Agenda item 11

Cabinet – 8 February 2012

Walsall Revised Statement of Community Involvement 2012

Portfolio: Councillor Adrian Andrew, Deputy Leader, Regeneration

Service: Regeneration

Wards: All

Key decision: Yes

Forward plan: Yes

1. Summary of report

1.1 The Statement of Community Involvement (referred to from now as the SCI) is an important part of Walsall's Local Development Framework and is a legal requirement as set out in the Planning and Compulsory Purchase Act 2004 (as amended).

1.2 The SCI sets out how the Council will involve communities in developing plans and policies, as well as their involvement in the planning application process. It is therefore crucial that the SCI provides clear and up-to-date guidance to all our customers and staff.

1.3 This report sets out the importance of the SCI, the reasons behind its revision, the alterations made and the consultation undertaken to inform the revised SCI.

1.4 To accompany this report are two appendices. **Appendix A** is the Revised SCI 2012 – which has been amended from the publish consultation document to take account where relevant the consultation responses received. **Appendix B** is the Consultation Statement which sets out the consultation undertaken along with details of the consultation responses.

2. Recommendation

Cabinet adopt and publish the Walsall Revised Statement of Community Involvement 2012.

3. Background information

3.1 The Planning and Compulsory Purchase Act 2004 introduced a number of changes to the planning system, including the legal requirement for local authorities to produce a SCI. In response to these changes the Council adopted the first version of the SCI in June 2006. This document set out how and when communities and other key partners could be involved in the preparation of future plans and in consultation on planning applications. The adopted 2006 SCI was the result of extensive public consultation and detailed work with partners. It was examined by an independent inspector and found to be sound with only minor amendments needed. Since its adoption the SCI has been a useful tool for consultation, however the decision was taken that the SCI should be reviewed and Cabinet gave approval for revisions to be made in June 2011.

Why have we reviewed Walsall's Statement of Community Involvement (SCI)?

3.2 The need to review the current adopted SCI has been triggered by several factors:

- The Council's commitment to review the SCI and how effectively the council involves communities in planning as set out in the 2006 adopted SCI.
- The Council is producing 2 new key Development Plan Documents (DPDs) (the Site Allocations Document (SAD) and an Area Action Plan (AAP) for Walsall Town Centre) creating a need to ensure our methods are still appropriate and the SCI is easy to use and accurate.
- Amendments to planning legislation and changes to national policy guidance
- The Council's own experience of applying its first SCI since its adoption in 2006.

3.3 It is considered important to have as up-to-date as possible an SCI to support current consultations. However, the Localism Act received Royal assent on 15 November 2011 and this has implications for how the council involves local communities, business and stakeholders in planning, especially in respect of:

- Government requirements for prospective developers to undertake pre-application consultations on certain planning applications (to be specified by the Secretary of State);
- Provisions to empower local communities to undertake neighbourhood planning, which are likely to come into effect; and
- Proposals to require authorities such as Walsall to negotiate with neighbourhoods about spending a "meaningful proportion" of Community Infrastructure Levy (CIL) receipts in their areas.

3.4 The draft SCI recognises that companion guidance might have to be produced to address these issues.

How does the revised SCI differ from the adopted version?

3.5 Although many of the principles and approaches set out in the original SCI remain, the following improvements have been made to the revised SCI in order to update the document and ensure the Council's approach to consultation is robust:

- The details around the Local Development Framework have been updated to refer to the adopted Black Country Core Strategy and forthcoming Site Allocation Document and Town Centre Area Action Plan.

- References have been made to Localism and Neighbourhood Planning in order to future proof the document against potential further changes in how central government seeks to engage local communities in consultation.

- Increased importance has been placed on the need for the Council to be more efficient resource and time wise with regard to the type and methods of consultation undertaken.

- The process by which we will consult on both planning policy documents and planning applications has been updated to reflect the changes in planning legislation and guidance.

- The consultation techniques listed have been updated to reflect changes in technology, such as recent growth in social media, and to utilise current resources to their maximum whilst maintaining a commitment to reach as wide an audience as possible.

- A chapter has been included on the consultation process for the Community Infrastructure Levy (CIL) charging schedule in order to provide guidance to communities and stakeholders.

- Any out of date references, such as consultees that no longer exist or documents that have been revised, have been updated.

- Where possible the document has been written in a way to ensure it is flexible enough to sustain the possible future changes within the planning system in order to reduce the risk of the document becoming outdated.

3.6 The full revised SCI is attached as **Appendix A** and the adopted 2006 SCI is available on the Council SCI webpages (see link in Background Documents).

4. Council priorities

Communities and Neighbourhoods

4.1 Communities will have the opportunity to influence planning policies and proposals and ensure their views are considered. The planning process is 'plan led' meaning that proposals contained within planning applications have to be assessed against the Council's adopted plans and policies. If a proposal complies with adopted plans and policies it is less likely to be refused planning approval. As such it is important that people are involved in the preparation of Local Development Documents (individual parts of the overall LDF), which set

these policies. The revised SCI helps this process by providing clear guidance that encourages communities to get involved in shaping their neighbourhoods.

The Economy

4.2 While the SCI has no direct economic impacts, the connection can be made between effective consultation, efficient decision making and development. Consultation can help to resolve potential conflicts between the Council, local communities and stakeholders at an early stage leading to less delays and costs. The consultation process also promotes regeneration and investment by publicising proposals and facilitating joint working.

Health and Well Being

4.3 The promotion of community engagement within the neighbourhoods in which people live and how this impacts on the plan making process and planning applications, can be seen as part of encouraging active citizens. This relates to overall well being and feelings of empowerment within Walsall's communities.

5. Risk management

5.1 Officers will be required to demonstrate how they have met the requirements of the SCI when producing Local Development Documents and determining planning applications. Failure to do so can result in documents having to be withdrawn and the process recommencing, as well as the potential invalidation of planning permissions. It is therefore imperative that the revised SCI is adopted in order to provide clear guidance on the consultation process.

6. Financial implications

The SCI is provided free of change to community groups and residents so there will be minor financial implications in regards to printing the adopted revised document. The operation of the SCI will involve costs, including in terms of officer time. All of these costs will be met from within existing revenue budgets but that the resources needed will have to be kept under review as circumstances change.

7. Legal implications

7.1 The SCI is a legal requirement as set out in the Planning and Compulsory Purchase Act 2004 (as amended). The Council is also legally required to undertake statutory consultation as part of the plan making process and the revised SCI provides clear guidance to ensure the Council meets these legal requirements.

7.2 As referred to above, additional guidance might be required to address requirements that are likely to be introduced during 2012 as a result of the Localism Act and related regulations and orders.

8. Property implications

No direct implications for Council property have been identified. However it is worth noting that consultation requirements set out in the revised SCI will apply to planning proposals made by the Council in regards to its own land and property.

9. Staffing implications

The Planning Policy Team (Regeneration Services) will manage the adoption, printing and publication of the revised SCI. All individual officers and teams are responsible for ensuring the principles within the SCI are adhered to when undertaking consultation on planning documents and applications.

10. Equality implications

The approach set out in the SCI includes a commitment to engage 'hard to reach communities', including minority ethnic communities, faith based communities, disabled groups and individuals, young people, people on low incomes and the business community. This approach is designed to ensure that those communities that traditionally have not had their say on planning decisions are able to influence the planning process.

11. Consultation

11.1 The 2006 adopted SCI was the subject of detailed partner working and consultation ensuring that the principles that remain from the original SCI are based on robust grounds and incorporated in the revised SCI. Following the necessary revisions and internal consultation, the public was consulted on the draft revised SCI for six weeks during September/October 2011.

