



## **THE CABINET**

# **A G E N D A**

**Date:** Thursday 14<sup>th</sup> April 2005

**Time:** 6.00 p.m.

**Venue:** Areley Kings Village Hall  
Areley Common  
Stourport-on-Severn

**AGENDA ITEM 9.4.**  
**WYRE FOREST DISTRICT LOCAL FRAMEWORK:  
STATEMENT OF COMMUNITY INVOLVEMENT (SCI)**

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## 1. INTRODUCTION

- 1.1 This Draft Statement of Community Involvement (SCI) represents the first stage in a series of Local Development Documents (LDDs) that will shape the new Local Development Framework (LDF) for the District. Details of the LDDs to be produced by the District Council can be found in the Local Development Scheme (LDS), which was adopted by Council on 27<sup>th</sup> March 2005.
- 1.2 The Planning & Compulsory Purchase Act 2004, requires the Council to produce an SCI which sets out its policy for involving the community in the planning process through the preparation and revision of LDDs and for consulting on planning applications. It is a clear public statement, which will help the community to understand how and when they will be involved in the preparation of LDD's and also how they will be consulted on planning applications.
- 1.3 This SCI sets out how the District Council intends to involve all sections of the community and will provide the guidelines and minimum standards that the community and interest groups can expect when LDDs are being prepared. It also clarifies the community participation and public consultation arrangements for the determination of Planning Applications. The key stages in the preparation of this SCI are set out in Figure 1 below.

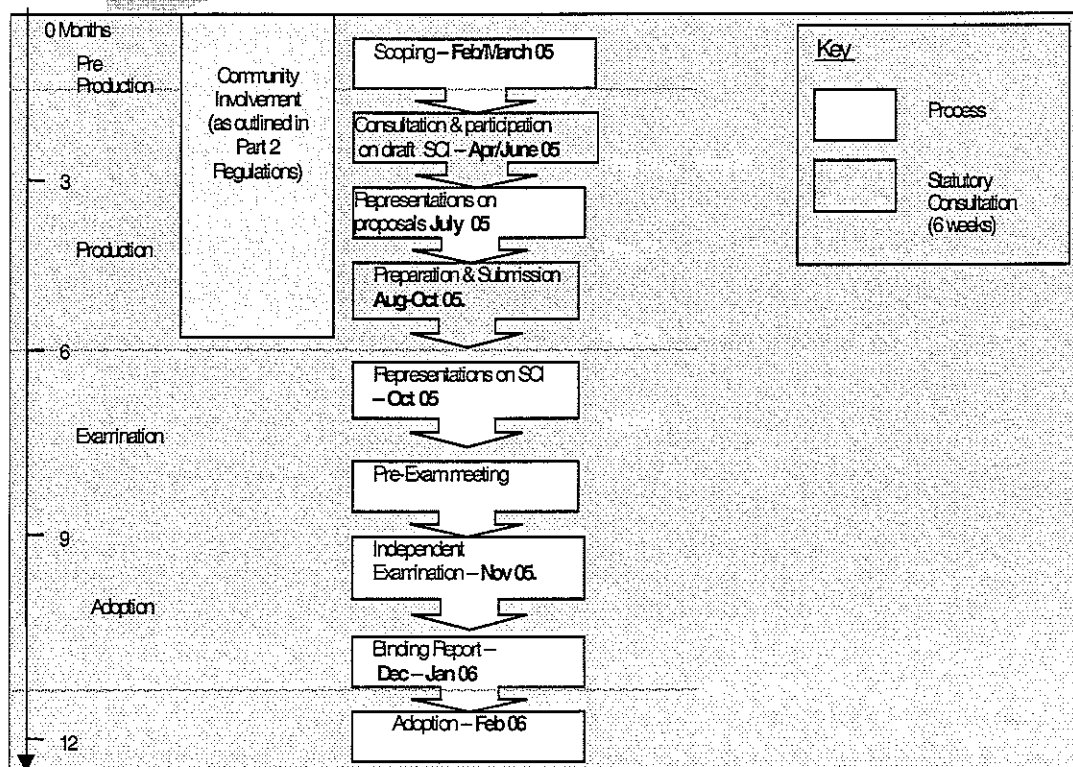


Figure 1: The stages of SCI development adapted from Fig 3.1, p.17, PPS 12, ODPM)

1.4 It is intended that this statement clearly sets out the District Council's main principles for community involvement as follows:

- How people will have the chance to contribute their ideas and the process for considering and responding to these views.
- How people will get the chance to participate in developing proposals and options.
- How people can submit representations on formal planning proposals.
- How the District Council will provide feedback and keep the community informed of progress and outcomes.

### **Background and Guidance**

1.5 Guidance on developing SCI's can be found in Planning Policy Statement (PPS) 12: Local Development Frameworks (Chapter 3) and Planning Policy Statement (PPS) 1: Delivering Sustainable Development (Paragraphs 40-44). PPS1 identifies Community Involvement as a key principal of national planning policy as follows:

*"Community involvement is an essential element in delivering sustainable development and creating sustainable and safe communities. In developing the vision for their areas, planning authorities should ensure that communities are able to contribute to ideas about how that vision can be achieved, have the opportunity to participate in the process of drawing up the vision, strategy and specific plan policies, and to be involved in development proposals."*

*(Par. 13vi)*

Regulations 25 and 26 for DPDs [The Town & Country Planning (Local Development) (England) Regulations 2004], and Regulation 17 for SPDs set the minimum requirements for community involvement with which Local Planning Authorities (LPAs) must comply.

### **The Main Benefits of Community Involvement**

1.6 The District Council places great emphasis on involving the community in planning issues and believes the following benefits can be achieved:

- It will help to strengthen the evidence base for the LDF
- It helps to inform decisions on planning applications.
- It helps to foster community commitment to the future development of an area.
- It helps to promote regeneration and investment within the District.

- It promotes a sense of ownership and strengthens the delivery of projects. The involvement of communities at an early stage in document preparation helps to resolve issues.

### **Testing the Soundness of the SCI**

- 1.7 The SCI will be subject to an independent examination by a Planning Inspector in November 2005. The Inspector will assess the soundness of the SCI in relation to a number of criteria, (Local Development Frameworks: Guide to Procedures and Code of Practice. Oct 2004, p.20. Par. 3.10, PINs). The Inspector will then produce a binding report on the District Council with recommendations for how the SCI must be changed. The District Council will incorporate any changes required by the Inspector and adopt the SCI in February 2006.

### **How to Comment on the Draft SCI**

- 1.8 This SCI has been produced in a draft format so that consultees are able to submit comments and make proposals for changes to it. The District Council values your input into the development of the SCI.
- 1.9 Your comments on the Draft SCI can be submitted using the enclosed form. An electronic version is also available for submission via e-mail on our website. Please forward your responses to the Forward Planning Section no later than Thursday 9<sup>th</sup> June 2005.
- 1.10 The District Council will then carefully consider your comments and where it is considered appropriate, changes will be made to the Draft SCI. A schedule of proposed changes to the document will be prepared for agreement by Council in July 2005. Following this the SCI will be submitted to the Secretary of State for a 6-week deposit period in August/September and public representations will be invited on the statement during this time.

