larger, sensitive and controversial. Table 2 goes some ways to outline what is larger, but completely avoids the other two designations. We are concerned who deems what is sensitive or controversial and on what basis. At present it seems that such important designations are used in an arbitrary way by unmandated officers without firm guidance. We propose this is rectified.</p> <p>Our experiences with controversial 106 agreements are that they do not involve dialogue with either officers or developer pre submission. We propose that both these dialogues should be offered, though not on the same occasion. This would enable an officer to advise on policy, preventing immaterial objections while maintaining officer neutrality highlighted on P19 and it would help diminish the impression that the planning process is heavily in favour of the applicant, which undermines confidence in the planning process.</p>	<p>13. Summaries of responses will be publicised in accordance with Regulation 28 of the Town and Country Planning (Local Development) (England) Regulations 2004.</p> <p>14. Press releases will be sent to local newspapers including the free press.</p> <p>15. Not accepted. Time limits are necessary for the efficient management of Plans Committee meetings. Officers are responsible for providing professional advice to Plans Committee as appropriate.</p> <p>16. It is considered that Table 2 provides sufficient guidance on what is likely to constitute sensitive or controversial proposals.</p> <p>17. Should the Inspector consider a revision to the SCI would be appropriate, it is suggested that Column 2 of pre and post application consultation could be retitled “strategic” for consistency.</p> <p>18. For the “other applications” category it will be a matter of judgement and it is intended to be flexible. The SCI indicates that where a proposal becomes locally contentious, the Council will encourage developers to consult with local residents.</p> <p>19. The SCI encourages pre-application consultations in relation to certain categories of application. Where these pre-application discussions take place they could involve discussions in relation to possible section 106 agreements.</p>

Respondent	Summary of Representation	Response of Director of Development
	<p>At final para a new designation of significant and strategic are introduced without explanation which makes the remainder of the document difficult to understand.</p> <p>Why should major applications have less consultation than significant applications?</p> <p>Page 20, paragraph 1 says “It is not prescriptive”. There is concern about this sentence. Guidelines should be followed unless there is a public presentation of the reasons not to do so. There must be a mechanism to challenge any reasons given.</p> <p>P26, Citizen’s panel. 1600 persons is ambitious given the low turnout to ABC consultation meetings. The need to ensure representative comment applies here too, despite the large number base. Please explore in subsequent consultation. Citizen’s Jury. Is this similar to Town Team? Small number of members is a concern.</p> <p>Page 28 (comments below also apply to the Statement of Consultation pages 21 & 22). We feel there is scope to enhance the credibility of the planning system using simple methods.</p> <p>Notification level should reflect the scale of the development. For example, an application for 100 dwellings should notify the immediate neighbours plus an additional 100 nearest to these. An application for 10 dwellings should notify the immediate neighbours plus 10 additional to these. Where developments have few neighbours, consideration should be given to directing an equivalent notification level to stakeholders adjacent to roads principally affected by the traffic associated with the development.</p> <p>We have experienced instances where the notification process did not appear to work. An audit trail needs to be available to resolve such instances, as this brings the planning process onto disrepute. This could be achieved by sending all notifications by recorded delivery.</p> <p>Council Office opening times are a significant barrier to people who work during those hours. Documents in an application file should be available to download from the website at all times. Please give a comment to a date from which this can be expected in every instance.</p>	<p>20. See comment above.</p> <p>21. Strategic applications are likely to be more controversial than major applications.</p> <p>22. The Council cannot require applicants to undertake pre or post application consultation.</p> <p>23. The re-constituted Citizen’s Panel consists of some 700 members. The make up of the Panel is designed to ensure it is representative of the population of Charnwood. Citizen’s Jury is defined at Appendix 3.</p> <p>24. When consulting on a planning application, the Council meet the requirements of the regulations. However in the Development Control Charter we have adopted procedures that give wider publicity to planning and other applications than the regulations require.</p> <p>25. Not accepted. Costs involved would be prohibitive.</p> <p>26. Work is currently being undertaken to provide a full online planning applications system.</p>