11.2 Overall 18 responses were received to an online questionnaire from a variety of consultees. There were no comments that warranted fundamental changes to the draft revised SCI, though some improvements have been made as a direct result of comments received. Detailed responses to the comments received are given in **Appendix B**. A full list of all representations received and our responses will also be publicly available on the Walsall Council Website. This will be on the SCI pages within the LDF section, and is a key part of publishing the revised SCI.

Background papers

Walsall Statement of Community Involvement Adopted Version June 2006
http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_development_framework/ldf_statement_of_community_involvement.htm

Planning and Compulsory Purchase Act 2004
http://www.legislation.gov.uk/ukpga/2004/5/contents

Planning Act 2008
http://www.legislation.gov.uk/ukpga/2008/29/contents

The Town and Country Planning (Local Development) (England) Regulations 2004 SI 2004 No. 2204 (September 2004)
http://www.legislation.gov.uk/uksi/2004/2204/contents/made

The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 SI 2008 No. 1371 (June 2008)
http://www.legislation.gov.uk/uksi/2008/1371/contents/made

The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 SI 2009 No. 401 (April 2009)
http://www.legislation.gov.uk/uksi/2009/401/contents/made

The Localism Act 2011
http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted

A plain English guide to the Localism Act - Update
http://www.communities.gov.uk/publications/localgovernment/localismplainenglishupdate

Neighbourhood planning regulations: Consultation
http://www.communities.gov.uk/publications/planningandbuilding/planningregulationsconsultation

Community Infrastructure Levy: Detailed proposals and draft regulations for reform - Consultation
http://www.communities.gov.uk/publications/planningandbuilding/cilreformconsultation

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8 February 2012

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8 February 2012

Appendix A

Walsall Revised Statement of Community Involvement 2012

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Key Terms and Abbreviations

This is the key terms and acronyms used in the document. A more detailed list of terms is included in **Appendix A**

Area Action Plan (AAP) – Development Plan Document that provides a planning framework for part of the local authority's area where major change or conservation is proposed.

Development Plan Document (DPD) – Documents that set out the planning authority's policies for the use and development of land. The council is required to take account of policies in DPDs when making decisions about planning applications and other matters. AAPs and SADs are types of DPDs.

Local Development Document (LDD) – A document that forms part of the Local Development framework. Includes AAPs, DPDs and SPDs.

Local Development Framework (LDF) – The "folder" of Local Development Documents that will provide the framework for spatial planning in the council's area.

Local Development Scheme (LDS) – The document that sets out the council's programme for the production of LDDs.

Site Allocation Document (SAD) – A DPD that allocates sites where particular types of development such as housing or industry will be supported.

Supplementary Planning Document (SPD) – Local Development Document that supplements the policies and proposals in Development Plan Documents. SPDs are not DPDs, for example by providing detail about how particular policies will work. They do not form part of the Development Plan and are not subject to independent examination.

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Chapter 1 - Introduction to this document

This document explains how the council will involve residents, developers and other key partners in influencing new land use plans, planning policies and planning applications in Walsall. It identifies what we, as the planning authority, will do to ensure that all the communities of Walsall have the opportunity to be involved and have their say in making decisions. This includes how we will work with partners, how we produce and distribute information, what involvement techniques we will use, and how we will monitor procedures and use resources.

What is this document?

1.1. This document sets out how the planning service at Walsall Council – Planning Policy and Development Management – will implement the principles set out in this statement to involve people in making decisions on forming plans and planning applications.

1.2. It includes a brief explanation of the planning system and when and what you can expect when you get involved.

1.3. The Statement of Community Involvement (referred to from now as the SCI) is an important part of Walsall's Local Development Framework and is a legal requirement as set out in the Planning and Compulsory Purchase Act 2004 (as amended).

How to use this document

1.4. The SCI explains how we will involve the community in preparing planning policy documents, commenting on planning applications and influencing future development in Walsall. It is intended for a variety of different people including councillors, planners producing plans, planners deciding applications, promoters of development, applicants, partners, bodies representing local and public interest, and members of the public.

1.5. The document is set out as follows;

- **Chapter 2** sets out Walsall's approach to community involvement. It focuses on the key partners and strategies that will help achieve our aims and objectives.

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- **Chapter 3** outlines the purpose of the Local Development Framework and introduces the new plans and policies we are currently producing .

- **Chapter 4** focuses on 'Development Plan Documents' (DPDs). It provides guidance for the 'when' and 'how' the community can get involved in the production of such plans. It considers the timescales for involvement, and the role of Walsall Council.

- **Chapter 5** centres on 'Supplementary Planning Documents' (SPDs). It provides guidance for the 'when' and 'how' community can get involved in the production of such documents. It considers the timescales for involvement, and the role of Walsall Council.

- **Chapter 6** sets out Walsall Council's approach to consultation on the Community Infrastructure Levy (CIL). Including how we will undertake consultation on the charging schedule that sets out how the council can raise funds from developers undertaking new building projects in their area.

- **Chapter 7** highlights Walsall Council's approach to involving communities in the planning application process. It also provides suggested guidance for developers in undertaking pre-application community consultation on certain proposals.

- **Chapter 8** indicates how the community involvement will be resourced and monitored to ensure that the objectives set out in the SCI are achieved.

1.6. A number of technical terms and abbreviations are used throughout this document. To help with understanding these terms, a list of key terms and abbreviations is given above, and a jargon buster is included within Appendix A.

1.7. Throughout this document, the terms **community** or **communities** are used to refer to communities of interest (age, gender, ethnicity, disability, faith business interest, developers etc) and of place (where people may live, work, study, play, visit, invest and develop).

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Why have we reviewed Walsall's Statement of Community Involvement (SCI)?

1.8. The Planning and Compulsory Purchase Act 2004 introduced a number of changes to the planning system including the legal requirement for local authorities to produce a SCI. The planning system reforms placed a greater emphasis on continuous community involvement throughout the different stages of the planning process.

1.9. In response to these changes the council adopted the first version of the SCI in June 2006. This document set out how and when communities and other key partners could be involved in the preparation of future plans and in assessing planning applications. The SCI was the result of extensive public consultation and detailed work with partners. It was examined by an independent inspector and found to be sound with only minor amendments needed.

1.10. The need to review the current adopted SCI has been triggered by several factors:

- **Our commitment to review the SCI and how effectively the council involves communities in planning**
- **We are about to commence the production of 2 new key Development Plan Documents (DPDs) (the Site Allocations Document (SAD) and an Area Action Plan (AAP) for Walsall Town Centre) creating a need to ensure our methods are still appropriate and the SCI is easy to use and accurate.**
- **Amendments to planning legislation and changes to national policy guidance**
- **The council's own experience of applying its first SCI since its adoption in 2006.**

1.11. The revised SCI takes into account comments received during consultation on the draft SCI review. These comments have helped shape the form and contents of the revised SCI. Many of the ideas and principles of the original SCI remain in the reviewed document but there is increased importance placed on the need for the council to be more efficient with regard to the type and methods of consultation undertaken. The council is committed to carrying out inclusive consultation that provides accurate and robust results that feed into council policy.