## **2. RELATED STRATEGIES AND PLANS**

- 2.1 The District Council's Corporate Plan (2003-08) places a strong emphasis on community consultation, for example it states:
- "We will ensure that decision making processes are clear and transparent and that there is effective and regular consultation with our communities."***

2.2 The District Council has an adopted Consultation Strategy for 2005-2008, which includes ten principles of consultation as follows:

1. Consultation should be needed.
2. Opinion should be informed.
3. Decisions should be based on evidence.
4. Purpose should be clear
5. Consultation should be well planned and timely.
6. Consultation should be inclusive.
7. Methods should be appropriate and well managed.
8. Results should be acknowledged and fully considered.
9. Accessible feedback should be given
10. Effectiveness should be evaluated.

*(Source: Consultation Strategy 2005-08: Strategy & Performance Unit)*

#### **Wyre Forest Matters Local Strategic Partnership**

2.3 The Wyre Forest Matters Local Strategic Partnership was formed to oversee the development of the Wyre Forest Community Strategy. It provides a forum for debate and decision making around those key issues and most challenging problems that really matter to local people, such as crime, health, transport, jobs and education.

2.4 It aims to improve the overall quality of life within the Wyre Forest District through linking partner organisations and local communities. It also acts as an umbrella for other local groups and partnerships. Over a hundred local organisations and groups are involved in the Wyre Forest Matters Partnership. They are all committed to working together to deliver the Community Strategy for the Wyre Forest District over the next ten years.

2.5 The vision for the 10-Year Community Strategy for the Wyre Forest District (2004-2014) is:

***“By 2014 Wyre Forest will be a prosperous District where everyone can thrive at work and at play, at home and in the community, and can learn and develop throughout their lives in a safe attractive and healthy environment.”***

In order to achieve this vision, the strategy focuses on five themes:

- Improved Health & Wellbeing
- A Better Environment
- Shared Prosperity
- Safer Communities
- Greater Learning & Participation

2.6 The new LDF System aims to work towards sustainable development through spatial planning which involves greater integration between the strategies and plans produced by the Council. It is critical that the LDF interrelates with the Community Strategy to take forward those objectives of the Community Strategy identified by local residents and groups that relate to the physical development and use of land within the District.

#### **Oldington & Foley Park NM Pathfinder**

2.7 The Oldington & Foley Park Neighbourhood Management Pathfinder was the result of a successful bid to the Neighbourhood Renewal Unit of the Office of the Deputy Prime Minister (ODPM), under the Round 2 Pathfinder Project. Strong partnerships exist at a District and neighbourhood level, that are committed to improving the quality of life of local residents.

2.8 A delivery plan has been produced setting out what the Pathfinder should achieve by 2012. The delivery plan is based on evidence gathered from a baseline consultation exercise undertaken by the pathfinder team in 2004. The District Council sees the potential to work in partnership with the Pathfinder team to arrange consultation events and to involve the community in local planning issues.

#### **Parish Plans**

2.9 Within the District, a number of Parishes are currently producing Parish Plans for their areas. Such plans are based on local consultation and often deal with similar issues to those in the LDDs i.e. economy, social and environmental matters, in addition to more detailed issues such as specific litter and anti-social behaviour problems. It is important that Parish Plans consider the wider framework and legislation for planning at a District, Regional and National level and the Forward Planning Section can provide further advice on this.

2.10 The Parishes will have numerous opportunities to participate in the preparation of LDDs. The LPA would also welcome the opportunity to work with Parish Council's to

ensure that the LDF considers the policies of Parish Plans and the survey work undertaken in their preparation. In particular, Parish Councils might play a role in the Sustainability Appraisal process of LDDs, as outlined in Section 7 of this SCI.

### **3. WHO WILL BE INVOLVED IN CONSULTATION?**

3.1 This SCI sets out how the District Council will seek to actively engage all community groups within the Wyre Forest area in preparing the LDF. The Town & Country Planning (Local Development) (England) Regulations 2004 sets out a list of Specific Statutory Consultation Bodies that must be consulted if the Local Planning Authority considers that body will be effected by what is proposed in a LDD.

3.2 The comprehensive list of, specific and general consultees is set out at Appendix 1. The District Council has identified those groups that it feels should be involved in the consultation process for developing the new LDF. Different groups and individuals will be involved at different stages of the LDF and in different DPDs.

3.3 It should be noted that this represents a fluid list and is continuously subject to changing circumstances. The list of proposed consultees will be under constant review by the District Council. There are groups and individuals that may wish to be added to the list at different stages in the process and some may also wish to be taken off. The District Council sees the main representative groups within the Local Community as follows:

- Statutory/Non Statutory Consultees
- Local Strategic Partnership Members
- Community Service Providers
- Voluntary bodies
- Ethnic Minority groups
- Religious Groups
- Disabled Persons/Mobility Impaired/Local Disability Groups
- Business/Commerce Groups
- Older Persons Groups
- Countryside and Conservation Groups
- Public Sector Housing Interest Groups
- Youth Groups, schools and colleges
- Residents groups
- Community Focus Group (Citizens Panel) Involvement



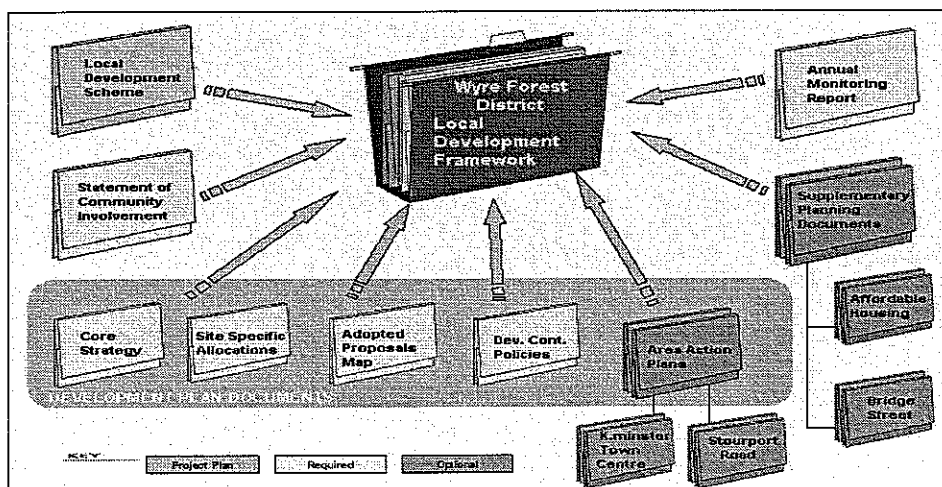
The skills and interests of each group will all provide valuable input into the LDF, therefore creating a sound basis for policy making.

#### **Involving “Hard To Reach” Groups.**

- 3.4 The District Council will employ those consultation methods set out at Appendix 2, as a basis for involving those groups that have proved traditionally hard to reach within our communities in the planning framework for our District. It recognises that people have different levels of access to information and therefore some may find it harder to get involved in the decision making process. This has often resulted in certain community groups not being able to successfully put their views across to the LPA.
- 3.5 The District Council recognises that it will need to employ a variety of methods to present information and promote discussion if it is to successfully involve the local community. For example, the ethnic access signpost is always used on all of the District Council's consultation leaflets.

