



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

**Statement of Community Involvement  
Consultation Draft**

**April 2014**

CONSULTATION

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# 1 INTRODUCTION

## What is a Statement of Community Involvement (SCI)?

- 1.1 The Statement of Community Involvement (SCI) is a document that sets out the standards to which the Local Planning Authority will engage and consult the public and other stakeholders during the production of the Local Plan and when dealing with planning applications. This revised SCI seeks to update the Borough Council's SCI published in 2006.

## How can I influence future development?

You can influence development in two ways:

### *Planning Policy*

- 1.2 Firstly, by getting involved in the longer term process of drawing up plans which guide future development. This is known as planning policy and guidance. The council wants to build up a picture of the community's thoughts and concerns about proposals as future plans are prepared. This will help us understand what the future needs of the borough's community are and how these can be met.
- 1.3 There are two potential routes to being engaged with drawing up plans, one is through community involvement in plans developed by the Borough Council and the second is through community led plans, such as Neighbourhood Plans, developed by the community themselves.

### *Development Management*

- 1.4 Secondly, the community can be involved in day to day decisions made on individual planning applications. Most new buildings or major changes to existing buildings, or the local environment require planning permission. The views of the local community are important to draw on local knowledge and make good decisions on planning applications.
- 1.5 The level and type of involvement will be different between planning policy and planning applications. Influencing development through planning policy takes place over a longer period of time, and often can deal with themes as well as definite proposals. Community involvement in planning applications deals with specific proposals and the timescales are usually shorter. The SCI addresses differences between planning policy and planning applications and sets out community involvement that is appropriate to each.

## **Links to other council strategies**

- 1.6 The council, as a whole, has other strategies and policies which guide and promote community engagement. These include the Corporate Plan, Community Plan and the Borough Council Constitution.

### *The Community Plan*

- 1.7 The Community Plan details the long term vision for the borough of Hinckley and Bosworth, and sets out the priorities for tackling the most important challenges facing the borough in achieving this vision. The priorities have been informed by evidence gathered through ongoing public consultation and research.

- 1.8 The Community Plan (April 2013 to March 2018) establishes five priorities for improving the borough and delivering the long term vision;

- Giving children the best start in life
- Getting people into jobs and creating a thriving local economy
- Keeping everyone safe
- Enabling good health and well being for everyone
- Supporting those most in need.

- 1.9 These priorities will be achieved by working together, bringing together all of the organisations providing local services, including the local authority, the county council, police, the education sector, public health, private sector and the voluntary and community sector.

- 1.10 The Local Strategic Partnership (LSP) is a non-statutory body which oversees the delivery of the community plan and the above priorities. The LSP is made up of senior representatives of four delivery partnerships:

- Employment and Skills Partnership
- Hinckley Town Centre Partnership
- Community Safety Partnership
- Health and Wellbeing Partnership

- 1.11 Due to the integrated function of the Local Strategic Partnership in bringing together a range of service providers and delivering the priorities within the Community Plan it is considered important to consult them during Development Plan Document preparation.

### *The Corporate Plan*

- 1.12 The purpose of the Corporate Plan is to inform stakeholders and the public generally of the corporate vision to improve the quality of life for the people who live and work in the borough.

1.13 The overarching vision is:

***To make Hinckley & Bosworth 'A Borough to be proud of'***

1.14 The Corporate Plan identifies four aims to achieve this vision:

1. Creating a vibrant place to work and live
2. Empowering communities
3. Supporting individuals
4. Providing value for money and pro-active services

1.15 This SCI has regard to the vision and aims of the Corporate Plan and in particular seeks to ensure open and transparent communication through public consultation to enable effective plan preparation and decision making processes.

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## 2 THE PLANNING FRAMEWORK

### The need to update the Statement of Community Involvement (SCI)

- 2.1 Local planning authorities are required to publish an SCI as required by the Planning and Compulsory Purchase Act 2004. The Borough Council published a SCI in 2006, setting out the methods of consultation and community engagement for the preparation of what was formerly known as the Borough Council's Local Development Framework (comprising Development Plan Documents and Supplementary Planning Documents) and consultation on planning applications.
- 2.2 In March 2012 the National Planning Policy Framework (NPPF) was published, superseding a majority of the Planning Policy Statements (PPS) and Planning Policy Guidance (PPG). The NPPF sets out the requirement for local planning authorities to prepare 'Local Plans' replacing the structure of Local Development Frameworks. Local Plans still comprise of Development Plan Documents (DPD) and Supplementary Planning Documents (SPD). A full illustrative breakdown of the components of the Local Plan can be found in appendix 1.
- 2.3 Subsequently, the Town and Country (Local Development) Regulations 2004 were superseded by the Town and Country (Local Planning) Regulations 2012 which revised the necessary stages for preparing Development Plan Documents and Supplementary Planning Documents.
- 2.4 The NPPF sets out the policy framework for preparing Local Plans and states that:  
  
*"Each LPA should produce a Local Plan for its area which can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified. Supplementary planning documents should only be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development."*
- 2.5 In addition the Localism Act 2011 introduced a new tier of planning policy through Neighbourhood Development Plans (NDPs). NDPs enable communities to develop plans that support strategic development needs set out in local plans and plan positively to support, shape and direct development. There is no compulsory requirement to produce a Neighbourhood Development Plan but when one is 'Made' it will hold weight and form a material consideration in the determination of planning applications. The relationship of NDPs within the Local Plan is illustrated in appendix 1.

- 2.6 Subsequently, The Neighbourhood Planning (General) Regulations 2012 were introduced to establish the process and necessary steps for preparing Neighbourhood Development Plans. The Neighbourhood Planning (Referendums) Regulations 2012 and revision through The Neighbourhood Planning (Referendums) (Amendment) Regulations 2014 establish the process for referendums to which NDPs would be subject.
- 2.7 Since the publication of the previous SCI in 2006 there have also been changes to the regulations relating to development management processes through The Town and Country Planning (Development Management Procedure) (England) Order 2010 amendments. The amendments which reflect changes to consultation procedures are reflected in Section 7 of this report.

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## 2a HOW IS THIS STATEMENT SET OUT?