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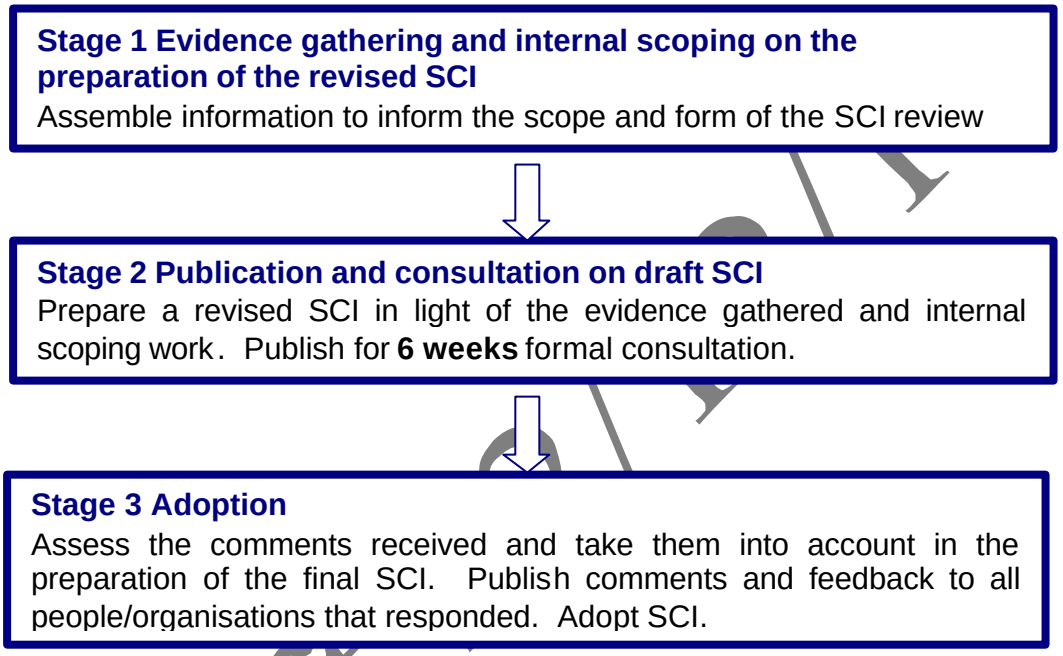
How have we undertaken the Statement of Community Involvement (SCI) review?

1.12. The production and review of an SCI goes through a number of stages as set out in **Figure 1** This process ensures that views were sought and taken into account during preparation of a new SCI[1].

Figure 1: Process for preparing the SCI



Lessons Learnt from Previous Consultation

1.13. Although it is important to note that all consultations are unique and should be approached differently, lessons of what worked well and what can be improved upon from previous consultations should be used to inform consultation strategies. The following points set out what worked well from the most recent consultation undertaken by the council on a Local Development Framework (LDF) document - the Black Country Core Strategy (BCCS). They are taken from the final Consultation Report for the BCCS which was submitted as part of the evidence for the examination into the Development Plan Document's (DPD's) soundness. The BCCS was produced jointly with Dudley, Wolverhampton and Sandwell Councils. It involved numerous stages of consultation and continuous involvement over a number of years. Overall more that 1,000 people were involved at various stages of the BCCS production, including 998 individual participants in local

[1] The regulations do not specify how long the consultation must be for SCI's. The Council has therefore decided to carry out a 6 week consultation as this is consistent with practice on other planning documents.

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frontloading events and 165 written respondents submitted at the preferred options stage.

What has worked well;

- Communication techniques, including the website, leaflets and letters in addition to newspaper articles and features have proved useful in both raising awareness about the core strategy and updating people on its progress. Combining consultation documents and leaflets with a questionnaire asking people for their views on themed issues enabled people to offer their opinions.

- Using a range of consultation techniques has led to the successful engagement of a variety of organisations and communities across the Black Country. In particular, the use of outreaching techniques has enabled officers to target communities and 'hard to reach' groups such as young people and the elderly and some Black and Minority Ethnic (BME) communities. Where specified and recorded, approx 14.5% of respondees identified themselves as being from a BME background and approx 6% of respondees recorded a disability.

- The use of events has facilitated the dissemination of information to key organisations and statutory bodies. This combined with workshops has resulted in useful discussions and a degree of consensus on the important issues for the Core Strategy to address and develop through the identification of options and the refinement of issues.

- Collecting key demographic information of participants has enabled officers to ascertain how representative attendees are of the wider population and to target consultation more effectively.

- The targeting of statutory organisations, whilst time consuming, resulted in a sustained input. This has developed a sense of ownership of the Core Strategy by these organisations which will prove invaluable when compiling a detailed delivery plan to prove that the Core Strategy is deliverable.

What has not worked so well;

- Analysis of the demographics of participants at both the Black Country and local events revealed that certain groups were underrepresented. These include certain 'hard to reach' groups; in particular Asian Women. Attempts were made to contact hard to reach groups and some progress has been made, for example in Wolverhampton links have been made during the production of the Core Strategy with 'OneVoice', a local group for people with disabilities.

- Despite the targeted approach, several statutory organisations did not

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choose to engage with the Core Strategy until the later stages of its production. In particular utility organisations and umbrella bodies did not appear to have the capacity to engage during both the frontloading and Issues and Options stages. Moreover, other organisations, in particular the Equality Organisations, stated their disinterest with the statutory planning process whilst others, including developers and landowners stated a preference to engaging at later stages; preferring to respond to a document and policies therefore echoing the previous approach to plan making.

In addition to learning from the consultation undertaken as part of the BCCS we are committed to consistently reviewing and monitoring the consultation we undertake**. Appendix E** gives an example of an evaluation form which can be used to review consultations and **Chapter 8** sets out how the council will monitor community involvement. This ensures that we continue to learn from consultations in order to provide inclusive and rewarding community involvement.

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Chapter 2 - Walsall's approach to community involvement

The aim of this chapter is to set out Walsall's approach to community involvement in the planning process. It discusses the principles and techniques that will be used to secure community involvement. It discusses the strategies and principles that underpin the SCI.

Why get involved?

2.1. Planning decisions impact on our everyday lives. They influence where we live, work, shop and play. Therefore it is important that communities have their say and ensure that decisions reflect their needs and aspirations. Getting involved at an early stage and influencing plans and policies is essential. The planning process is 'plan led' meaning that proposals contained within planning applications have to be assessed against the council's adopted plans and policies. If a proposal complies with adopted plans and policies it should generally be supported. As such it is important that people are involved in the preparation of the documents making up the LDF, which sets these policies.

Benefits of Community Involvement

2.2. The council recognises the benefits of engaging well with communities

- Informing the evidence base for plans, strategies and planning decisions leading to better planning outcomes
- Stakeholders and local communities bring a different perspective to planning
- Helping to resolve potential conflicts between different interests (including the council, local communities, stakeholders and developers) at an early stage
- Communities can help shape the places they live and ensure the policies better meet the needs of local people
- Helps to ensure communities understand the planning system and the work the planning service undertakes
- Promotes regeneration and investment by publishing proposals and facilitating joint working

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How the Statement of Community Involvement (SCI) links with the Council's approach to consultation

2.3. Delivering effective community involvement requires us to work with partners in order to ensure improved understanding and ownership of plans along with effective use of resources. Therefore the SCI has clear linkages with other involvement strategies; to share their principles of involvement and best practice. We seek to ensure that, as far as possible, a co-ordinated approach to community involvement takes place in Walsall to avoid duplication and 'involvement overload'.

2.4. This SCI has taken into account how other key partners involve communities in decision making. In particular the SCI draws of the consultation strategy for Walsall Partnership as detailed below:

Walsall Partnership Draft Consultation Strategy 2011-14

2.5. Our approach to community involvement aligns with the involvement framework contained within Walsall Partnership Draft Consultation Strategy[2]. Walsall Partnership engage all of Walsall's key partners to work together to develop a unified delivery programme which is targeted at sustainable actions that promote the economic, social and environmental well-being of the borough. The principles within the draft consultation strategy have been taken into account when developing the SCI and planning policy will work closely with Walsall partnership when consulting communities. *The **9 principles** are as follows;*

1. ***We will communicate clearly how the public can influence the decision making process and have their say***

2. ***Consultation will be timely, well planned, co-ordinated and wherever possible joined up***

3. ***We will use existing skills and experience across the partnership and align resources where appropriate***

4. ***Consultation and engagement will be targeted, representative and inclusive to ensure that all relevant sections of the community have a chance to contribute***

5. ***Consultation undertaken will be of a high recognised standard using appropriate, innovative and cost effective methods***

[2] For more details on Walsall Partnership see http://cms.walsall.gov.uk/wp-index.htm. It should be noted at the time of publishing this SCI revision Walsall Partnership Consultation Strategy was a draft.