#### **4. THE LOCAL DEVELOPMENT FRAMEWORK (LDF)**

- 4.1 The Planning and Compulsory Purchase Act came into effect on the 28<sup>th</sup> September 2004 and replaced the old style development plans (County Structure Plan and District Local Plan) with a system of Regional Spatial Strategies and Local Development Frameworks. Wyre Forest District Council is now required to prepare a LDF to provide a vision for and to guide the development of the District during the next 15 years. A diagram picturing the documents, which will make up the Wyre Forest District LDF is shown below:



**Figure 2: Wyre Forest Local Development Framework  
(Source: Adapted from Figure 1.1, P.2, PPS12, ODPM.)**

### **Local Development Scheme (LDS)**

- 4.2 The LDS sets out the intentions of the District Council over a three-year timeframe, providing a programme for the preparation of the various LDDs that will make up the LDF to guide the development of the District up to 2021. This sets out a detailed programme of work, which will make up the LDF.

### **Community Involvement in the LDF**

- 4.3 The documents set out below will be subject to the procedures set out in this SCI. Each document will incorporate a Statement of Conformity, which sets out how the District Council has complied with the SCI requirements with regard to that particular document. The consultation groups referred to for each LDD are generalised and are by no means prescriptive.

- 4.4 **Core Strategy** – This will set out the District Council's vision, key objectives and a spatial strategy for the District up to 2021 and will contain strategic policies to deliver these objectives. The LSP groups will play a key role in identifying the policy themes and contributing to the vision for future development in the area.

- 4.5 **Development Control Policies** – This will contain a set of issue specific development control policies for the District. The policies will cover the whole or particular parts of the area. Interest groups and statutory bodies will provide essential guidance and information on the formation of these policies.

- 4.6 **Site Allocations** – This will contain policies that specifically apply to a given area or site. It will identify the housing and employment sites to meet the requirements of the Regional Spatial Strategy for the Plan Period to 2021 and will provide a land use framework for regeneration initiatives. Specifically the site allocation DPD will designate areas of land for particular uses. Early consultation with landowners, interested parties and local communities will be critical to this DPD. Parish Councils will also be able to contribute local knowledge to site specific allocations.

- 4.7 **Proposals Map** – This will indicate the spatial extent of policies and proposals to be prepared and maintained to accompany all DPDs. Again Parish Councils,

landowners, interested parties and local communities will have a key role to play in ensuring the accuracy of the proposals map.

**4.8 Area Action Plans** - The District Council can also prepare AAPs to provide a detailed planning framework for areas where planned growth, regeneration or conservation is needed. The District Council is proposing two AAPs for the District in areas with significant regeneration potential:

- Central Kidderminster – focussed on the town centre.
- Stourport Road Employment Corridor in Kidderminster.

The LSP groups will again have a key role to play in the identification of issues within these areas. In addition, important contributions could be made from commercial and business interests, residents associations, community groups and the relevant Civic Societies.

**4.9 Supplementary Planning Documents (SPDs)** - Under the new system Supplementary Planning Guidance (SPG), may be converted into SPDs and their preparation will be subject to community involvement and sustainability appraisal. This transition is dependent on the review and replacement of Local Plan Policies. Topic based SPG including the Design Quality SPG and Wyre Forest Cycle Strategy will need to be replaced post 2007 following their respective new Development Plan Policies. Two further SPDs are proposed as follows:

- Delivering Affordable Housing – in view of the pressing need to deliver more affordable housing in the District, this SPD will be prepared during 2005/06.
- Bridge Street Enhancement Area, Stourport-on-Severn – this is an area where the townscape and historic character of the conservation area breaks down and where regeneration is required. A Development Brief for the site will be prepared during 2005 and adopted as a SPD.

The LSP groups will provide useful information in their areas of expertise. Similarly Parish Councils and Housing Groups will have an important input into the Affordable Housing SPD. Local business and commercial groups and the Civic Society will play a key role in the development of the Bridge Street Enhancement Area SPD.

**4.10 Sustainability Appraisal** - Sustainability Appraisal is a methodical examination, which incorporates the requirements of the SEA Directive. This assesses the potential effects of policies and proposals contained within individual LDDs, on the environment and will ensure that the decisions made by the LPA accord with

sustainable development. All community groups will have an important role in verifying the Sustainability Appraisal process for LDDs.

## 5. STAGES FOR INVOLVEMENT IN DEVELOPMENT PLAN PRODUCTION

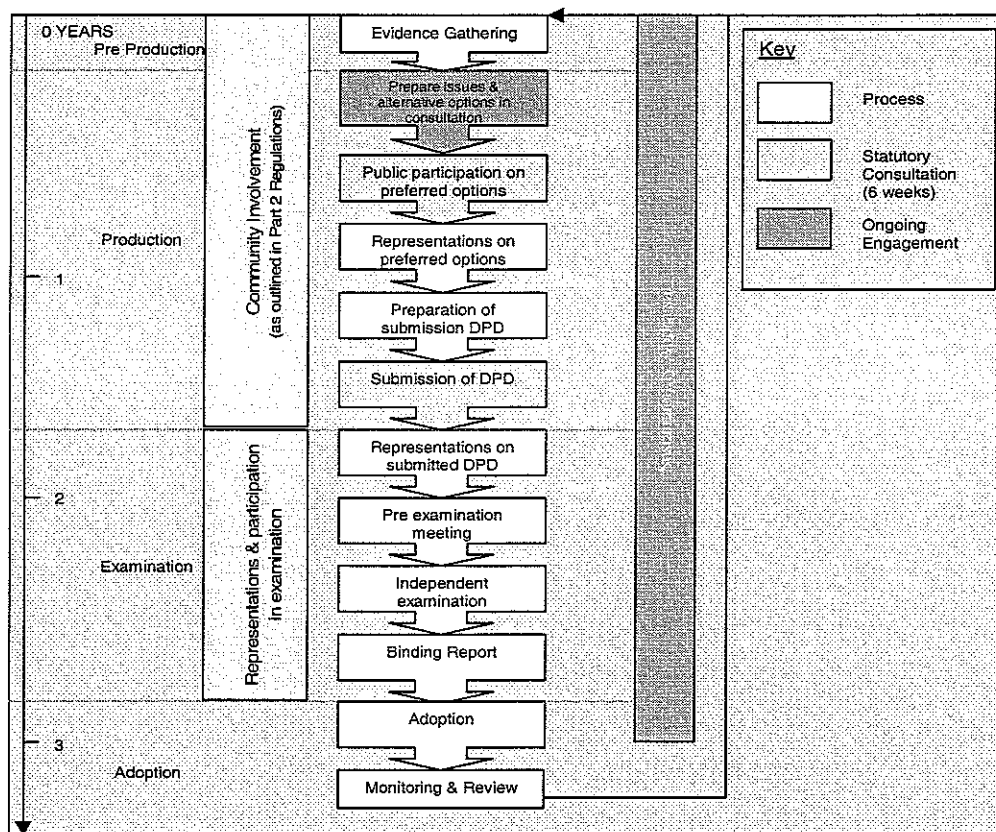


Figure 3: The different stages in DPD production: (Adapted from Fig 4.1, PPS 12, P.31, ODPM)

- 5.1 The different stages for producing DPDs and the opportunities for community involvement will now be outlined in some detail.