2.8 The following four sections of this statement will focus on consultation and engagement that will be used to develop planning policy and guidance for the development of the borough:

- Section 3:  
**WHAT** types of policy and guidance will be consulted on
- Section 4:  
**WHEN**, within the process will consultation and engagement happen
- Section 5  
**HOW** this consultation will be conducted
- Section 6:  
**WHO** will be consulted

2.9 The final section focuses on the application and consultation processes for planning applications:

- Section 7:  
Outlines how planning applications are dealt with, who is consulted and how you can make comments

### **3 WHAT PLANNING POLICY CAN YOU INFLUENCE?**

- 3.1 Documents which comprise or support the delivery of the Local Plan are Local Development Documents (LDDs), these include Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs).

#### **Development Plan Documents (DPDs)**

- 3.2 Development Plan Documents (DPDs) outline the Borough Council's policies for development within the borough. The DPDs carry the most weight for making decisions on planning applications. DPDs form part of the Statutory Local Plan, which will form the legal basis for all future planning decisions in the borough. DPDs form the 'Development Plan' also known as the Local Plan for the borough in conjunction with any Neighbourhood Development Plans when 'Made'.
- 3.3 Whilst the NPPF encourages the delivery of a single 'Local Plan', a number of documents can comprise the Local Plan where any DPDs are justified, where existing DPDs or 'saved' policies remain in force.
- 3.4 Examples of DPDs comprising the Hinckley and Bosworth Local Plan are the Core Strategy, Site Allocations and Development Management Policies, the Earl Shilton and Barwell Area Action Plan and the Hinckley Town Centre Area Action Plan.

#### **Supplementary Planning Documents (SPDs)**

- 3.5 Supplementary Planning Documents (SPDs) are documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but do not form part of the development plan.

#### **Neighbourhood Development Plans (NDPs)**

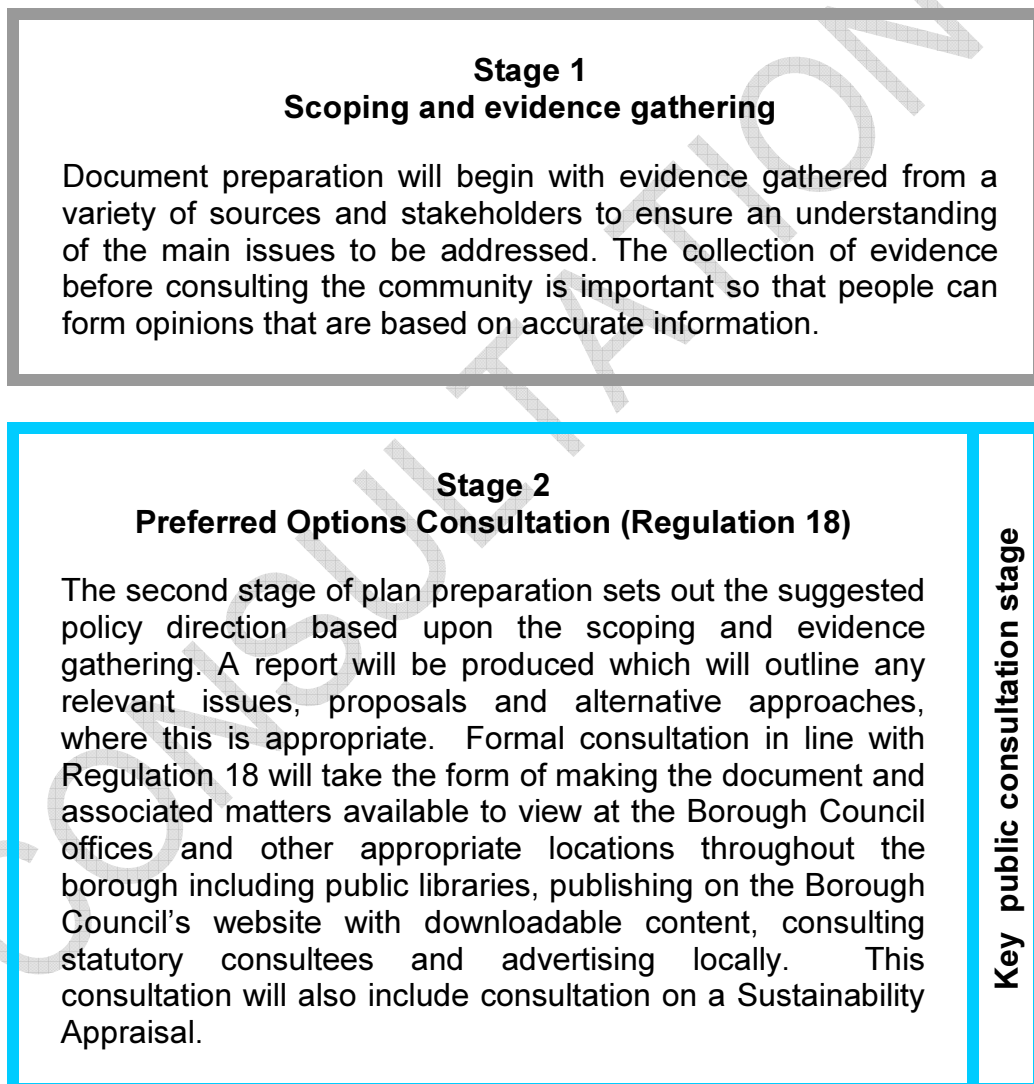
- 3.6 Neighbourhood Development Plans (NDPs) are a new tier of development documents introduced by the Localism Act 2011 and regulated by The Neighbourhood Planning (General) Regulations 2012.
- 3.7 An NDP is a community prepared plan which enables local people to guide the future of the area they live and work in. They can be used to develop a shared vision for the future of a neighbourhood, locate sites and identify policies to guide the siting and design of new homes, shops, offices and other development. They can identify and protect important local green spaces, protect the historical environment or promote renewable energy projects to list but a few of the potential options.