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6. ***Results and outcomes of consultation will be fed back to those involved in the consultation process and the wider population***

7. ***We will communicate what actions have been taken or reasons why a particular issue has not been addressed***

8. ***Results and where appropriate data will shared with partner organisations - survey once and share many times***

9. ***Consultation will be genuine and open, and findings will be used alongside other relevant information to inform decisions, define policy and improve service provision.***

The strategy highlights the importance of ensuring the community understands how they can have their say, how the council will take on board their views and what they can expect in terms of feedback.

Levels of community involvement

The Consultation Strategy also sets out the ***different levels of community involvement;***

Level 1 – Informing is the process by which you tell people what you have planned

Level 2 – Consultation where you offer a number of options and listen to feedback.

Level 3 – Deciding together (Engagement) where you encourage views, ideas and options from local people or groups with the aim of joining together to shape decisions, policies or actions.

Level 4 – Acting together where you help others do what they want by proving advice and support.

Level 5 – Supporting independent community initiatives by encouraging others to provide some additional ideas and opinions to join together in decisions about the future

2.6. Each level of community involvement can use different techniques and approaches which requires different levels of input, support and resources.

2.7. Where appropriate we will aim to deliver **Level 3 or above**. However we recognise that not all communities are able to give up their time or wish to be involved in lengthy exercises. The level of involvement will also differ accordingly to the type of plan being prepared or the type of planning

application. We also recognise that the planning system can sometimes be difficult to understand and this may prevent people getting involved. To overcome this potential problem, the planning policy team works hard to make the planning system as easy to understand as possible, relevant to communities and appropriate to the different audiences.

2.8. We need to ensure that regardless of which level is adopted that the outcome is the same, i.e. that it creates opportunities for those taking part to influence plans, policy or planning application decisions.

2.9. As such we are committed to the following the **principles** that were established in the first adopted SCI (June 2006) and are based on those agreed by participants at the SCI Launch Event and those of our key partners:

Walsall Statement of Community Involvement (SCI) Principles

A) Targeting Communities

We will seek through working with our key partners to target those communities that have not traditionally had their say in the planning process. These groups include: young people, black and minority ethnic communities, faith based communities, disabled groups and individuals, small businesses and people on low incomes and ensure they have an equal chance to contribute.

We will identify these groups at a borough level using data held by key partners. It is necessary that these communities are targeted so that decisions fully reflect the diverse needs of Walsall's population. Involvement needs to recognise and be sensitive to diversity issues and there is a need to think creatively to encourage involvement of all of Walsall's communities.

B) Open access to information for all

We will seek to ensure that information (such as plans, policies, committee reports etc) is produced in plain language and as jargon free as possible. Documents will be available online and when necessary printed versions will be made available on request. We will look at producing summary style, easy to read planning information to make it as accessible as possible.

C) Advertise widely the opportunities for involvement

We are committed to engaging with local communities, businesses and other interested parties as early as possible in the process; ensuring that communities are involved in influencing plans and proposals from the outset alongside other key stakeholders. Central to this is ensuring that this takes place, where appropriate in the location or community affected and is advertised as widely as possible beforehand. We will advertise any consultation using a range of methods included in **Appendix C**

D) A range of different methods by which people can put forward ideas and comment

We will consider using a range of appropriate involvement techniques to suit the targeted audience. Where necessary and appropriate and subject to resources being available, these could be:

- Communication Techniques. These can be used to achieve **Levels 1 and 2 of community involvement**, and
- Involvement Techniques. These can be used to achieve **Levels 2 and 3 of community involvement**. (The levels as set out in paragraph 2.6).

A full assessment of the suitability of each technique, including their resource implications is included within **Appendix C**. They will be reviewed to ensure that they are delivering our objectives using the evaluation form in **Appendix E** and the approach set out in **Chapter 8**.

E) A transparent process for considering any comments received

We are committed to being open to receiving comments from communities and will explain the process for submitting comments at the outset so that communities can understand both how to submit comments and how these will be taken on board.

F) The provision of feedback to those involved on the outcomes of consultation

For consultations on planning policy documents we will ensure that all comments will be acknowledged (providing contact details are provided) and published within a **'comments matrix'** (an example is included in **Appendix D**). This will be developed following each consultation/involvement stage and will explain the progress of comments. This will be published and distributed individually, using the internet and placed in public venues. **Chapters 4, 5 and 6** show the different stages and how and when feedback will take place.

G) Working in partnership

We are committed to working in partnership to engage communities. Using existing networks and organisations and our key partners, we will seek to target communities through making the most of the involvement techniques.

Localism and Neighbourhood Planning

2.10. The Localism Act has now received Royal Assent (on 15 November 2011)[3] The stated aims of the Act include to devolve more powers to councils and neighbourhoods, and give local communities greater control over local decisions notably in respect of planning. This has obvious implications for the council's approach to consultation and involvement, especially in 3 major respects.

2.11. Firstly, the Secretary of State is now empowered (s122 of the Act) to produce an order or orders that would require prospective developers to undertake pre-application consultations in respect of certain types of planning applications (yet to be specified). This SCI review has sought to reflect these requirements.

2.12. Secondly, an important part of the Act are powers (s 116 and Schedules 9 and 10 of the Act) for neighbourhood forums to put themselves forward for designation to undertake "neighbourhood planning", which can involve a neighbourhood plan, and neighbourhood development order (granting permission for certain kinds of development), or a Community Right to Build Order (authorising a particular development). Regulations on the setting up and empowerment of neighbourhood forums have been the subject of a recent Government consultation[4]. Government intends that neighbourhood planning should come into operation in April 2012. At the present time it is not possible to set out how the system might operate, but when all of the provisions are in operation the council will consider whether it will need to set out guidance on how it will support neighbourhood planning. This might cover such matters as the requirements for designation as a neighbourhood forum, the areas that it is appropriate to cover, the processes for preparing a neighbourhood plan (etc.) and the requirements for a referendum before such a plan is adopted. Any such guidance would be a companion to this SCI.

2.13. Thirdly, the Act (section 115) provides the context for a Government consultation on a requirement to pas a "meaningful proportion" of Community Infrastructure Levy receipts to local communities (see Chapter 6). Again, when the legislation is in operation the council will consider whether it needs to produce guidance.

2.14. Notwithstanding the changes introduced by the Localism Act, the council considers it is important to ensure that it should keep its SCI as up-to-date as possible to make clear its commitment to community involvement and to provide a firm basis for its current consultations on LDDs. It should also be

[3] http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted and http://www.communities.gov.uk/publications/localgovernment/localismplainenglishupdate

[4] http://www.communities.gov.uk/publications/planningandbuilding/planningregulationsconsultation

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clear that the principles set out in this SCI should be applied by the council when it deals with the requirements of the Localism Act and that the approach in the SCI is consistent with the Act.

Recognising possible limitations of community involvement

2.15. While the council is committed to improving and widening involvement of the community, it is important to emphasise that continuous involvement cannot be used to avoid making what can often be difficult or controversial decisions. We are frequently faced with situations in planning where a consensus cannot be achieved and where an outcome that will please everybody is not a possibility. The results of community involvement are one of many factors that need to be taken into account when arriving at decisions. We have to take into account, amongst other things:

- legislation including European Directives;
- the Government's national planning policies, including changes;
- regional and sub-regional planning policies and the policies of surrounding areas; and
- legal rulings.