### Establishing an Evidence Base

- 5.2 In order for the District Council to develop sound DPD policies, it will require a thorough understanding of the needs of its area and the opportunities and constraints which operate within it. In preparing this evidence base it is also required to undertake a sustainability appraisal scoping report.
- 5.3 The evidence base will be particularly critical when preparing the Core Strategy; for example the District Council will need to undertake technical studies including an Urban Capacity Study, Retail & Commercial Leisure Study and an Open Space Study. The involvement of relevant groups and organisations as identified at Appendix 1 will be sought to help contribute towards the development of a strong

evidence base. This will enable the District Council to identify those issues, which the different DPDs will need to address at an early stage and will also help it to consider the available options to address these issues and trends.

#### **Pre-submission consultation / Early Stakeholder Involvement**

5.4 This stage incorporates a “front-loading” process or an informal consultation process with key groups and organisations. The preparation of DPDs will be “front-loaded” through facilitating early involvement and informal consultation in order to obtain the views of the stakeholders and the community. This will ensure that the community will have a real input into the evolution of DPDs.

5.5 Early involvement will be particularly proactive when dealing with the site allocations DPD, as all those landowners and interested parties who wish the District Council to consider land to be allocated for development, will have the opportunity to bring their sites forward for early consideration and sustainability appraisal by the District Council.

#### **Publication of preferred options report**

5.6 This represents a formal public participation stage and will ensure that the LPA is fully aware of all possible options before finalising the submission DPD. The Town & Country Planning (Local Development) (England) Regulations 2004 require Local Planning Authorities to consult with the community and stakeholders during the preparation of the DPD preferred options.

5.7 There is a requirement to present options in sufficient detail for the type of DPD to be clearly visualised by the community to enable meaningful involvement. The District Council will set out clear reasons for the selection of its preferred options and also the alternatives that it has considered.

5.8 In accordance with Regulation 26 (Town and Country Planning (Local Development) (England) Regulations 2004), the Preferred Options and Proposals Report and the Sustainability Appraisal Report will be published and representations will be invited over a six-week period. The documentation will be placed on the District Council's website along with all necessary supporting information to enable people to understand what they are being asked to comment on. Details will also be published in the local press on how people can contribute to the DPD at this stage. In addition, the preferred options report and supporting information will be made available for

inspection in accessible formats at District Council offices, the local libraries and community centres/post offices where applicable. Copies of the report will also be sent out to all those specific consultees listed at Appendix 1.

### **Consideration of responses to preferred options report**

- 5.9 In accordance with Regulation 27 (TCP Regs 2004), the District Council is required to consider all those representations made during the formal consultation period on the Preferred Options Report and the Sustainability Appraisal Report. It will have regard to them through careful consideration of the comments and proposals and agreement through the Council's formal Committee process, to ensure that it has fully taken into account all the views put forward. The District Council will have regard to them, where appropriate in the preparation of the DPD for submission.

### **Submission to Secretary of State**

- 5.10 Following the participation on the preferred options stage, the DPD will be prepared in order for it to be submitted for independent examination. A Statement of Compliance will be produced, which will set out how the District Council has complied with its SCI, detailing how the consultation procedures were dealt with and how community representation was sought. This will include details of how the representations received at the Preferred Options Stage were addressed in the preparation of the submitted DPD.

### **Representations on Submitted DPDs**

- 5.11 When the DPD has been submitted to the Secretary of State for independent examination, formal representations on the submitted document will be invited over a specified six-week period. Any person or organisation may make representations on the content of the DPD, which will be considered by the Inspector.
- 5.12 The date and time by which representations should be received by the Local Planning Authority will be clearly set out and a representations form in both printed and electronic format will be supplied. People will also be able to submit representations via the District Council's website. It should be noted that only those who make representations seeking a change to the DPD within the 6-week consultation period will have the right to appear at the examination.

### **Site Allocation Representations on Submitted DPDs**

- 5.13 In accordance with Regulation 32 (TCP Regs 2004), the District Council will make details of the site allocation representations it has received following the submission of DPDs to the Secretary of State, available for public inspection at its local offices. All the necessary supporting information detailing how people may respond to these proposals within the prescribed six-week period will also be made available. Details will be published by advertisement in the local press, on the website and specific consultees listed at Appendix 1 and other respondents will be notified. The District Council will also consider the erection of site notices.

### **Binding Report & Adoption**

- 5.14 Following the examination, the Inspector will produce a binding report on the Local Planning Authority, setting out precise recommendations for how the DPD and Proposals Maps must be changed. The DPD will be adopted as soon as is practicable following receipt of the Inspector's Report.
- 5.15 An Adoption Statement will be prepared and the DPD will be formally incorporated into the LDF. The District Council will notify the local community and stakeholders of the DPD adoption through advertisement in the local press and letters to respondents and other key consultation groups, including details of where it can be inspected. In addition, the adopted document and statement will be made available for inspection at Council offices and local libraries. It will also be made available in an easily accessible format on the website.

## **6. SUPPLEMENTARY PLANNING DOCUMENTS (SPDs)**

- 6.1 The creation of SPDs will also be subject to a number of stages similar to the production of DPDs although these are more simplified. There is no requirement for the preparation of a preferred options report, however there should be community involvement on draft SPDs.

### **Early Stakeholder Involvement/Evidence Gathering**

- 6.2 This will include more specific elements of evidence gathering and front loading where required in addition to the initial processes undertaken for the DPDs.

### **Publication of Draft SPD**

- 6.3 The draft SPD and its accompanying Sustainability Appraisal report will be published and representations invited on its content over a specified 6-week period. During this

time the Draft SPD will be made available for inspection at Council offices and at local libraries. The documents will also be placed in community centres and post offices in those areas covered by proposals which relate to the SPD, for example Bridge Street and the Canal Basins area in Stourport-on-Severn.

- 6.4 The document will also be published on the Council's website and details advertised in the local newspapers of when and where the documents can be inspected. Finally copies of the Draft SPD will be sent out to those Specific Consultees as listed at Appendix 1.

#### **Consideration of responses to Draft SPD**

- 6.5 Following the six-week consultation period all duly made responses to the Draft SPD will be carefully considered and amendments will be made where appropriate. All responses and the recommended resulting actions will then be reported to the Council's Committee for formal consideration and approval by Members.

#### **Adoption of SPD**

- 6.6 SPDs will not be subject to independent examination and following the careful consideration of representations and appropriate amendments to the SPD the document will be adopted by the Council as formal SPD for inclusion in the LDF.
- 6.7 The District Council will include with the SPD a statement detailing the consultation undertaken in the preparation of the document, the representations received and how it responded to them. It will advertise and promote the Adoption of the SPD in the same manner as for the adoption of a DPD (set out at paragraph 5.13).