## **4 WHEN WITHIN THE PROCESS WILL CONSULTATION AND ENGAGEMENT HAPPEN?**

### **4a. Stages in the preparation of a Development Plan Document (DPD)**

- 4.1 The process for the preparation of DPDs (or a Local Plan), or their full or partial review will include at least one formal consultation stage before submission to the Secretary of State for independent examination. The preparation or review of DPDs will involve the stages below:

*Figure 1*



**Stage 3**  
**Pre-submission Consultation (Regulation 19 and 20)**

Preferred option consultation responses, alongside national policy and evidence bases, will be used to inform the final development of policies and/or site allocations which will be subject to public consultation into the soundness of the Plan. A detailed assessment of the Plan's social, economic and environmental impacts would also be produced in the form of a Sustainability Appraisal or Strategic Environmental Assessment, where applicable. The council will consider any points raised by the consultation, summarise responses and produce a consultation statement which will be viewable on the Borough Council's website.

**Key public consultation stage**

**Stage 4**  
**Submission to the Inspectorate (Regulation 22)**

Once the council is satisfied that the document is 'Sound' it will be sent with the supporting information to the Secretary of State to be examined. An independent planning inspector from the Planning Inspectorate will be appointed by the Government to carry out an Examination in Public (EIP). All representations made by the public during the Pre-submission Consultation (Regulation 20) will be forwarded through to the Inspector for review.

**Stage 5  
Examination (Regulation 24)**

The Planning Inspectorate will notify the council of the date for the Examination in Public (EIP) in order to carry out an examination into the Plan's 'Soundness'. The Borough Council will notify any person who has made a representation on the Pre-submission Consultation (Regulation 20) of the date, time, place and name of the inspector at least six weeks before the opening of the hearing. Objectors to the document may be allowed to appear in front of the inspector in person. Upon completion of the Examination in Public a binding report will be provided by the inspector which may recommend modifications to the Plan. The council can also suggest modifications to the inspector during the examination, in addition to making minor non-material modifications. The recommendations for the Plan and their reasons must then be publicised by the council in conformity with (Regulation 25).

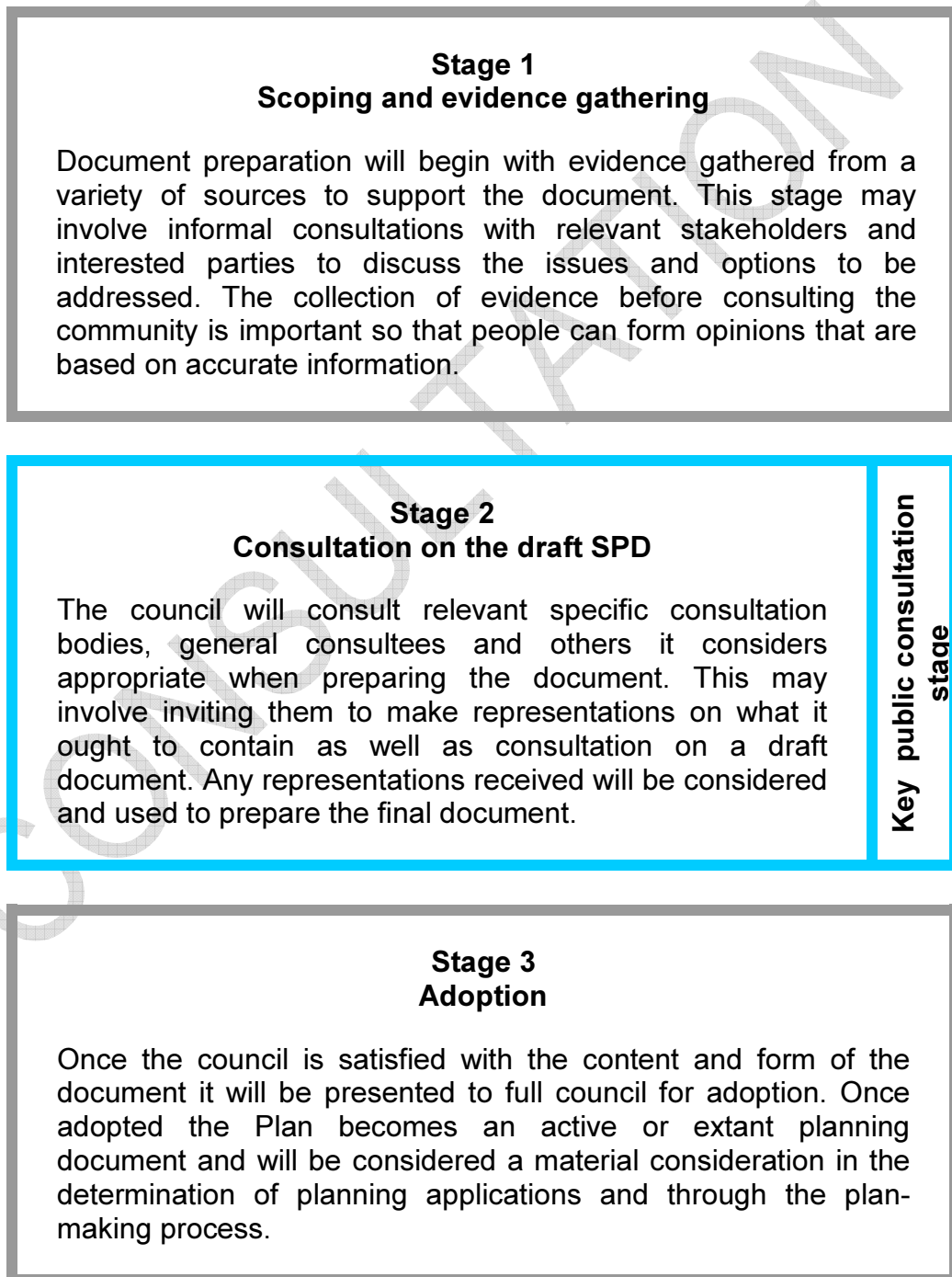
**Stage 6  
Adoption (Regulation 26)**

Provided the Planning Inspector finds the Plan to be 'Sound' as identified through the inspector's report the council can then accept the inspector's modifications and submit the Plan to full council for adoption. Once adopted the Plan becomes an active planning document to be attributed the full weight of an adopted DPD. A copy of the adoption statement will be sent to anyone who has requested to be notified of the adoption of the document.

4b. **Stages in the preparation of a Supplementary Planning Document (SPD)**

4.2 Supplementary Planning Documents add further detail to the policies in a DPD (or Local Plan). The council will prepare or revise SPDs where they will help applicants make successful applications or aid infrastructure delivery, and where they will not add unnecessarily to the financial burdens on development. The preparation of a new or revised SPD will involve the stages below.