2.16. We will ensure that these are explained at the outset when undertaking community involvement to raise awareness of what can and what cannot be influenced.

2.17. Also each level of community involvement requires the use of different techniques and approaches and requires different amounts of input and support, from both officers and the community.

2.18. Where appropriate we will aim to deliver the highest level of involvement. However we recognise that not all communities are able to give up their time or wish to be involved in lengthy exercises. As mentioned previously, the level of involvement will also differ according to the type of plan and policy being prepared or the type of planning application. This will determine the time available and the techniques we can use. Where appropriate and depending on the availability of resources, we will ensure that a range of choices are available so that communities can pick and choose their level of involvement.

2.19. **Chapters 4 and 5** set out how we will apply these principles to involve communities in the different types of plans and policies contained within the Walsall Local Development Framework. This includes Development Plan Documents and Supplementary Planning Documents. In addition **Chapter 6** discusses how communities can be involved in planning applications.

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Chapter 3 - The planning process and the Statement of Community Involvement

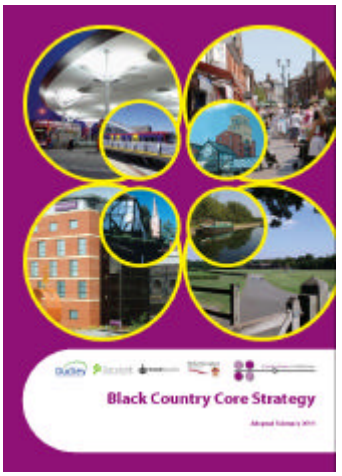
The aim of this section is to introduce the Local Development Framework along with the new plans and policies that will be produced in Walsall. The SCI will set out how the community can be involved and influence the content of these plans and policies.

3.1. The council is responsible for preparing planning documents used to shape the future development of the borough. Together, these documents are known as the **Local Development Framework (LDF)**. The policies within these documents need to take into account local, regional and national policies, needs and interests.

The Local Development Framework (LDF)

3.2. National planning policy requires Walsall to prepare a Local Development Framework (LDF) to guide future development in the borough and aiming to meet all communities' economic, social and environmental needs. This will eventually replace the existing Unitary Development Plan (UDP).

3.3. The LDF is a folder made up of a number of different **Local Development Documents (LDDs).** These can be prepared and reviewed separately increasing the opportunities for community involvement as different LDDs will be able to be prepared at different times in response to changing circumstances.



Black Country Core Strategy DPD

3.4. The LDDs include planning documents with development plan status, known as **Development Plan Documents (DPDs).** The council is required to use these when making decisions on planning applications (**Chapter 7** sets out how the council consults on planning applications). **Figure 2** sets out the documents that currently make up Walsall LDF:

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Figure 2: Description and status of the LDF documents

Document	Description	Status
Black Country Core Strategy	Sets the long-term vision and policies for the black county, identifies broad locations for development and growth	Adopted February 2011.
Walsall UDP Saved Policies, Proposal Map, Town and District Centre inset Maps	Detailed policies and proposals about where and when different types of development can or cannot take place	Adopted March 2005
Walsall Site Allocations Development Plan Document	Sets out proposals for allocating land uses to specific sites and areas	Commenced July 2011
Walsall Town Centre Area Action Plan	Establishes the planning framework to guide new development in Walsall Town Centre	Commenced July 2011
Supplementary Planning Documents	They deal with specific planning issues such as affordable housing provision across the borough, design guidance for new developments, and levels of open space provision and will be used when assessing the suitability of planning applications.	At the time of writing the council has 7 adopted SPDs are adopted. However, these are being reviewed. It is proposed to revoke 2 SPDS (on financial contributions for education and for healthcare) and the content of other SPDs is to be revised[5]. The council will keep its SPDs under review and if necessary new SPDs could be adopted by the council.

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3.5. The latest version of Walsall Local Development Scheme (LDS), which sets out a more detailed timetable for the production of Walsall's LDF documents

[5] See the report 'Plans to Support Key Infrastructure in Walsall Borough – Review of Supplementary Planning Documents' to Walsall's Cabinet on 9 November 2011: http://www2.walsall.gov.uk/CMISWebPublic/Binary.ashx?Document=10889

is available to download from Walsall Council's website: see **http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_development_framework/ldf_local_development_scheme.htm**

3.6. We will be required to prove how we have met the requirements of the SCI in producing future DPDs and SPDs, and deciding planning applications. If we fail to meet the requirements of the SCI when preparing a LDD then we might have to withdraw the document and possibly start again.

3.7. Consultation responses also form part of the evidence base which LDDs are tested on, so individuals who respond formally through the consultation process can be confident that their views form part of the planning document process.

Who will we seek to involve in the Local Development Framework (LDF)

- Statutory Consultation Bodies – Legislation identifies specific consultation bodies which the council must consult **(See Appendix B)**.
- General and Other Consultation Bodies – Depending on the plan being produced, it may be necessary to consult with other agencies and organisations
- Developers, Landowners and Planning Professionals
- Local People, Businesses and Community Groups, Council Officers and Members
- Walsall Partnership - Walsall Partnership brings together different parts of our local community, public services, local businesses, community groups, voluntary sector organisations and local people [6].

Local Development Framework Consultation Database

The council maintains an extensive LDF database of people and organisations who want to be kept informed and those who respond to consultation documents. If you would like to be added, please email LDF@walsall.gov.uk or contact the Planning Policy team on 01922 652455

[6] For more information on Walsall Partnership see website pages http://cms.walsall.gov.uk/wp-index.htm

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Chapter 4 - Development Plan Document Stages of involvement

Chapter 2 has explained our approach to community involvement and chapter 3 introduced the Local Development Framework (LDF). We now need to apply it to how we will involve communities in specific plans and policies. This chapter sets out how communities and our key partners can be involved in the production of Development Plan Documents (DPDs).

Community Involvement in Development Plan Document (DPD) Production Process

4.1. Local Development Documents (LDDs) collectively make up the LDF. They include DPDs which are the individual plans and policies, which are afforded what is termed 'development plan' status, and will be used as a basis for deciding planning applications. DPDs will be tested for soundness[7] by an independent inspector at a public examination. **Chapter 3** sets out the DPDs the Council has produced or is currently committed to producing.