### **7. OPPORTUNITIES FOR INVOLVEMENT IN THE SUSTAINABILITY APPRAISAL OF LDDs**

- 7.1 Sustainability Appraisal will be required for all LDDs, with the exception of the SCI. The District Council is required to undertake sustainability appraisal at the issues and options stage of LDDs and will also be undertaking consultation on these initial Sustainability Appraisal reports.
- 7.2 Sustainability Appraisal will also be undertaken at the preferred options stage and a final sustainability report will be prepared on all LDDs for consultation alongside the preferred options documents. This will provide the opportunity for community



involvement and before the final sustainability report is submitted, the District Council will take into account any changes as a result of public participation on the preferred options.

- 7.3 Sustainability Appraisal will also be undertaken throughout the stages identified for the preparation of our SPDs, where necessary. This will include the preparation of a scoping report, sustainability appraisal during the preparation of the SPD and the production of a final report to accompany the Draft SPD at the Public Participation stage to enable community consultation.

## **8. METHODS FOR INVOLVING STAKEHOLDERS, COMMUNITY GROUPS AND INDIVIDUALS IN THE PREPARATION OF LDDs.**

- 8.1 The District Council already works with a number of community groups and organisations on existing projects and issues, as is exemplified by the Wyre Forest Matters Local Strategic Partnership. It has used a number of techniques for community involvement such as public exhibitions, forums, public meetings and Planning for Real®, or similar exercises. The District Council will make more efficient use of the Internet and the website as an effective consultation tool.
- 8.2 The District Council intends to build on the methods it has already practised and details of the proposed methods it could employ for involving the community in the LDF are set out at Appendix 2. This also includes a discussion of their main advantages and disadvantages and the type of DPD that they could be used for. The District Council will keep a watching brief on the different methods for community engagement (Appendix 2). If the need for new approaches to community consultation emerges, then the SCI will be reviewed to incorporate appropriate new methods.

## **9. MONITORING AND FEEDBACK**

- 9.1 All responses submitted to the District Council by fax, letter and e-mail will be acknowledged within five working days of their receipt.
- 9.2 Those individuals, groups and bodies who have submitted comments on the Preferred Options Paper for DPDs, the Sustainability Appraisal Report, the Draft SPDs or the SCI will be included on the Forward Planning Section's comprehensive electronic database (if they are not already on it), and will therefore automatically be kept informed at all stages in LDD production.

- 9.3 As outlined above, the section will also carefully analyse all duly made comments and responses received and prepare a summary report detailing proposed actions and the reasoning behind them. This will then be considered by District Council Members through the appropriate Committee Panel. The summary reports will also be made available to the public for viewing at Council offices and on the website.

## **10. RESOURCING COMMUNITY INVOLVEMENT IN THE LDF PROCESS**

- 10.1 The LDF and production of LDDs is overseen and implemented by the Forward Planning Section of the Planning Health & Environment Division. The section liaises closely with the Council's Strategy and Performance Unit to facilitate community consultation and press releases. The Environment & Economic Regeneration Policy & Scrutiny Panel will oversee and formalise all community consultation methods.
- 10.2 Where possible and prudent the Wyre Forest Matters Local Strategic Partnership will be used as a vehicle for targeting and co-ordinating consultation techniques. This will make the most of existing consultation channels and avoid the unnecessary duplication of efforts. Other established bodies such as the Oldington & Foley Park NM Pathfinder will be used, where appropriate, as a means to engage the local community.
- 10.3 West Midlands Planning Aid is a free, voluntary service offering independent professional advice and help on town planning matters. In appropriate circumstances the District Council will seek to gain assistance from West Midlands Planning Aid for LDF consultation events.
- 10.4 In recent years the Council has secured funding from the Planning Delivery Grant to improve the delivery of planning services within the District. It is possible that an element of this funding could be used to facilitate community consultation exercises as outlined at Appendix 2.

## **11 COMMUNITY INVOLVEMENT IN PLANNING APPLICATION DECISIONS**

### **Introduction**

- 11.1 The Planning and Compulsory Purchase Act 2004, sets out requirements for the SCI to include details of the District Council's policy for consulting local communities and stakeholders on the planning applications it receives.

- 11.2 The need for wider involvement of the community and stakeholders at an early stage of the planning process is of benefit for the public, individuals, organisations and local authorities. The SCI is therefore important in providing a useful tool and framework to engage the wider community on all planning applications, but more importantly 'significant planning applications', and should be applied at the 'pre-application stage'.

#### **What is meant by a 'significant planning application'?**

- 11.3 The starting point for deciding which applications may be considered 'significant' and subject to community involvement, is the Government's definition of 'major applications'. The definition includes residential development comprising 10 or more dwellings; or a site area of 0.5 hectares or more where the number of dwellings is not given in the application; and for other uses where the floorspace to be built is 1000m<sup>2</sup> or more; or the site area is 1 hectare or more. The Council receives up to 40 'major' applications per annum, the majority of which are not particularly controversial. Those applications which generate most public interest are often not major applications. However, it is not easy to identify these applications in advance of submission.

- 11.4 Therefore, in the context of Wyre Forest District Council, it is proposed that 'significant planning applications' will be identified by the following criteria:

- a major application likely to generate significant public interest or controversy; or
- an application likely to have a significant physical impact on the surrounding area and could be a potential departure from the Local Development Framework; or
- other applications for particular proposals or in locations, where on the basis of past experience, there is reason to believe there will be significant public interest.

#### **Pre-application discussions and early community consultation**

- 11.5 The Council encourages developers to enter into early dialogue with the LPA through the use of the Development Team Approach. The Council also operates a Duty Rota whereby a Planning Officer is always on duty during normal working hours to answer planning enquiries and to give pre-application advice.
- 11.6 At pre-application stage, planning officers can advise developers of whether an application is likely to be 'sensitive' and therefore there is a need to undertake

additional community involvement. In any event, developers will be encouraged to consider the benefits of involving the community in developments, which are considered likely to have an impact on the community, even though the proposal may not be specifically identified as 'significant' by the Council.

- 11.7 The Council will encourage developers to undertake pre-application discussions and early community consultation on 'significant planning applications' as defined above. The methodologies that could be adopted include public exhibitions, public meetings, and development briefs. The developer should check with the Planning Officers to see how the community should be involved for any particular proposal. The purpose of these discussions will be to:

- Identify the groups/individuals that should be involved
- Agree how they should be involved
- Agree a timetable for their involvement

#### **How Wyre Forest District Council intends to involve the community in planning application decisions**

- 11.8 Statutory consultation requirements for planning applications are set out in Article 8 of the Town & Country Planning (General Development Procedure) Order. Wyre Forest District Council has a number of procedures currently in place to involve the community in planning application decisions. These include newspaper advertisements; display of site notices; neighbour consultation where the case officer considers neighbours may be materially affected in planning terms by the development; weekly list of planning applications received (circulated to specific consultees and available on the Council's website); existing consultation processes with specific bodies (e.g. Parish Councils); existing protocols with particular organisations (e.g. Environment Agency, Highways Authority). Information relating to these forms of publicity can be found within the Development Control Practice Note 3: Publicity and consultation on planning applications at [www.wyreforestdc.gov.uk](http://www.wyreforestdc.gov.uk). A copy of Development Control Practice Note 3 is also available from the Planning Health & Environment Division's offices at Duke House.