*Figure 2*



4c **Stages in the preparation of a Neighbourhood Development Plan (NDP)**

4.3 Neighbourhood Development Plans (NDPs) are not prepared by the council therefore this SCI cannot describe how those preparing the Plan will undertake consultation. The SCI will only identify when during plan preparation formal consultation is required. NDPs must meet the requirements set out in The Neighbourhood Planning (General) Regulations 2012. The preparation of a NDP will involve the stages below:

Figure 3

<p style="text-align: center;"><b>Stage 1</b> <b>Application and publicity of Neighbourhood Area Designation (Regulation 5, 6 and 7)</b></p> <p>A Parish Council or designated community group start the preparation of an NDP through the designation of a neighbourhood area. The application for designation is received by the local authority who publicise the application for a minimum 6 week period and then determine whether the proposed area is considered an appropriate neighbourhood area.</p> <p>If agreed, the proposed area will be approved by delegation to the Deputy Chief Executive (Community Direction) in consultation with the Executive Member for Planning and the relevant ward councillor(s).</p> <p>Once approved, or refused, the council must publish the decision on their website as a minimum and if refused, publish the reasons for refusal.</p>	<b>Key public consultation stage</b>
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<p style="text-align: center;"><b>Stage 2</b> <b>Plan preparation (Scoping and Evidence Gathering)</b></p> <p>Document preparation will be undertaken by the Neighbourhood Planning Group and will usually begin by scoping community opinion, understanding aspirations and evidence gathering. This stage may involve informal consultations with relevant stakeholders and interested parties. The method of consultation is to be determined by the community group preparing the Plan.</p>
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**Stage 3**  
**Pre-submission Consultation and Publicity**  
**(Regulation 14)**

At this stage the community group preparing the Plan must publicly consult on the Plan in a way which brings it to the attention of people who live, work or have an interest in the area. In addition relevant specific consultees and others considered to be affected by proposals within the Plan are required to be consulted for a minimum of six weeks. A consultation statement will be prepared for submission with the NDP to the local authority.

**Key public consultation stage**

**Stage 4**  
**Plan Submission to Local Authority and Publicity**  
**(Regulation 15 & 16)**

Once the community group preparing the NDP are satisfied that the Plan is complete it will be submitted to the local authority. The plan should be submitted along with the Consultation Statement, Basic Conditions Statement, a map of the Plan area and other associated documents.

After receiving the Plan the local authority will publicise the NDP and associated documents on their website as a minimum and in a way which brings it to the attention of people who live, work or have an interest in the area and invite representations. This publicity period will run for a minimum of six weeks and will invite comments. The council will also notify any consultation bodies referred to in the submitted Consultation Statement.

**Key public consultation stage**



**Stage 5  
Examination (Regulation 17 & 18)**

The Borough Council in conjunction with the community group preparing the Plan will appoint an examiner to assess the Plan against the basic conditions. Representations made through the 'Plan Submission to Local Authority and Publicity Stage' will be submitted to the examiner.

The examination will usually take the form of written representations, unless the examiner considers it necessary to hold a public hearing. If the examiner considers a hearing necessary they will invite participants to the hearing.

Upon completion of the examination the inspector will make one of three recommendations:

- a) The plan should proceed to the referendum stage as submitted
- b) Propose modifications to be made by the local planning authority to meet the basic conditions and then proceeds to referendum
- c) That the Plan does not proceed to referendum

**Stage 6  
Referendum (Referendums are guided by the Neighbourhood  
Planning (Referendums) Regulations 2012)**

If the Borough Council is satisfied that the NDP meets the legal requirements it will publish its decision along with details of where the decision statement and examiners report can be inspected.

The council will arrange a referendum as soon as is practically possible and give a minimum of 28 working days notice before the date of the referendum.

A positive vote of 50% of those who vote plus 1 will ensure the Plan proceeds to full Council to be 'Made'.

**Stage 7**  
**The NDP is 'Made' (Regulation 19 & 20)**

Upon a successful vote for the community to accept the NDP as a planning document for their area the Borough Council will bring the document into legal force as an extant and active planning document.

This will be achieved through endorsement of the Plan at full Council.

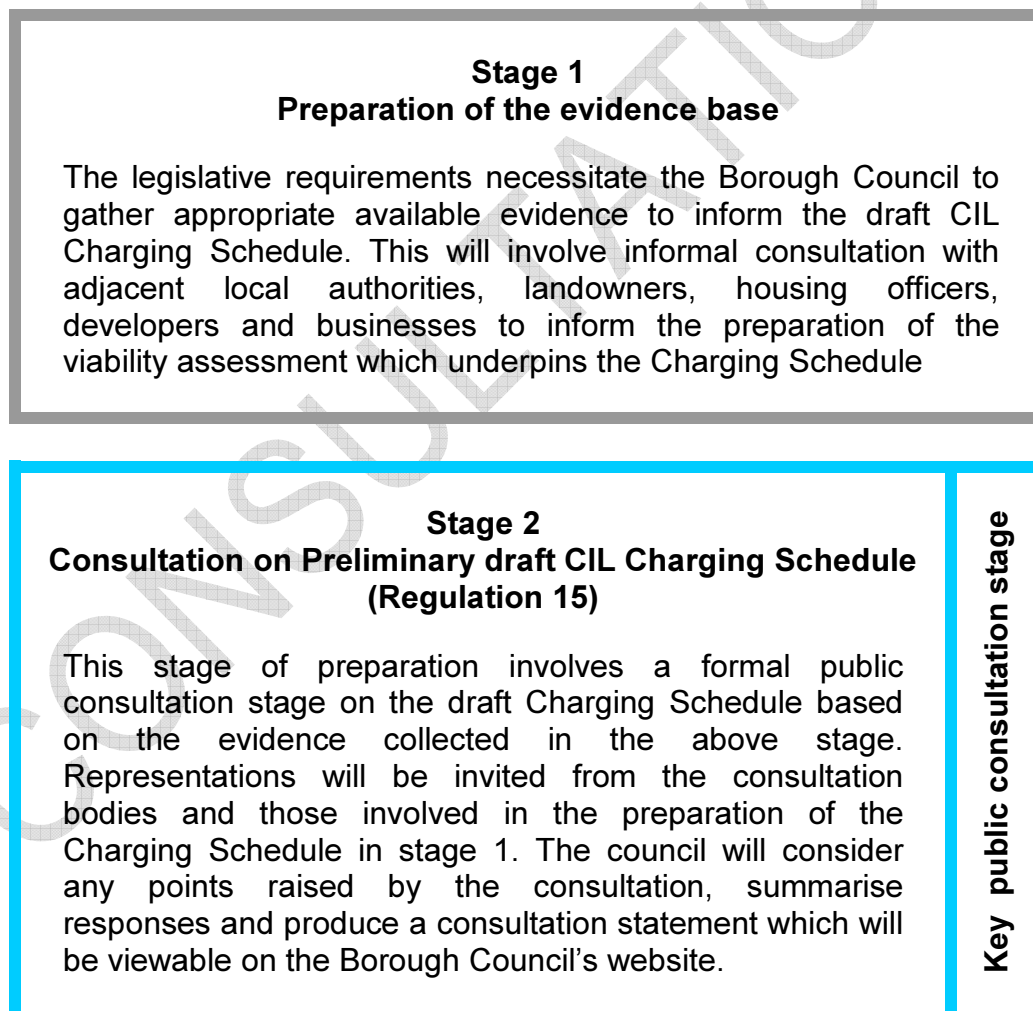
After endorsement the Borough Council will publicise the decision on the Borough Council's website as a minimum and notify anyone who has asked to be notified when and where they can inspect the Plan.