Respondent	Summary of Representation	Response of Director of Development
<p>RN: 165 House Builders Federation</p>	<p>The HBF would like all its details included on the Council’s database of interested parties, so it can be involved at all relevant opportunities in the planning process.</p> <p>The Council should communicate by letter and/or emails with regard to the production of draft or adopted DPDs and SPDs. Clear and detailed information on the Council’s website is welcomed, but, it will be of little benefit unless it is specifically drawn to the attention of all interested parties.</p> <p>Hopefully landowners, planning agents and developers will be directly consulted in relation to new documents and where appropriate invited to be involved in developer’s workshops and focus groups.</p> <p>A developer’s forum should be considered.</p>	<p>27. The Charnwood Local Development Framework email alert service will provide the latest information of Local Development Framework documents for Charnwood. This can be found on the Council’s website_ www.charnwood.gov.uk/environment/ldfsignup.html</p> <p>28. Letters will also be sent to groups and organisations on the list of consultees.</p> <p>29. The Council will seek to involve developer interests at key stages through involvement in Local Strategic Partnership Forum events which involve a range of stakeholders. This is considered preferable to a separate developers forum.</p>
<p>RN: 166 Leicestershire County Council</p>	<p>Good practice to have a redress procedure for people who are not happy with the way their representation is handled.</p> <p>In relation to press alerts sent to local radio stations - should include ethnic radio stations.</p> <p>The proposals of the Community Cohesion Pathfinder project to seek funding for a community Engagement and Empowerment Project to enable hard to reach groups in the identified areas actively participate in the range of activities is commendable. It is unclear what alternative strategies will be explored should funding not be available.</p>	<p>30. The Council has introduced a new Corporate Complaints Procedure to help deal with complaints, promptly, efficiently, courteously and systematically. Information about this will be on the website which will be able to be found under www.charnwood.gov.uk/democracy/makingacomplaint.html</p> <p>31. All local radio stations are contacted.</p> <p>32. Comment noted. Rather than refer to a time limited project dependent on funding, the SCI could outline the approach to engagement with particular hard to reach groups in more general terms.</p> <p>33. Should the Inspector consider a revision to the SCI would be appropriate, it is suggested that the section on involving hard to reach groups could be amended to outline approaches to</p>

Respondent	Summary of Representation	Response of Director of Development
		<p>consultation for particular groups as follows:</p> <p><i>Involving Hard to Reach Groups</i></p> <p>a. <i>The Council is committed to engaging a wide range of groups and interests in the planning process. In the preparation of the Borough of Charnwood Local Plan there was difficulty in engaging with youth groups, ethnic minority interests and also residents within particular wards within Loughborough.</i></p> <p>b. <i>Charnwood is made up of a wide range of communities- rural, urban, faith, ethnic, cultural, youth, transient (workers, students, travellers) and social class. From national research and guidance and work locally on the Community Cohesion Pathfinder project, the following groups are recognised as potentially hard to reach:</i></p> <p><i>Black and minority ethnic groups; Asylum seekers and refugees; People with disabilities; Young People; Older People; Homeless people; Gypsies and travellers; People living in rural communities; People living in communities with high indicators of socio-economic disadvantage.</i></p> <p>c. <i>The Council will look to employ a range of consultation techniques to suit the particular needs of these groups and has produced a guide for officers to help them consult and communicate with hard to reach groups. For particular groups the Council will adopt the following approaches:</i></p> <p>d. <i>Black and minority ethnic groups- contact through</i></p>