- 11.9 The Council has also produced Development Control Practice Note 13: Public Speaking at Planning (Development Control) Committee, together with an accompanying leaflet which sets out the procedures and opportunities for enabling people to address the Council's Planning Committee through a scheme of public speaking.

- 11.10 Similarly, Development Control Practice Note 10: Protocol on Parish Representations at Planning (Development Control) Committee, sets out the procedures for involving Parish Councils that have signed up to the protocol in Planning (Development Control) meetings and to speak on applications of interest to them. The District Council sees this as a way of increasing public representation in the open and democratic process by which planning applications are determined. Copies of these Development Control Practice Notes are also available on the website and from District Council offices.
- 11.11 With regard to 'significant planning applications', the same processes as above will be followed but in addition, where early discussions with developers identify potentially sensitive applications, additional consultation methodologies such as exhibitions will also be considered. In order for the LPA to maintain its impartiality when determining planning applications, we will emphasise the lead role of the applicant in undertaking these early initiatives. The Development Control section will oversee this process and adopt a "watching brief" status. The Council will also expect the developer to bear the cost of exhibitions or public meetings. A consultation method matrix for all applications and for 'significant' planning applications, together with a summary of the different methods for consultation and community involvement, is contained within Appendix 3a and 3b respectively.
- 11.12 The Council will expect the applicant to provide evidence with the submission of a 'significant' planning application setting out how the community has been involved in discussions concerning the proposed development. This should take the form of a Consultation Supporting Statement outlining what has been carried out and how the results of the exercise have taken into account in the submitted application.
- 11.13 Whilst it is understood that it will not be possible to fail to register a 'significant' planning application which is not accompanied by a Consultation Supporting Statement, the absence of one may disadvantage an applicant in that issues that need to be taken into account are only identified after the application has been submitted, thereby delaying any decision.

#### **Member Involvement**

- 11.14 Local Councillors will be encouraged to participate in the planning process at pre-application stage by attending public meetings or exhibitions in line with the

Member's Code of Good Practice. However Councillors should keep an open mind and not give an opinion at this stage, as predetermination of an application would prejudice their position in any future decision making on that matter at Planning (Development Control) Committee.

### **Planning Aid**

- 11.15 In addition to advice provided by the Council's Planning Officers, West Midlands Planning Aid is aimed at individuals, community groups and other voluntary groups who cannot afford to pay for private consultants. This helps to give people the confidence to become involved in planning issues.
- 11.16 Planning Aid involves advising community groups in negotiations with the LPA, and, if necessary, representing the groups at Examination. The Council will make every effort to ensure that members of the community are made aware of this service in relation to planning applications, and will work with Planning Aid to explore ways in which they can assist in facilitating community engagement.

### **Monitoring Community Involvement in Planning Applications**

- 11.17 The District Council will monitor the success of community involvement techniques by assessing the representations received during the planning application stage against the information provided within the applicant's Consultation Supporting Statement. The results will be used to review the methods used for community involvement and also the thresholds for 'significant' applications.

## **12. REVIEWING THE SCI**

- 12.1 The District Council will keep the SCI under review. The need to amend the statement will only arise if significant changes in the group types, which the District Council wishes to consult in the planning process occurs. Similarly, if the need arises to employ new consultation methods as outlined in Paragraph 8.2.
- 12.2 Should a review of the Statement become necessary, then the District Council will employ the same comprehensive procedures for consultation and production of the reviewed document as set out in Figure 1.

### **13. CONCLUSION**

- 13.1 This SCI clearly sets out the standards and procedures that the District Council will employ to ensure that it makes every effort to involve the local communities in the future planning of the District. Community involvement in the process will help to foster local ownership of the LDF, therefore making it easier to implement. Similarly, ensuring that the correct procedures are in place for consulting local groups on planning applications will help to alleviate perceived problems and provide a robust background for addressing difficult planning decisions.

### **List of Appendices**

#### **Glossary of Terms**

**Appendix 1** – Consultees for the Local Development Framework.

**Appendix 2** – Proposed Methods for Community Involvement.

**Appendix 3a** – Consultation Matrix for Planning Applications.

**Appendix 3b** – Consultation & Involvement Methods for Planning Applications.

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## Glossary of Terms

<b>AAPS</b>	<b>Area Action Plans</b> Provide a detailed planning framework for areas where significant change or conservation is needed.
<b>CS</b>	<b>Community Strategy</b> Local Authorities are required by the Local Government Act 2000 to prepare this, with the aim of improving the social, environmental and economic wellbeing of their areas. A 10-year Community Strategy for the Wyre Forest was adopted in April 2004 by the Local Strategic Partnership 'Wyre Forest Matters'. This group consists of representatives from public, private, voluntary and community sectors.
<b>DPDs</b>	<b>Development Plan Documents</b> These will contain development plan policies and be subject to independent examination. Individual DPDs or parts of a document can be reviewed independently from other DPDs.
<b>LDF</b>	<b>Local Development Framework</b> This will provide the framework for delivering the planning strategy and policies for Wyre Forest District.
<b>LDD</b>	<b>Local Development Document</b> The LDF consists of LDDs. These can be either Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs) or other statutory documents such as the Statement Of Community Involvement (SCI) and Annual Monitoring Report (AMR).
<b>LDS</b>	<b>Local Development Scheme</b> This is a 3-year timetable for the production of documents for the Local Development Framework.
<b>LPA</b>	<b>Local Planning Authority</b> Meaning Wyre Forest District Council as the local authority with responsibility for overseeing the Local Development Framework and determining planning applications within the District.
<b>LSP</b>	<b>Local Strategic Partnership</b> Responsible for overseeing and implementing the Community Strategy within the District.

<b>SA</b>	<p><b>Sustainability Appraisal</b></p> <p>A tool for appraising policies to ensure that they reflect sustainable development objectives (i.e. social, environmental and economic factors). Required by Act to be undertaken for all LDDs.</p>
<b>SCI</b>	<p><b>Statement of Community Involvement</b></p> <p>This sets out the planning authority's proposals for involving the local community in plan-making. It is not a DPD but it is, however, subject to independent examination.</p>
<b>SPD</b>	<p><b>Supplementary Planning Document</b></p> <p>These will cover a range of issues and expand on the policies contained within the DPDs. They are, however, not part of the development plan and will not be subject to independent examination.</p>
<b>PINs</b>	<p><b>Planning Inspectorate</b></p> <p>Processes planning and enforcement appeals and holds inquiries into local development plans.</p>
<b>RSS</b>	<p><b>Regional Spatial Strategy</b></p> <p>Prepared by West Midlands Regional Assembly with involvement at a sub-regional level from the County Councils, covering the period up to 2021.</p>
<b>ODPM</b>	<p><b>Office of the Deputy Prime Minister</b></p> <p>Government Department responsible for policy on housing, planning, regional and local government and the fire service. Also takes responsibility for the Social Exclusion Unit, the Neighbourhood Renewal Unit and the Government Offices for the Regions.</p>

## **Appendix 1 - Consultees for the Local Development Framework**

### **Specific Consultation Bodies**

The following bodies are identified as key stakeholders in Planning Policy Statement 12, Annex E. The Council will consult any organisation affected by the proposals.