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**4d Stages in the preparation of a Community Infrastructure Levy (CIL) Charging Schedule**

4.4 The Community Infrastructure Levy (CIL) Charging Schedule is a new charge which enables the Borough Council to raise funds from new developments in the borough. The money collected from the levy will be used to support development by funding infrastructure that the council, local community and local residents want. The levy will apply to most buildings. Charges will be based on the size, type and location of new development and will be set out in a Charging Schedule. The regulations do not specify the methods of consultation the local authority should use but the methods employed will follow those set out in Section 5. The preparation of a CIL Charging Schedule will involve the stages below:

*Figure 4*



**Stage 3**  
**Publication of the draft CIL Charging Schedule**  
**(Regulation 16)**

The final stage before submission of the Charging Schedule for examination involves the publication of a draft Charging Schedule. This will be published alongside the appropriate available evidence used to support and develop the Charging Schedule which includes evidence on infrastructure costs, other funding sources and economic viability.

Regulations do not specify a consultation period however the Borough Council will adhere to consultation periods for DPDs and undertake a minimum six week consultation. Any person may make a representation to the Charging Schedule.

**Key public consultation stage**

**Stage 4**  
**Submission and Examination (Regulation 19 and 20)**

When the Borough Council is satisfied with the Charging Schedule it will be submitted with its supporting evidence including the consultation statement and statement of modifications to the Planning Inspectorate for examination into the 'Soundness' of the document.

Notification of the examination will be provided to those who previously made a representation, usually at least four weeks before the date of the examination. Any person who requests to be heard at examination, in line with regulatory requirements will be provided the opportunity to speak.

**Stage 5  
Adoption (Regulation 25)**

Upon the successful completion of the examination and any required modifications made, the Borough Council will present the document to full Council for adoption which includes a date of commencement for the Charging Schedule.

Upon adoption the CIL Charging Schedule forms part of the Local Plan and will be actively applied to development schemes.

The Charging Schedule will be published on the Borough Council's website and made available for inspection as per that undertaken in Regulation 16. A local advertisement will advertise the decision to adopt the Charging Schedule and notice given to those requested to be notified.

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## 5. HOW WILL CONSULTATION BE CONDUCTED?

- 5.1 Through consultation the Borough Council wants to reach out to as many people as possible. It is our aim to publicise opportunities as widely as possible for people to comment on or get involved in decision making and be open to peoples view.
- 5.2 NDPs are not prepared by the council therefore this SCI cannot describe how those preparing a neighbourhood plan will undertake consultation.
- 5.3 There are two broad types of consultation set out in this document:
- Informal
  - Formal

These are explained below:

- **Formal consultation** is where the Borough Council or neighbourhood group preparing an NDP publishes a draft document for a six week period and invites people to comment on it. These consultations are usually statutory requirements required by law. The key public consultation stages for DPDs, SPDs, NDPs and the CIL are illustrated in blue boxes in section 4.
  - **Informal consultation** is where the Borough Council discusses those issues that are important to people. There is an opportunity to find out what ideas people have and to identify any alternative options available. In particular, the first stage of DPD and NDP development is through informal consultation, usually through the scoping and evidence gathering stage illustrated in section 4. Informal consultation is however an ongoing process for all documents during and in-between formal consultations.
- 5.4 There are three sides to consultation, the first is providing people with information about proposals, the second is asking people to comment on proposals and the third is asking people to participate in decision making by discussing proposals. The Borough Council recognises the importance of all these elements of consultation and will ensure an appropriate mixture of approaches used.

### Feedback

- 5.5 By feedback we mean showing people how their views have been taken into account. The Borough Council recognises that feedback is important because people can then have more trust that they have made a difference by getting involved. In the majority of cases, at the end of formal consultation periods comments received and the results of the consultation events will be written up, analysed and published through a consultation statement. This information will then be used in the next stage of policy or guidance preparation.

## Methods of consultation

- 5.6 It is important that the methods of involving people during consultations are appropriate and relevant to the people involved. They also need to be appropriate for the type of consultation (the subject and the stage in the process). For example when the Borough Council consults on the general principle of where development should go there will need to be much wider consultation than when proposals are prepared for a specific issue or specific part of the borough (i.e. Area Action Plans or SPDs). For specific proposals it will be important to focus consultations by informing and consulting primarily with people that are interested in the particular area or subject, for example the people that use the town centre, if that is the focus of the policy.
- 5.7 Legislation sets out minimum requirements for public participation when preparing Local Development Documents (Local Plans) and SPDs. This includes making information available on our website. Where possible and appropriate, the council will go beyond these requirements to promote greater community participation and to meet the needs of our different communities. Therefore, a variety of methods are likely to be used at various stages of the plan making process. These include, but are not limited to:
- **Direct notifications to appropriate organisations and individuals** - Emails or letters (where no email) will be sent to statutory bodies, relevant groups and to those on our consultation database who have requested to be contacted.
  - **Publish on the Borough Council's website** - Progress on Borough Council planning documents will be publicised on the Borough Council's website. Notifications of upcoming consultations will also be available on the website, highlighting the times and dates of consultation, how to make representations and how to view the associated documents. The website will also enable the download of evidence bases, consultation reports and comment forms (where applicable).
  - **Deposit venues** - Hard copies of the documents will be made available for public viewing during formal public consultation at the Borough Council's offices and local libraries within the borough.
  - **Social networking sites** - Information on consultation events will be advertised on our corporate Facebook page and Twitter feed.
  - **The Borough Bulletin** - Where feasible, the quarterly Borough Bulletin, a council publication distributed to every household in the borough, will provide notifications of consultation events.
  - **Local media** - Where appropriate advertisements for formal consultations will be placed within local media such as the local newspaper.