Respondent	Summary of Representation	Response of Director of Development
		<p>existing networks of community groups, community centres and community leaders and workers. Use of face to face interviews and focus groups rather than postal questionnaires or leafleting. Information will be disseminated through local radio stations, community newsletters, community events and local venues and places of worship.</p> <p>e. Asylum seekers and refugees- contact through voluntary and community groups who represent them and public sector organisations who have specialist contact on a regular basis.</p> <p>f. Gypsies and travellers- contact through County Council traveller liaison officer.</p> <p>g. Rural Communities- contact through Parish Councils. Use of Parish Council web sites including Leicestershire Villages.com. Information in village halls and mobile libraries.</p> <p>h. Disadvantaged communities- contact through residents and tenants associations and local community centres.</p> <p>i. Young People- To seek to involve young people in the planning process, the Council intends to build on work already undertaken with the Youth Forum. A presentation on the Issues Paper was made to the Youth Forum and it is intended that they are involved in key participation and consultation stages. Information will also be provided to local schools in the Borough so that they are aware of work on the LDF.</p> <p>j. Older People- contact through voluntary and community groups who represent the interests of the elderly.</p>

Respondent	Summary of Representation	Response of Director of Development
	<p>The option to provide representation other than in the written format should be offered to people who have difficulty writing. Staff could be made available to scribe. Not clear whether planning documents are available free of charge to enable full inclusivity.</p>	<p>k. <i>People with disabilities- For all documents produced an informative will be included indicating that copies are available on request in Braille, large print, translations and audio format. We will aim to produce documents that are easily understood. Where technical terms and phrases need to be used a glossary will be provided.</i></p> <p>l. <i>An issue for many of these groups is building capacity and the understanding of the planning system to enable them to engage effectively. The Council will look to provide support by providing training and briefing sessions for community representatives.</i></p> <p>34. For those people who have difficulty writing, the Council offers a service where someone will take notes for that person, either face to face or over the telephone. The Council will try to support its customers as much as possible. The last paragraph at page 21 could be amended to refer to the availability of this service.</p>
<p>RN: 195 Environment Agency</p>	<p>For large developments the Council should involve Key Stakeholders to resolve potential planning issues prior to the submission of planning applications. The Environment Agency welcomes early engagement on issues, such as flood risk, that can require in-depth analysis and the preparation of reports, which often cannot be achieved within the target timescale for the determination of a planning application.</p>	<p>35. The SCI indicates that the Council will encourage pre application discussions particularly for larger or more controversial proposals where these could take a variety of forms such as public exhibitions. However, pre application discussions are not compulsory prior to the submission of an application,</p> <p>36. When an application is received which requires consultation with organisations such as the Environment Agency, information is sent as quickly as possible, unfortunately the target date for the application is statutory.</p>

Respondent	Summary of Representation	Response of Director of Development
<p>RN: 196 S Rasaiah for Community Cohesion Pathfinder Project.</p>	<p>P21 Involving hard to reach groups. Relating to the final paragraph, the funding is from the Learning and Skills Council's Neighbourhood renewal Fund distributed by the Learning Partnership. The first phase of the project ends in July 2005. There has not been any capacity development to engage in the planning process. If this community engagement and development could be sustained in terms of funding then there could be scope to empower residents to take an active role in neighbourhood renewal and the planning process.</p> <p>The fact that the Council is committed to engaging a wide range of groups in the planning process is welcomed, and in keeping with the new planning legislation. However the SCI does not address how communities in the most deprived parts of Charnwood will be engaged from an early stage and kept involved throughout the planning process.</p> <p>With the end of the Pathfinder Project there is not a process for engaging with these communities. The SCI does not identify how these groups will be engaged.</p>	<p>37. Comments noted.</p> <p>38. Should the Inspector consider a revision to the SCI would be appropriate, it is suggested that the section on involving hard to reach groups could be amended to outline approaches to consultation for particular groups. (see RNI 66)</p>
<p>RN: 212 Pegasus Planning Group</p>	<p>The SCI does not clearly describe the policy for consultation on planning applications.</p> <p>Objection to Table 2 on P19. The types of applications described in the LPAs second tier entitled 'major applications' are too prescriptive and not in accordance with advice contained at paragraph 6.2.4 of the ODPM guidance "Statements of Community Involvement and Planning Applications".</p> <p>Objection to the inclusion of the first two descriptions of major applications described in Table 2, Residential development in excess of 100 dwellings or 3 hectares and Employment development in excess of 5 hectares. The first two categories of application detailed in Table 2 should be removed.</p>	<p>39. Firstly it should be noted that the recommendations set out in "Statements of Community Involvement and Planning Applications" are those of the consultant authors and do not necessarily represent the views of the ODPM.</p> <p>40. Paragraph 5.6.7 of the guidance indicates that it is for local planning authorities to identify locally derived criteria as a guide to those instances where pre-application discussions would be encouraged. Paragraph 6.2.4 refers to types of applications that could fall into this category including proposals that fall within the Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000 -greenfield housing proposals of more than 150 dwellings. Larger housing and employment developments are often the developments that raise most local concern. The thresholds reflect the definition of major development set out in the Leicestershire Structure Plan 1991-2006. It is considered that it is appropriate to identify these types of applications as major applications.</p>