4.2. DPDs are produced in **5 stages**; the first 4 of which require a level of community involvement (see Fig 3).

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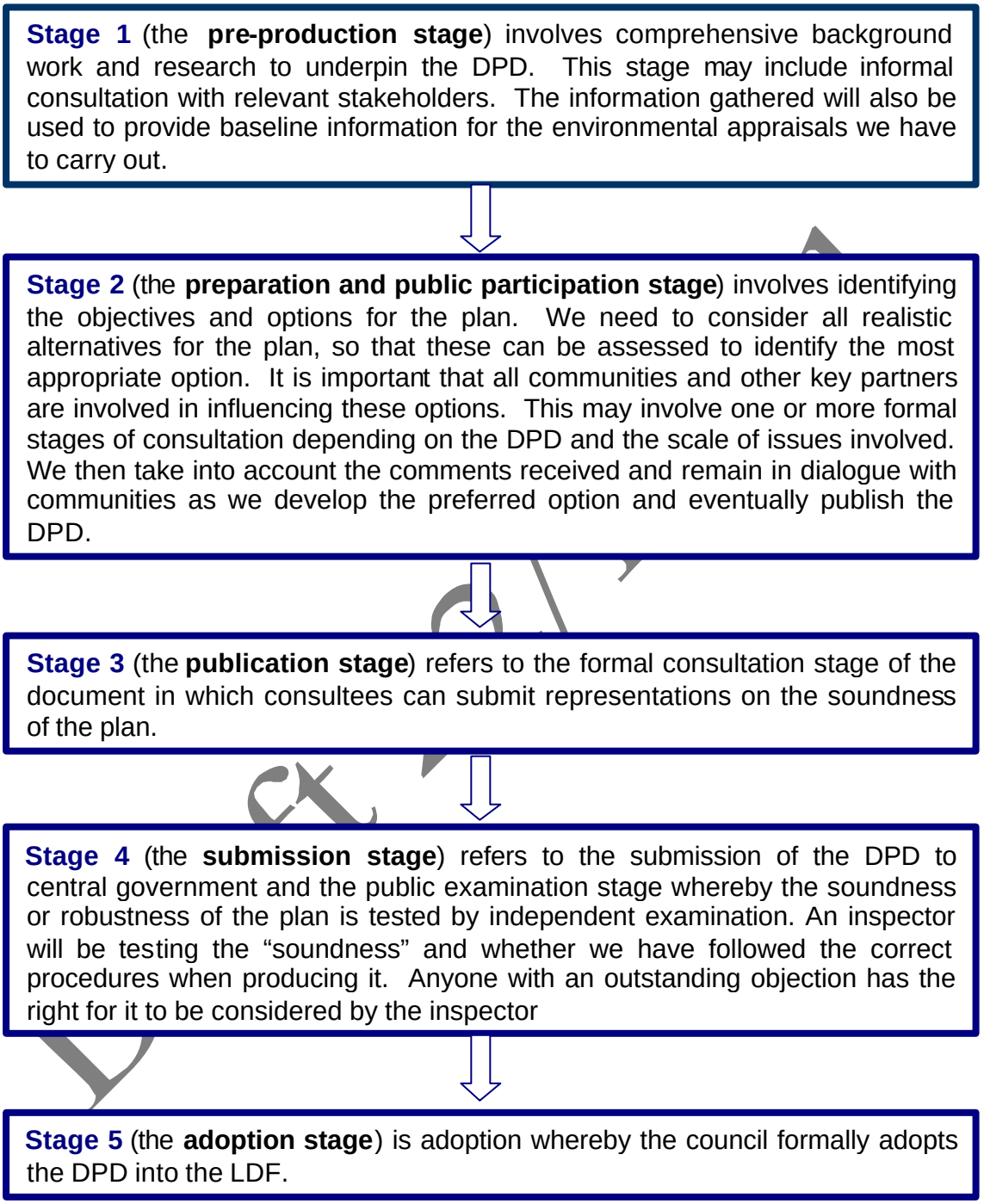
[7] **See the Department for Communities and Local Government webpages for policy guidance on soundenss http://www.communities.gov.uk/corporate/**, especially http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicystatements/pps12/

Figure 3: The Development Plan Document Production (DPD) Process



4.3. This illustrates the importance of ensuring that communities and others are involved from the outset in influencing the content of DPDs. Being involved and influencing the issues and options identified should ensure that their ideas and concerns can best influence the agenda and the contents and policies and proposals of the plans.

4.4. The Tables on **pages 23 - 26** sets out how communities can get involved in the different stages and how it will lead to the development of the plan for adoption (Stage 4). It includes what we, as a local planning authority, will do to ensure we deliver our principles of involvement, the key partners we will work with to involve communities, and in particular our 'hard to reach groups' and the opportunities for communities to get involved.

4.5. The approach and techniques used will differ depending on the type of DPD. An area specific document such as an AAP will require a more local focus in terms of the community audit, targeting of hard to reach groups (which will be geographic and interest based), publicity and the techniques used. A topic based DPD will require the involvement of specific interest groups and organisations and hard to reach groups that are more interest based.

Sustainability Appraisals (SA) of Development Plan Documents

4.6. We are required to carry out a **Sustainability Appraisal (SA)** of all DPDs. Under separate legislation a DPD will also require a Strategic Environmental Assessment (SEA) and an Equalities Impact Assessment (EqIA). It is normal practice to integrate these with the SA. This process ensures that we assess the environmental, economic and social effects of policies and proposals as the DPD is being produced. The overall aim is to check whether our policies and plans are contributing towards achieving sustainable development. The SA takes place alongside the preparation of the plan and includes opportunities for involvement at key stages[8].

4.7. We will:

- Consult key partners and statutory consultees (**as defined in Appendix B**) on the scope of the SA at **stage 1** (pre-production stage)
- Consult key stakeholders and communities on the emerging SA at **stage 2** (preparation and public participation stage)
- Undertake public consultation on the final sustainability report along with preferred options at **stage 3** (publication stage)
- Produce a SA statement explaining how the SA has influenced the final plan at **stage 5** (the adoption stage)

[8] See http://www.communities.gov.uk/corporate/ for links to guidance on SA, SEA and EqIA.

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Figure 4: The Development Plan Document Process and Our approach to involvement

Stage 1 – Involvement in the pre-production stage

Timescale	Possible Activity	Possible Involvement techniques	Who will be involved	How community can get involved	Objective and Outcomes
3- 6 Months	Raising awareness (evidence gathering) Establishing the context, objectives and scope of the Sustainability Appraisal	Press articles/reports Website Plasma Information screens Social Media	All communities and key partners including hard to reach groups Statutory organisations and groups in **Appendix B** Planning database	Receive information and be aware of next stage	Raise awareness, advertise and inform
	Establish linkages with key partners to access communities and hard to reach groups	Presentations Question and Answer sessions Production of leaflets and material Email updates Social Media		Attend meetings and develop understanding of issues and ideas	As above
	Launch Event	Facilitated event at community location (for local plans and policies) and/or central location (for core strategy and policies) Consultation Bus/First Stop Express Bus Mobile exhibition Visual/audio techniques	All communities and key partners including hard to reach groups Statutory organisations and groups in **Appendix B** planning database	Attend event, participate in discussing issues and potential solutions. Receive information from exhibitions and consider the opportunities to be involved in the next stage(s)	Raise awareness Identify interested parties and key issues and solutions

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Stage 2 - Involvement in the Preparation and Public Participation Stage

Timescale	Possible Activity	Possible Involvement techniques	Who will be involved	How community can get involved	Objective and Outcomes
6 – 12 Months	Issues Workshops	Focus groups Visioning sessions	All communities and key partners including hard to reach groups Statutory organisations and groups in **Appendix B** planning database	Participate through working in partnership to develop issues and options	Begin addressing specific issues and solutions
	Feedback: Publish comments received within a report	Emails to individuals Devise comments matrix and make available on website Newsletters (in alternative formats)	Those that submitted comments or participated. All communities and key partners including hard to reach groups Statutory organisations and groups in **Appendix B** planning database	Receive information	Provide feedback and sustain community involvement
	Analysing responses and preparation of draft proposals for DPD	Establishment of Steering/Working Group	Representatives of above	Scrutiny role to oversee production of options	Retains input and ownership

Stage 3 – Involvement in the Publication stage

Timescale	Possible Activity	Possible Involvement techniques	Who will be involved	How community can get involved	Objectives and Outcomes
6 weeks statutory submission period	Produce Preferred Option and Final Sustainability Report	Steering/Working Group retained	Representatives of communities/organisations	Scrutiny role to oversee production of preferred option	Retains input and ownership
	Advertise formal statutory submission period	Website Newspaper/media (articles, adverts and press releases) Social Media	All communities and partners including hard to reach groups Planning database organisations and groups **in Appendix B**	Note the next stage of the process and procedures	Raise awareness and receive comments

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	Formal statutory submission period - 6 weeks	Make available to view online DPD, matters, consultation statement SCI SA Report At main offices, one stop shop, local access points, website Send website link or CD of documents as necessary Submit appropriate documents to Secretary of State Exhibitions and displays Public meetings Social Media	Email to individuals Devise comments matrix and make available on website	Submit comments on preferred option	Representations received and carried forward to examination

Stage 4 – Involvement in the Submission stage

Timescale	Possible Activity	Possible Involvement techniques	Who will be involved	How community can get involved	Objectives and Outcomes
6 Months	Feedback and Awareness raising	Advise relevant individuals by email Details of examination on website Pre-examination meeting held Update Social Media	Individuals/organisations with outstanding objections	Decide to attend and participate in examination	Gain their involvement in the examination process. To fully understand the view of those concerned and give them the right to be heard by an independent body
	Examination	As directed by inspector	All interested parties	Have their objections heard and assessed by inspector	To test soundness of the DPD leading to a sound, robust DPD ready for adoption.