- **The Planning Policy E-newsletter** - Where feasible, the quarterly Planning Policy E Newsletter, a publication distributed to all Parish Councils and Borough Councillors, will provide updates on plan preparation and provide notifications of consultation events.
- **Exhibitions** - Public displays for local residents to follow progress of plan preparation and/or contribute representations for consultation.
- **Council meetings** - Where appropriate, plans will be taken to relevant council meetings in line with the Borough Council's constitution for feedback and approval from elected local members.
- **Member workshops** - Group meetings will disseminate information to elected local members on plan preparation and primarily gather locally specific information to inform plan preparation. Workshops will usually involve groups using plans, models and other visual materials.
- **Surveys and questionnaires** - These may be utilised to canvass views on key issues, options, proposals and documents.



## **6 WHO WILL BE CONSULTED?**

- 6.1 Different types of policy documents need different levels of involvement, depending on factors such as how many people would be affected by the proposed policy and type of impact it would have.
- 6.2 It should be noted that legislation and regulations are frequently updated and the list of consultees below may change over time and must be checked against the requirements set out in any new regulations.
- 6.3 Updated legislation and regulations have resulted in revisions to who should be consulted during local development document production. Revisions have included a change in terms from Statutory Consultees to Specific Consultation Bodies and Non-statutory Consultees to General Consultees.
- 6.4 The information below identifies the regulatory requirements on who should be consulted at the various stages of plan production for Local Development Documents (Local Plan) including SPDs, NDPs and the CIL Charging Schedule.

### **Consultees on Local Development Documents (Local Plan)**

- 6.5 Section 3 of this document illustrates the stages of Local Development Document preparation and identifies specifically when in the process those with an interest are consulted and the stages publicised.
- 6.6 The Town and Country (Local Planning) Regulations 2012 (Reg 18) require the local authority to consult the following during Local Plan preparation which includes Supplementary Planning Guidance and DPDs:
1. Such of the specific bodies as we consider may have an interest in the subject of the proposed document
  2. Such of the general consultation bodies as we consider appropriate
  3. Such residents or other persons carrying on business in the area from which we consider it appropriate to invite representations
- 6.7 Specific Consultation Bodies:

### **A relevant authority any part of whose area is in or adjoins Hinckley and Bosworth, namely:**

- Leicestershire County Council
- Warwickshire County Council
- North West Leicestershire District Council
- Charnwood Borough Council
- Blaby District Council

- Rugby Borough Council
- Nuneaton and Bedworth Borough Council
- North Warwickshire Borough Council
  
- Parish and Town Councils within the borough
- Parish and Town Councils adjacent to the borough boundary
  
- Police Authorities
- The Coal Authority
- The Environment Agency
- English Heritage
- Natural England
- Network Rail Infrastructure Limited (Company No. 2904587)
- The Highways Agency
- Any person to whom the electronic communication code applies (under section 106(3)(a) of the Communications Act 2003)
- Any person who owns or controls electronic communications apparatus in Hinckley and Bosworth
  
- Any of the following exercising functions in Hinckley and Bosworth
  - A Primary Care Trust established under section 18 of the NHS Act 2006 or continued in existence by virtue of that section
  - A person to whom a licence has been granted under Section 6(1)(b) or (c) of the Electricity Act 1989
  - A person to whom a licence has been granted under section 7(2) of the Gas Act 1986
  - Sewerage undertakers and water undertakers
  - The Homes and Communities Agency

#### 6.8 General Consultees:

- Harborough District Council
- Oadby and Wigston Borough Council
- Melton Borough Council
- Leicester City Council
- Rutland County Council
- Local Enterprise Partnership(s)
- Local Strategic Partnership
  
- Voluntary bodies some or all of whose activities benefit any part of Hinckley and Bosworth

Bodies which represent the interests of:

- Different racial, ethnic or national groups in Hinckley and Bosworth
- Different religious groups in Hinckley and Bosworth
- Disabled persons in Hinckley and Bosworth
- Persons carrying on business in Hinckley and Bosworth

### **Consultees on the CIL Charging Schedule**

6.9 Section 3 of this document illustrates the stages of CIL Charging Schedule preparation and identifies specifically when in the process those with an interest are consulted and the stages are publicised.

#### **Stage 1 - Preparation of the evidence base**

6.10 This stage will involve informal consultation with a range of stakeholders to help inform the viability assessment. The Community Infrastructure Levy Regulations (2010) (as amended) do not prescribe a formal consultation process and do not stipulate who to engage.

#### **Stage 2 - Consultation on preliminary draft CIL Charging Schedule**

6.11 This is a formal consultation stage as required by Regulation 15. The local authority as the charging authority will consult and invite representations from the following;

- Leicestershire County Council
  - Warwickshire County Council
  - North West Leicestershire District Council
  - Charnwood Borough Council
  - Blaby District Council
  - Rugby Borough Council
  - Nuneaton and Bedworth Borough Council
  - North Warwickshire Borough Council
  - Parish Councils within the Borough
  - Those resident or carrying on a business in the area as the authority considers appropriate
  - Voluntary bodies whose activities benefit the area
  - Bodies representing the interests of persons carrying on business in the area.
- } Consultation Bodies

#### **Stage 3 - Publication of the draft CIL Charging Schedule**

6.12 This is the final substantive formal consultation stage in the development of the CIL Charging Schedule and Regulation 16 prescribes who is to be consulted. It stipulates that the Borough Council will consult those consultation bodies previously consulted in Stage 2. The Borough Council will also consult those who made representations in Stage 2 who fall outside of consultation bodies.