- West Midlands Regional Assembly
- Bridgnorth District Council
- Bromsgrove District Council
- Dudley Metropolitan Borough Council
- Malvern Hills District Council
- Shropshire County Council
- South Shropshire District Council
- South Staffordshire District Council
- Staffordshire County Council
- Worcestershire County Council
- Wychavon District Council
- The Countryside Agency
- The Environment Agency
- Highways Agency
- The Historic Buildings and Monuments Commission for England
- English Nature
- The Strategic Rail Authority
- Advantage West Midlands
- Relevant telecommunications companies
- Strategic Health Authority
- Relevant electricity and gas companies
- Relevant sewerage and water undertakers

### **Government Departments**

- Home Office
- Government Office for the West Midlands (GOWM)
- Department for Education and Skills (GOWM)
- Department for Environment, Food and Rural Affairs (DEFRA)
- Department for Transport (GOWM)
- Department of Health
- Department of Trade and Industry (GOWM)
- Ministry of Defence
- Department of Work and Pensions
- Department of Constitutional Affairs
- Department for Cultural, Media and Sport
- Office of Government Commerce (property Advisers to the Civil Estate)

### **General Consultation Bodies**

- Community Focus Group (Citizens Panel) Involvement.
- Bewdley Chamber of Commerce
- Bewdley Town Centre Management Forum
- Buddhist Community
- Disability Action Wyre Forest
- Federation of Small Businesses, Herefordshire & Worcestershire
- Herefordshire & Worcestershire Chamber of Commerce
- Independent Advisory Group for Black and Ethnic Minority Issues
- Islamic Mosque
- Kidderminster Town Centre Partnership
- Local Parish and Town Councils (within & adjoining Wyre Forest District)
- Stourport Business Association
- Stourport on Severn Town Centre Forum

- Stourport Forward
- Opportunity Bewdley
- Worcestershire Racial Equality Council
- Wyre Forest and District Race Relations Council
- Wyre Forest Bangladeshi Forum
- Wyre Forest Business Club
- Wyre Forest Business Forum

#### **Other Consultees**

- Age Concern
- Wyre Forest Action Group for Older People.
- British Waterways
- Church Commissioners
- Commission for Racial Equality
- Council for the Protection of Rural England
- Crown Estate Office
- Diocesan Board of Finance
- Diocesan Schools Commission
- Disability Rights Commission
- Disabled Persons Transport Advisory Committee
- Equal Opportunities Commission
- Fire & Rescue Service
- Forestry Commission
- Freight Transport Association
- Friends of the Earth
- Gypsy Council
- Health & Safety Executive
- Housing Associations
- Independent Schools Council (Central)
- Local Agenda 21 including
  - Civic Societies
  - Community Groups
  - Local Transport Authorities
  - Local Transport Operators
  - Local Race Equality Councils and other local equality groups
- Local Agents
- Local Landowners
- Local Resident Associations / Tenant Consultative Committees
- National Playing Fields Association
- Registered Social Landlords
- Royal Society for the Protection of Birds
- Sport England
- The Diocese of Worcester
- The House Builders Federation
- The Housing Corporation
- Oldington & Foley Park Neighbourhood Management Pathfinder
- The Showmans Guild of Great Britain
- West Mercia Police
- Wildlife Trusts
- Wyre Forest Local Strategic Partnership

## APPENDIX 2 – METHODS FOR COMMUNITY INVOLVEMENT IN THE LDF PROCESS

Consultation Method	Advantages	Disadvantages	Document Type
District Council's Website	<ul style="list-style-type: none"> <li>• Easy Access for PC Users at convenient times</li> <li>• Resource effective</li> <li>• Enables feedback</li> </ul>	<ul style="list-style-type: none"> <li>• Excludes non-PC users and possibly less affluent areas of the District</li> <li>• Excludes people with certain disabilities</li> <li>• May act as a language barrier to ethnic minorities</li> <li>• Needs to be well publicised elsewhere</li> </ul>	<ul style="list-style-type: none"> <li>• LDS</li> <li>• SCI</li> <li>• Core Strategy</li> <li>• Site Specific Allocations</li> <li>• Proposals Map</li> <li>• Development Control Policies</li> <li>• AAPS</li> <li>• SPDs</li> <li>• AMR</li> <li>• Sustainability Appraisal Reports</li> </ul>
Letters	<ul style="list-style-type: none"> <li>• Well established and practised method of consultation</li> <li>• Can be tailored to individuals or groups</li> <li>• Can be personalised</li> </ul>	<ul style="list-style-type: none"> <li>• Problems with non-delivery</li> <li>• Language barriers for certain groups</li> <li>• May not readily allow for feedback</li> <li>• Resource intensive</li> </ul>	<ul style="list-style-type: none"> <li>• LDS</li> <li>• SCI</li> <li>• Core Strategy</li> <li>• Site Specific Allocations</li> <li>• Development Control Policies</li> <li>• AAPS</li> <li>• SPDs</li> </ul>
E-Mail Notifications	<ul style="list-style-type: none"> <li>• Very convenient for PC Users</li> <li>• Ease of feedback for both parties</li> <li>• Cost-effective</li> </ul>	<ul style="list-style-type: none"> <li>• Problems with loss of data</li> <li>• Excludes access for those people who do not have a PC</li> <li>• Data Protection Implications</li> <li>• Language Barriers</li> </ul>	<ul style="list-style-type: none"> <li>• LDS</li> <li>• SCI</li> <li>• Core Strategy</li> <li>• Site Specific Allocations</li> <li>• AAPS</li> <li>• SPDs</li> </ul>
SMS Text Messaging	<ul style="list-style-type: none"> <li>• Makes use of new technology</li> <li>• Targets younger age groups</li> <li>• Disseminates information quickly</li> </ul>	<ul style="list-style-type: none"> <li>• Difficult to monitor and manage</li> <li>• Data Protection Implications</li> <li>• Reliability of information received</li> </ul>	<ul style="list-style-type: none"> <li>• SCI</li> <li>• Core Strategy</li> <li>• AAPS</li> <li>• SPDs</li> <li>• AMR</li> </ul>
Summary Leaflets	<ul style="list-style-type: none"> <li>• Can be made available in easily accessible formats</li> <li>• Allows for regular updates</li> <li>• Can convey substantial amounts of</li> </ul>	<ul style="list-style-type: none"> <li>• Potential problems with language barriers</li> <li>• Problems for people with visual impairment</li> </ul>	<ul style="list-style-type: none"> <li>• SCI</li> <li>• Core Strategy</li> <li>• Site Specific Allocations</li> <li>• Development Control Policies</li> </ul>