Respondent	Summary of Representation	Response of Director of Development
	<p>Objection to the third tier of Table 2, Other Applications where development on sites of 0.5 hectares or more that are likely to be locally contentious or generate significant local concern following submission of the application. The threshold of 0.5 hectares is too low and should be deleted.</p>	<p>41. Para 6.2.5 of the guidance indicates that tier 3 applications are likely to be determined on a site by site basis at the local level. The approach in the SCI seeks to recognise the fact that it is difficult to establish a definitive list of smaller proposals that may be sensitive or locally contentious. Often smaller scale applications are only identified as contentious following submission. Equally, applications falling within the categories specified in the guidance are not always contentious and it would often not be necessary to encourage pre-application discussions in these instances. The approach seeks to strike a reasonable balance. Removal of the threshold as suggested would mean that a wider range of sites, including those below 0.5 hectares, could be subject to pre-application discussions. On balance it is considered that the approach set out provides sufficient clarity on the approach the Council will take on planning applications.</p>
<p>RN: 311 British Waterways</p>	<p>British Waterways should be listed in the other consultation bodies section of Appendix 4.</p>	<p>42. Comment noted.</p> <p>43. Should the Inspector consider a revision to the SCI would be appropriate, it is suggested that Appendix 4 could be amended to reflect Annex E3 to PPS12.</p>
<p>RN: 326 R I Porter</p>	<p>Objecting to the SCI. However, Planning has tried hard to engage a response from the public, but people are still unaware of the community involvements. The forms are hard to understand, the tight timescale and the cost of the reports. How will people respond who do not usually respond?</p>	<p>44. The SCI sets out a range of approaches that will be used to engage the local community in the preparation of the LDF. Approaches will be tailored to particular groups, including the hard to reach groups, to encourage their involvement.</p>

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	<p>Planning has proposed changes to make the system more open and proactive for residents, it however does not go far enough. Objectors in the planning service are disregarded, however applicants are helped. It is difficult to be taken seriously under this present system. Planning finds it easier to pass applications than to assist objectors. Planning is supposed to be fair and unbiased so will resources be there to enable this?</p> <p>Planning cannot see the long term consequences of its decisions it places before planning committees. No wonder Charnwood has had such bad feeling expressed to this department. Can you bring a sense of fairness to deliberations? A fair system should be in place now.</p> <p>Expresses serious concerns about experiences of Planning Committee meetings. Does not appear to be a fair system.</p> <p>I have noticed 106 agreements are used by the planning department. They know it is not their job to enforce them, nor can they be enforced affectively. Are they used to give the department an easier life?</p> <p>Major applications should have two planning officers dealing with the application. One makes a case for and the other a case against. Both reports are presented at committee for voting on. Option of a two stage pass, where the developer commits the idea to planning who look at it also engaging community involvement. This way enables key guidelines to be followed as the developer draws up a final plan for submission. If a planning officer recommends a controversial project, he must defend his recommendations against objectors at committee.</p> <p>The role of total decision making should be taken away from Planning and all departments should be involved. They should comment on the relevant parts which should then go to an independent council department, not connected with developers or objectors who decide how best to proceed.</p>	<p>45. The Council follows an established decision making process for planning applications received. For applications dealt with by the Plans Committee, Officers will provide professional advice as to the determination of the planning application, but members of the committee will determine it.</p> <p>46. Section 106 agreements are a legal document, which have to be adhered to. The Department has recently appointed an officer to monitor the implementation of section 106 agreements and planning conditions to ensure compliance.</p> <p>47. The suggestion is considered unnecessary and inappropriate. Planning officers are responsible for providing Plans Committee with independent professional planning advice to enable it to reach decisions on planning applications, taking account of relevant planning policy and other material considerations. The SCI seeks to encourage developers to undertake pre- application consultations with the local community in certain circumstances.</p> <p>48. Other departments are consulted on applications as appropriate and any comments are reported to the Plans Committee. The Council is not connected with developers or objectors. In discharging its responsibilities as local planning authority the Council acts as an unbiased decision maker.</p>