## **Consultees on NDPs**

- 6.13 Section 3 of this document illustrates the stages of NDP preparation and identifies specifically when in the process those with an interest are consulted and the stages are publicised.

### **Stage 1 - Application and publicity**

- 6.14 The publicity of the application to form a neighbourhood area for the purposes of producing an NDP is a local authority undertaking. Regulation 6 and 7 of The Neighbourhood Planning (General) Regulations 2012 require the local planning authority to publicise the application and subsequently the decision to designate the area or not on the Borough Council website and in a way likely to bring the application to the attention of people who live, work or carry on business in the area. To ensure this requirement is met the Borough Council will notify the following of the application and decision:

- Adjacent local authorities to the neighbourhood area
- Adjacent Parish Councils
- Borough councillors to whom the area relates

### **Stage 2 - Plan preparation**

- 6.15 Plan preparation is, like most of the NDP preparation, is a community-led stage with no statutory requirement for consultation and the Borough Council cannot therefore prescribe who is to be consulted. However it is anticipated that most neighbourhood groups will go through informal consultations with a range of stakeholders to help inform plan preparation.

### **Stage 3 - Pre-submission consultation and publicity**

- 6.16 This stage is a community-led consultation stage in which Regulation 14 requires the community group preparing the Plan to bring their draft plan to the attention of people who live, work or have an interest in the area. They must also ensure relevant specific consultees and others affected by proposals are consulted for a minimum of six weeks.

### **Stage 4 - Plan submission and publicity**

- 6.17 This stage is a local authority led stage in which Regulation 15 and 16 requires the local authority to notify any consultation body consulted on by the community in the above stage. These is in addition to consulting on the Borough Council website and bringing the Plan to the attention of people who live, work or have an interest in the area.

## **7 PUBLICISING PLANNING APPLICATIONS**

- 7.1 The Borough Council deals with approximately 1,500 planning applications each year, ranging from householder and minor applications to major applications for new housing employment and retail developments. This section explains how these applications are dealt with and outlines the Borough Council's consultation arrangements.
- 7.2 Most planning applications are determined under powers that have been delegated to officers. Major and/or controversial applications are determined by planning committee. Decisions are taken having regard to the councils adopted Local Plan, which is the legal basis for all decisions, unless other material considerations can be shown to override these policies.
- 7.3 The process of deciding planning applications is often of great public and local interest and comments from the local community are welcomed. Publicity is therefore carried out on all planning applications. As a general rule, the larger and more complex (major) planning applications are publicised more widely than proposals that are small scale and/or routine.
- 7.4 When deciding which applications are classed as major applications and therefore subject to wider community consultation, the government sets out the following criteria:
- Residential developments comprising 10 or more homes
  - A site area of 0.5 hectares or more where the number of homes is unknown
  - The provision of a building(s) where the created floor space is 1,000 square meters or more
  - Development carried out on a site having an area of 1 hectare or more
- 7.5 The government sets targets for the time taken to determine planning applications. These are currently 13 weeks for major applications and 8 weeks for all others. If an Environmental Impact Assessment is required by the scale of development then this period will extend to 16 weeks. Before a decision is made, the case officer will prepare a report with a recommendation.
- 7.6 The recommendation will take into account the policies within the adopted Local Plan, the National Planning Policy Framework as well as any consultation comments received. The Borough Council can only take into account comments relating to material considerations. Guidance on material considerations can be found on the Planning Portal [www.planningportal.gov.uk](http://www.planningportal.gov.uk).

## **How we publicise applications**

- 7.6 The level of consultation carried out for planning applications, will be proportionate to the type and scale of planning application being determined. In all cases, publicity will meet legal requirements (see below) and in some cases, additional publicity will be carried out.
- 7.7 Planning legislation requires that for certain types of applications, such as works to listed buildings, or planning applications that are accompanied by an Environmental Impact Assessment, it will be necessary to advertise the application in the local press. For most types of applications, site notice(s) and/or letters will be appropriate.

## **Statutory minimum publicity requirements**

- 7.8 The regulations set out in the Town and Country Planning (Development Management Procedure) Order 2010, the planning (Listed Building and Conservation Areas) Regulations and the Planning (Listed Buildings and Conservation Areas) Act 1990, state that all planning applications need to be publicised, either by site notice or individual neighbour notification. A press notice and site notice is also required for the following types of application:
- Erection of 10 or more dwellings or a site area of 0.5 hectares or more
  - Erection of 1000 square metres of floor space, or site area of 1 hectare or more
  - An application subject of an environmental assessment
  - An application that would affect a right of way, under part III of the Wildlife and Countryside Act
  - Development affecting listed buildings
  - Development affecting the character or appearance of a Conservation Area
  - Departures from the Local Plan

## **Individual letters**

- 7.9 Letters will only usually be sent to those properties that will be directly affected by a proposal. This typically includes an adjoining owner or occupier. For example, letters will normally be sent to adjoining neighbours where residential properties adjoin a common boundary with the application site.
- 7.10 Parish and Town Councils will be consulted on planning applications within their parish boundaries. Ward Councillors will also be given the opportunity to submit comments.

## **Sources of information on planning applications**

- 7.11 Information on planning applications can be found in the following places:

### **The planning register**

- 7.12 Applications for planning permission will be entered on a register. Maintaining a planning register is a statutory obligation and the information is available on the Borough Council's website or for inspection by arrangement during office hours.
- 7.13 Current planning applications including plans and drawings and some historical applications can be viewed online using the Borough Council's website. For those applications that are not available online, the documents can be made available for inspection by arrangement during office hours.
- 7.14 For those who do not have access to a computer the council provides access to the online system at the Borough Council's offices, Hinckley Hub, Rugby Road, Hinckley.

### **The weekly list**

- 7.15 The Borough Council also produces a weekly list of all new applications registered the previous week. This weekly list is distributed by email to Borough Councillors and those registered to receive the list. It is also available to view on the Borough Council's website.