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Stage 5 – Involvement in the Adoption stage

Timescale	Possible Activity	Possible Involvement techniques	Who will be involved	How community can be involved	Objectives and Outcomes
3 months	Advertise adoption	Advertise adoption statement On website Local newspapers and at Local events First Stop Express Bus	All communities and key partners including hard to reach groups Statutory organisations and groups in **Appendix B** planning database	Note the next stage of the process and procedures	Raise awareness of adoption
	Feedback: Publish representations received and our responses	Advise relevant individuals and partners by post or email	Those who submitted comments	Receive information	Feedback and promotes ownership of Development Plan Document
	Publish adopted DPD	Advise relevant individuals and partners by post or email DPD published and available to view in civic centre offices, libraries, one stop shops and website	All communities and key partners including hard to reach groups Statutory organisations and groups in **Appendix B** planning database	Receive information and access adopted DPD	Promote 'end product'
Long Term	Implement DPD	Through the planning application process (**See Chapter 5**)	As above	Pre-application consultation (where applicable) Receive information and comment on planning application (**See Chapter 5)**	Development proposals conforms with DPD

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Chapter 5 - Supplementary Planning Documents Stages of Involvement

This chapter sets out how communities and our key partners can be involved in the production of Supplementary Planning Documents (SPDs). The tables on page 29 includes how this will occur continually through their production

Community Involvement in Supplementary Planning Documents (SPDs)

5.1. Although they form part of the LDF folder, Supplementary Planning Documents (SPDs) are not DPDs. Their role is to help deliver 'saved' policies and proposals in Walsall's Unitary Development Plan (UDP) or policies/proposals in an adopted DPD. As such, they can offer guidance and explanation across a range of planning related issues.

5.2. SPDs are not subject to an independent examination. This means that the level of community involvement in their production is not as lengthy or involved as that for the DPDs. However, the principles of frontloading and continuous community involvement will underpin their preparation in the same way as DPDs. SPDs are formally adopted by the council after consultation has taken place.

5.3. Currently there are no new SPDs planned as part of the council's LDF programme. It may be necessary however, to update the council's current SPDs in order to ensure they are accurate and up to date with national and local policy changes.

5.4. The same process of production will apply to reviewing SPDs as set out in **Figure 5** below with the same opportunities for consultation.

5.5. SPDs do not require SAs but could be subject to Strategic Environmental Assessment (SEA) if they have or could lead to significant environmental impact (See **page 23** for more information on SA and SEA).

5.6. They are produced in **3 stages**; the first 2 require a level of community involvement (see **Figure 5**).

Designing Walsall SPD

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Figure 5: The Supplementary Planning Document (SPD) production process

Stage 1 (or the **pre-production stage**) involves us working with key partners, including the community, to gather evidence; data and information to support the SPDs.

Stage 2 (**Production and public participation stage**) involves producing the draft version of the SPD. It is important that all communities and other key partners are involved in influencing the document. This stage includes a consultation period whereby the document is/are available for a period of 4-6 weeks for comments to be submitted. If an SEA is required the assessment report will be published alongside the draft SPD. We then take into account the comments received and remain in dialogue with communities as we develop the final version of the document.

Stage 3 (**Adoption stage**) is adoption whereby the council formally adopts the SPD.

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Figure 6: The Supplementary Planning Document Process and Our approach to involvement

Stage 1 – Involvement in the pre-production stage

Timescale	Possible Activity	Possible Involvement techniques	Who will be involved	How community can get involved	Objectives and Outcomes
3 months	Raising awareness (evidence gathering) Establishing the context, objectives and scope of the SEA, if required	Website Plasma Information screens Leaflets/mobile exhibitions Visual/audio techniques Social Media	All communities and key partners including hard to reach groups Statutory organisations and groups in **Appendix B** Planning database	Receive information and be aware of next stage	Advertise and inform of proposed consultation including timescales, parameters and context Raise awareness and capacity to become involved
	Establish linkages with key partners to access communities and hard to reach groups	Presentations Question and Answer sessions Production of leaflets in alternative formats	All communities and key partners including hard to reach groups Statutory organisations and groups in **Appendix B** Planning database	Attend their meetings and develop understanding of issues and ideas	As above and buy in from communities and our key partners
	Issues Workshops	Focus groups Visioning	Communities including hard to reach groups and other partners	Attend sessions and develop understanding of issues and ideas	Participate through working in partnership to develop issues and options Focus on issues and solutions
	Feedback: Publish comments received within a report and our responses (if any) (including Scoping Report on SEA)	Letters/email to individuals Devise comments matrix and make available on website	All communities and key partners including hard to reach groups Statutory organisations and groups in **Appendix B** Planning database	Receive information	Provide feedback and sustain community involvement

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Stage 2 – Involvement in the production and public participation stage

Timescale	Possible Activity	Possible Involvement techniques	Who will be involved	How community can get involved	Objectives and Outcomes
6 months	Advertise formal consultation period	Local press Website Community Newsletters Promote at other community events Posters letters	As above	Note the next stage of the process and procedures	As above
	Formal statutory consultation period (4-6 weeks)	Make available (using website, libraries, one stop shop, local access points): Relevant documents and plans including Sustainability Report (where required) Location details of documents and timescale to submit comments	As above	Submit comments	Receive comments Begin to move towards producing final SPD
	Feedback: Publish comments received and our response	Letters/email to individuals Devise comments matrix and make available on website	Those who submitted comments	Receive information	Provide feedback and sustain involvement Community involvement continues Buy in

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Stage 3 – Involvement in the adoption stage

Timescale	Possible Activity	Possible Involvement techniques	Who will be involved	How community can get involved	Objectives and Outcomes
3 months	Advertise adoption	Advertise adoption statement on website	All communities and key partners including hard to reach groups Statutory organisations and groups in **Appendix B** planning database	Receive information Note the next stage of the process and procedures	Raise awareness
	Publish adopted SPD	Advise relevant individuals by post or email	As above	Receive information and access adopted SPD	Promote 'end product'
Long Term	Implement SPD	Through the planning application process **(See Chapter 7)**	As above	Pre-application consultation (where applicable) Receive information and comment on planning application (**See Chapter 7)**	Development proposals conforms with SPD

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Chapter 6 - Consultation on the Community Infrastructure Levy Charging Schedule

This chapter sets out how communities and our key partners can be involved in the production of the Community Infrastructure Levy (CIL) charging schedule.

Introduction to the Community Infrastructure Levy (CIL)

6.1. As part of the recent changes to the planning system the **Community Infrastructure Levy (CIL)** came into force in April 2010[9]. It allows local authorities to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of infrastructure that is needed as a result of development. This includes for example road schemes, schools and green spaces.

6.2. CIL will be payable for all new building work (other than small works such as most extensions to existing homes) that has planning permission. Payments will be made at the set rates, rather than being negotiated on a site by site basis as is currently the case with planning obligations under Section 106 of the Town and Country Planning Act. CIL is therefore intended to provide greater certainty for developers about the amount the have to pay, as well as spreading the cost of paying for new infrastructure more fairly over a wider range of schemes. Use of Section 106, which involves the making of a legal agreement between a developer and the local planning authority, is now limited to supporting contributions from the developer that are directly related to the proposed development.