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RN: 329 William Davis Ltd	<p>Policy regarding consultation on planning applications should be clarified.</p> <ul style="list-style-type: none"> • The text of post submission consultation refers to public exhibitions or meetings being held but table 2 suggests that these two methods are not interchangeable. • Table 2 uses mixed descriptions of strategic and significant. • Table 2 refers to planning aid without explanation as to how this can assist consultation, 	49. It is considered that the SCI provides sufficiently clear guidance on consultations on planning applications. Table 2 outlines the range of consultation techniques that may be appropriate, depending on the nature of the application. For strategic and major applications this could involve public meetings and/ or exhibitions. It is accepted that an amendment would be appropriate to ensure consistency in the descriptions of developments. The role of Planning Aid is described at page 7 of the SCI.
RN: 366 East Midlands Development Agency	Notification criteria were sent to all local authorities, which detailed the types of planning applications that the Agency wished to be consulted on. This should be referred to in the section on Consulting on Planning Applications on P17 of the SCI. An additional category of development should be included in the table.	50. The SCI outlines the procedures for public consultation and publicity in relation to planning applications. The Borough Council will consult with statutory consultees on planning applications in accordance with the appropriate regulations.
RN: 367 The Woodland Trust	The Woodland Trust wants to be added to the list of environmental organisations consulted on planning policies and to the list of consultees for planning applications that directly or indirectly affect ancient woodland.	51. Appendix 4 of the SCI is intended to outline the range of groups to be consulted. A more detailed list will be maintained separate to the SCI and the Woodland Trust can be included on this list. This list will be made available on the web site.
RN: 368 East Midlands Regional Assembly	No comments about the SCI other than DPDs must be able to demonstrate general compliance with the policies set out in RSS8.	52. All Development Plan documents need to be in compliance with national and regional policy.
RN: 369 The National Trust	<p>The National Trust should be added to the list of other consultees at Appendix 4.</p> <p>Table I in respect of DPDs it is stated under “informing” that copies of documents will be sent to appropriate specific and general consultation bodies.</p>	<p>53. Appendix 4 of the SCI is intended to outline the range of groups to be consulted. A more detailed list will be maintained separate to the SCI and the National Trust can be included on this list. This list will be made available on the web site.</p> <p>54. In accordance with the Regulations, the decision about which specific and general consultation bodies are</p>