### **Website**

- 7.16 The Borough Council's website is a useful tool for viewing planning applications and making comments online. The website includes weekly lists of applications received and decisions made. These can be searched by application number or by ward. The Hinckley and Bosworth Planning Online website allows copies of the application forms, plans, drawings, and statutory consultation comments to be viewed online.

### **Procedure for dealing with written comments**

- 7.17 All those wishing to comment on an application are encouraged to do so online using the Borough Council's website. Whilst we will accept written letters and emails, we are unable to send individual responses or acknowledge receipt.
- 7.18 Any representation received forms part of the application documents and must be open for public inspection. Advice on personal or sensitive data is available on the Borough Council's website or contained within the notification letters or site notices.

- 7.19 Occasionally, the applicant will make changes to the submitted plans during the course of the consideration of the application, for instance to address concerns raised by local residents. If the scheme changes significantly, it may be appropriate to carry out additional publicity with affected residents. The extent, type and duration of any additional publicity will be decided on a case by case basis. If changes do not raise new or additional planning issues, further publicity will not normally be carried out.

### **Making decisions on planning applications**

- 7.20 In the majority of cases applications will be determined under delegated powers. The major and more sensitive applications will tend to be dealt with by the Borough Council's Planning Committee. These arrangements are set out in the Scheme of Delegation which forms part of the Borough Council's constitution.
- 7.21 Where an application is being reported to Planning Committee, this will be stated on the Borough Council's website. The full committee report is available before the meeting and a copy will be available to download from the website.
- 7.22 At Planning Committee one representative speaking against an application and one speaking in favour are able to speak to the committee for up to 3 minutes. At the chairman's discretion, and where prior notification has been given, further objectors will be allowed to speak on particularly complex or controversial applications. Ward members may also speak on behalf of their constituents.

### **Monitoring and review**

- 7.23 The SCI provides flexibility to allow for appropriate changes in our approach to community involvement. Comments received on the quality or effectiveness of our consultation will be considered and used to inform future practice. If significant changes are required to meet new circumstances or legislation, a review of the SCI will be undertaken.



## Glossary

CONSULTATION

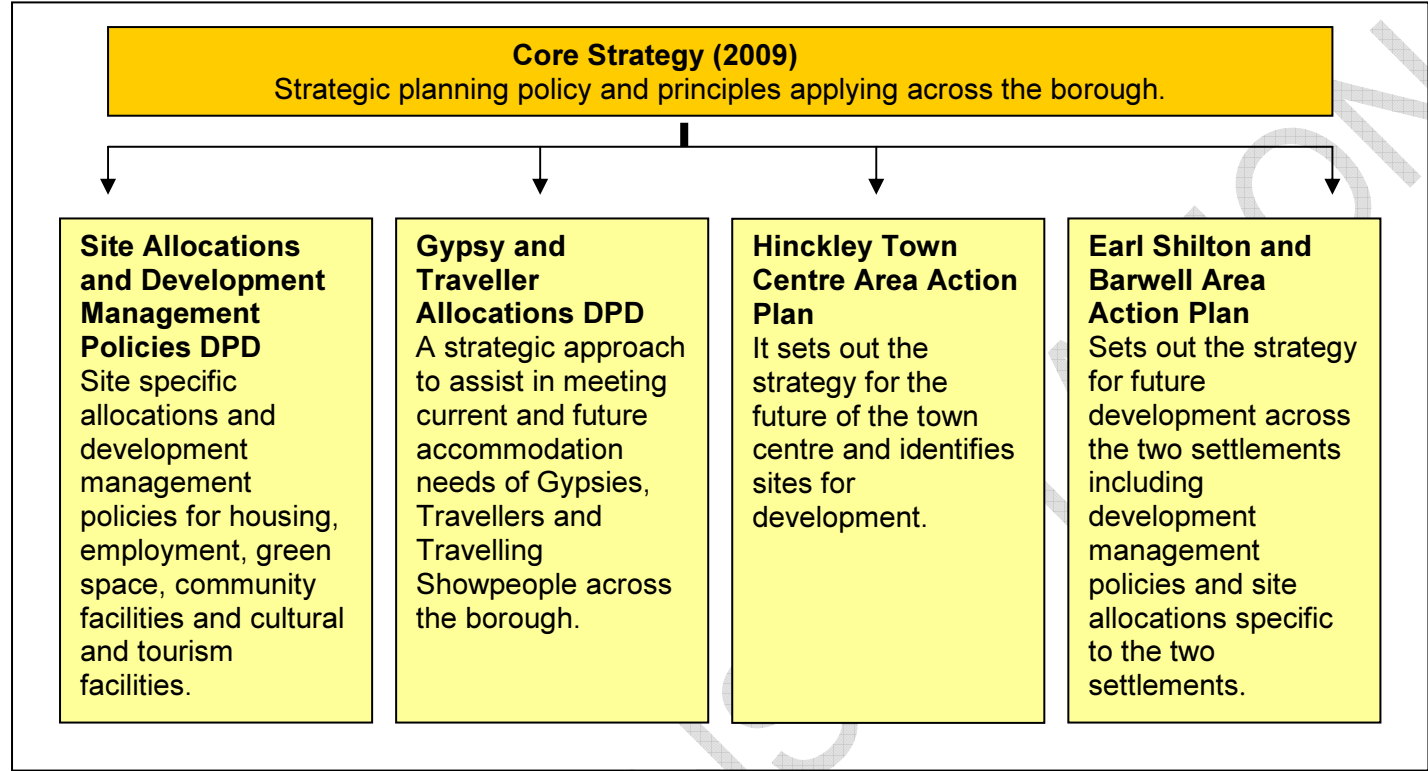
CONSULTATION

## Appendix 1. The Local Plan for Hinckley and Bosworth

**Local Development Scheme**  
The programme and timetable for preparing the documents making up the local plan

**Statement of Community Involvement**  
Statement setting out how we will involve local people in planning and plan making.

**Monitoring**  
Regular reports setting out how the local plan is performing against its objectives and targets.



**The Borough Wide Policies Map**  
Map showing the areas of the borough where particular policies and proposals apply

**Community Infrastructure Level (CIL)**  
Sets out the local tariff to charge on most types of development.

**Supplementary Planning Documents**  
Further advice and guidance to show how local policies will be implemented

**Neighbourhood Development Plans**  
Plans prepared directly by the community to guide and manage change in local neighbourhood areas