Consultation Method	Advantages	Disadvantages	Document Type
	<ul style="list-style-type: none"> <li>information</li> <li>Enables wide distribution levels via local press</li> <li>Enables easy feedback</li> </ul>		<ul style="list-style-type: none"> <li>AAPS</li> <li>SPDs</li> </ul>
<b>Articles in Wyre Forest District Council's Newswyre Editions</b>	<ul style="list-style-type: none"> <li>Cost effective way of updating the public</li> <li>Allows wide distribution avoiding extra postage costs</li> </ul>	<ul style="list-style-type: none"> <li>Length of article limited</li> <li>Doesn't allow for ready feedback</li> <li>Problems with language barriers</li> <li>Fixed publication timetable</li> </ul>	<ul style="list-style-type: none"> <li>SCI</li> <li>Core Strategy</li> <li>Site Specific Allocations</li> <li>AAPS</li> <li>SPDs</li> </ul>
<b>Site Notices</b>	<ul style="list-style-type: none"> <li>Cost effective</li> <li>Addresses local communities</li> </ul>	<ul style="list-style-type: none"> <li>Open to vandalism</li> </ul>	<ul style="list-style-type: none"> <li>Site Specific Allocations</li> </ul>
<b>Local Press: Newspapers/Radio</b>	<ul style="list-style-type: none"> <li>Newspapers as above</li> <li>Radio allows clear message to be presented to listeners</li> <li>Can reach a wide audience</li> </ul>	<ul style="list-style-type: none"> <li>Newspapers as above</li> <li>Radio can be unpredictable</li> <li>Radio programmes need to be well publicised</li> </ul>	<ul style="list-style-type: none"> <li>SCI</li> <li>AAPS</li> <li>SPDs</li> </ul>
<b>Surveys and Questionnaires</b>	<ul style="list-style-type: none"> <li>Allows for easy responses, which can be coded and graphically interpreted</li> <li>Opportunities for wide circulation and to target specific groups</li> <li>Can also be filled in electronically</li> </ul>	<ul style="list-style-type: none"> <li>Need to avoid leading questions</li> <li>Data protection issues</li> <li>Language/format may limit availability to minority groups</li> <li>Typically response rates are poor</li> <li>May exclude certain groups</li> </ul>	<ul style="list-style-type: none"> <li>SCI</li> <li>Core Strategy</li> <li>Site Specific Allocations</li> <li>Proposals Map</li> <li>Development Control Policies</li> <li>AAPS</li> <li>SPDs</li> </ul>
<b>Workshops</b>	<ul style="list-style-type: none"> <li>Allows in depth discussion</li> <li>Informal and allows two-way dialogue</li> <li>Increases sense of ownership</li> <li>Allows different groups with different interests to attend</li> </ul>	<ul style="list-style-type: none"> <li>Can stray from focus</li> <li>Resource hungry</li> </ul>	<ul style="list-style-type: none"> <li>Core Strategy</li> <li>AAPS</li> <li>SPDs</li> </ul>
<b>Public Meetings</b>	<ul style="list-style-type: none"> <li>Can capture large audience</li> <li>Increases sense of community ownership</li> <li>Allows public to put across their views</li> <li>Facilitates transparency</li> </ul>	<ul style="list-style-type: none"> <li>May exclude those unwilling to speak at a large venue</li> <li>May exclude minority groups</li> <li>Resource hungry</li> <li>Need to retain clarity</li> </ul>	<ul style="list-style-type: none"> <li>AAPS</li> <li>SPDs</li> </ul>

Consultation Method	Advantages	Disadvantages	Document Type
<b>Exhibitions</b>	<ul style="list-style-type: none"> <li>• Interpretation of public opinion</li> <li>• Attracts a wide range of people</li> <li>• Facilitates one-to-one discussion</li> <li>• Opportunity to display information and data in an appealing way</li> <li>• Allows for effective feedback</li> </ul>	<ul style="list-style-type: none"> <li>• Resource hungry</li> <li>• Reliance on availability of suitable venues</li> <li>• Need to publicise extremely well</li> </ul>	<ul style="list-style-type: none"> <li>• Core Strategy</li> <li>• Site Specific Allocations</li> <li>• Proposals Map</li> <li>• Development Control Policies</li> <li>• AAPS</li> <li>• SPDs</li> </ul>
<b>Deposit Displays at Local Venues</b>	<ul style="list-style-type: none"> <li>• Relatively easy to organise</li> <li>• Resource efficient</li> <li>• Easy display of information</li> </ul>	<ul style="list-style-type: none"> <li>• No opportunity for discussion</li> <li>• Reliant upon good nature of other venues</li> <li>• Information can be wrongly interpreted</li> <li>• Difficult to achieve feedback</li> </ul>	<ul style="list-style-type: none"> <li>• Core Strategy</li> <li>• Site Specific Allocations</li> <li>• Proposals Map</li> <li>• Development Control Policies</li> <li>• AAPS</li> <li>• SPDs</li> </ul>
<b>Planning for Real© type Exercises</b>	<ul style="list-style-type: none"> <li>• Very detailed stakeholder involvement</li> <li>• Increases community ownership</li> <li>• Helps to involve hard to reach groups</li> </ul>	<ul style="list-style-type: none"> <li>• Resource hungry</li> <li>• Only appropriate for large scale/site specific proposals</li> <li>• Discussion can be dominated by individuals</li> </ul>	<ul style="list-style-type: none"> <li>• AAPS</li> <li>• SPDs</li> </ul>





## APPENDIX 3a

### CONSULTATION METHOD MATRIX FOR PLANNING APPLICATION

NATURE OF APPLICATION		
CONSULTATION METHOD	All Applications	Significant Planning Applications
Media (advert)	As per Art 8 of TCP (General development Procedure) Order 1995	✓
Site Notice	As per Art 8 of TCP (General development Procedure) Order 1995	✓
Neighbour Notification	As per Art 8 of TCP (General development Procedure) Order 1995	Discretionary
Pre-application Advice		✓
Public Exhibition		✓*
Public Meetings		✓*

NB. ✓\* The consultation method adopted will be dependent on the nature of the planning application.



## APPENDIX 3b

### CONSULTATION AND INVOLVEMENT METHODS

These techniques will be tailored to engage appropriate members of the community.

#### Media

Press releases, newspaper articles and advertisement and briefings for local radio/TV and press

#### Site Notice

Display of notice at or adjacent to site providing description of application and arrangements for inspecting plans and making representations

#### Neighbour Notification

Letters sent to owner/occupier of properties adjacent to or within vicinity of planning application site advising them of receipt of application and providing details of how to make representations.

#### Public Meetings

A traditional method of informing the public usually with representation from developer/applicant and based on an open invitation to members of the public to attend. Members and Officers may also attend but only to observe.

#### Public Exhibitions

Public exhibition of proposals at appropriate locations with developers/applicant on hand to answer questions. Members and Officers may also attend but only to observe.

#### Website

Weekly list of applications and decision lists are available on the website together with a series of Development Control Practice Notes which set out the Councils procedures and practices