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	<p>This reference is not made in respect of SPDs. All these bodies should receive these documents automatically.</p> <p>Concern about how the Council will decide which bodies are appropriate in respect of DPDs. The text should be amended so that the specific and general consultation bodies either receive a copy of the document, or receive individual notification of the relevant consultation. Table I should be amended accordingly in respect of the consultation stages for DPDs.</p>	<p>consulted in relation to DPDs and SPDs is a matter for the Council. This will be a matter of judgement and will depend on the nature and geographical extent of the particular DPD or SPD. All DPDs and SPDs will be publicised and copies made available on the web site. The email alert service will inform interested parties of their availability.</p>
<p>RN: 373 Sure Start</p>	<p>The SCI does not address the point of how 'hard to reach communities' and those who are faced with considerable new development, will be effectively engaged, empowered and involved in the planning process.</p> <p>Community representatives should be involved in formulating planning briefs and short listing developers.</p> <p>There is mention in the table of 'possible use of planning for real'. The majority of consultation approaches are still about doing more of the same, leafleting, exhibitions, LSP Forum etc. Work needs to be done talking to those who do not normally engage, but are often the most affected by development to see how they would like to be involved before adopting the SCI. Local groups are emerging who could help with this.</p>	<p>55. In preparing the SCI consultation was undertaken with bodies and organisations representing the interests of identified hard to reach groups including ethnic minority interests and groups representing residents in the more deprived wards in Loughborough.</p> <p>56. The SCI indicates that for strategic and major applications developers will be encouraged to consult with the local community and that the Council will aim to use the Design Team approach to ensure high quality development and continued community involvement. This approach was used successfully in relation to the Hallamfields development at Birstall. This approach allows for community input into development briefs and section 106 agreements.</p> <p>57. Should the Inspector consider a revision to the SCI would be appropriate, it is suggested that the section on involving hard to reach groups could be amended to outline approaches to consultation for particular groups. (see RNI66)</p>
<p>RN: 374 Melton Rutland &</p>	<p>Appendix 4, Part I Specific Consultation Bodies needs to include Primary Care Trusts.</p>	<p>58. Regulation 2 of the Town and Country Planning (Local Development) (England) Regulations 2004 identifies</p>

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Harborough PCT		Strategic Health Authorities as specific consultation bodies but not PCTs. However Appendix 4 of the SCI is intended to outline the range of groups to be consulted. A more detailed list will be maintained separate to the SCI and the PCTs are included on this list. This list will be made available on the Council's web site.
RN: 375 GOEM	<p>Appendix 4 should be expanded to identify in general terms the local community groups and other bodies that will be consulted.</p> <p>General Consultation Bodies - the voluntary bodies should state 'voluntary bodies some or all of whose activities benefit any part of the authority's area' as the remainder of this section quotes exactly from the Regulations.</p> <p>Other Consultation Bodies - The types of bodies set out in this part of the appendix looks rather limited when compared to the other consultees list given in Annex E of PPS 12. The council should satisfy itself that appropriate types of organisations have been consulted and the list as Appendix 4 reflects all the types of groups involved. Should refer to consultation with Government Office and other government departments.</p> <p>Other Comments:</p> <p>The word significant in the first paragraph should be deleted.</p> <p>The word 'draft' in line 5 of the second paragraph should be removed. The final sentence needs to make it clear that the Council's consideration of planning applications will follow the procedures for consultation and engagement in the SCI.</p> <p>P6 - first sentence of the final paragraph should read The Town and Country Planning (Local Development) (England) Regulations 2004.</p> <p>Table I Preparation of DPDs under Participating. Issues and Options and initial sustainability report column, it may be useful to indicate how the community and</p>	<p>59. Comments noted.</p> <p>60. Should the Inspector consider a revision to the SCI would be appropriate, it is suggested that the SCI could be amended in accordance with GO-EM's submission.</p>

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	<p>stakeholders can assist in developing the evidence base for DPDs.</p> <p>Stage of Production - Submission of DPD to SoS - Informing Column. Mention the sustainability appraisal report will be sent to the DPD bodies at this time.</p> <p>Stage of Production - Adoption - informing column. This could note that the sustainability report will also be available for inspection.</p> <p>The adoption statement must be sent to any person who has asked to be notified of the adoption of the DPD as set out in Regulation 36(d) of the Town and Country Planning (Local Development) (England) Regulations 2004.</p> <p>Table 1 Preparation of SPDs - Adoption - Informing Column. The adoption statement must be sent to any person who has asked to be notified of the adoption of the SPD.</p> <p>P19 - Post Submission consultation - Table 2, it would be desirable to adopt the same terminology or the categorisation of applications; either strategic or significant.</p> <p>Appendix 2 - Criteria for assessing soundness - fifth bullet point. To accord with wording in paragraph 3.10(v) of PPS12 the words "and for particular communities" should be deleted.</p> <p>Appendix 2 - Criteria for Testing Soundness. The Appendix omits the final test set out in paragraph 3.10(ix) of PPS12.</p>	