6.3. The amount payable (in £/square metres) is set by each local authority. Before introducing CIL, the authority must issue a "**charging schedule**" that sets out the amount. This amount can vary across the authority's area, for example because of different land values, as well as between different land uses, for example new shops may be required to pay more than new factories. The amount charged must have regard to the actual and expected costs of infrastructure, the economic viability of development and what other sources of funding might be available for particular types of infrastructure.

6.4. Details of the infrastructure that are to be funded by CIL must be published by the local authority on its web site.

[9] The Government's Department for Community and Local Government website has a specific section on CIL:
http://www.communities.gov.uk/planningandbuilding/planningsystem/communityinfrastructurelevy/

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6.5. Walsall Council expects to adopt a charging schedule by 2014. If approved by the council, it will be payable in relation to new developments that are granted planning permission from the date of adoption. The Council has not yet decided what the rates will be for particular types of development. For some types of development it is possible that the rate will be zero.

6.6. The Council is commencing work on the preparation of an Infrastructure Plan in conjunction with the Site Allocation Document and Walsall Town Centre Area Action Plan. The Infrastructure Plan will be prepared in discussion with infrastructure providers about what their requirements are. It will inform the consideration of how much funding will need to be raised through CIL.

6.7. Until it is decided what the amounts in the Charging Schedule are likely to be, it will not be possible to confirm details of the consultation techniques that will be used. If, for example, it is only proposed to charge certain types of development, there may be little merit in consulting parties that will not be affected. The following section therefore only gives details of the consultation process as it is set out in the legislation, rather than the specifics of how Walsall will consult.

Community Involvement in the production of the Community Infrastructure Levy (CIL) Charging Schedule

6.8. The CIL Regulations 2010 require the local authority to consult local communities and stakeholders on the **preliminary draft charging schedule** which sets out the proposed rates for the levy. At least **4 weeks** must be allowed for representations.

6.9. A preliminary draft of the charging schedule must be sent to each of the consultation bodies inviting them to make representations. This includes neighbouring authorities along with publicising the charging schedule to residents, businesses and any other interested parties in the area in order to allow them to make representations.

6.10. The charging authority must take into account any representations made to it under the regulation before it publishes the charging schedule for examination.

6.11. There are several opportunities for interested parties to make representations during the preparation of a charging schedule (see **Figure 7**):

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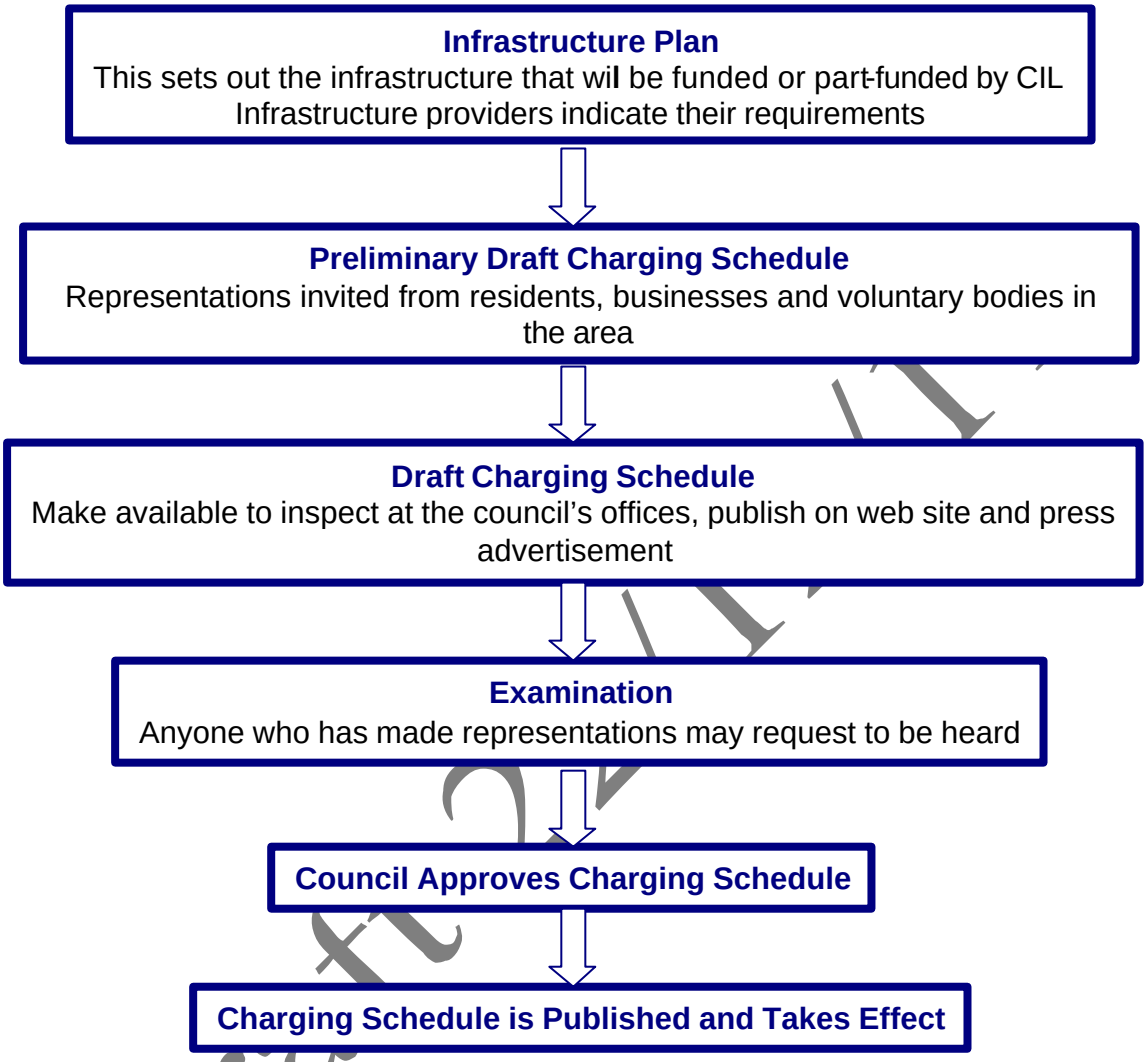
Figure 7: The Community Infrastructure Levy (CIL) production process



6.12. In the context of the Localism Act, the Government has consulted on proposals that a '"meaningful proportion" of CIL receipts should benefit local neighbourhoods[10]. Where, as in Walsall, there are no parish councils, it is proposed that if the council does levy CIL charges it should be required to engage with neighbourhoods and businesses in determining how to spend a meaningful proportion of CIL. When the relevant legislation is in effect Walsall Council will consult with local communities, including and businesses, on the basis of the principles set out in this SCI. If additional guidance is required then the council will produce a companion document to this SCI and place it on the council's website.

[10] Community Infrastructure Levy: Detailed proposals and draft regulations for reform http://www.communities.gov.uk/publications/planningandbuilding/cilreformconsultation

Chapter 7 - Involvement in Planning Applications

In addition to setting out how we will involve the community in the preparation of Walsall's LDF, the SCI also sets out how we involve the community in deciding individual planning applications (Development Management).

7.1. The Development Management Service of the council is responsible for processing and determining planning applications and other related applications such as for listed buildings, trees and advertising consent. It is at the planning application stage where specific, detailed decisions are made about what happens to a piece of land or a building. There is a wide range of matters that the council has to take account of when determining planning applications. These matters, which are known as "material considerations", include the development plan, supplementary planning documents and national policy, as well as issues that are raised by consultees.

7.2. There are **2 distinct stages** for community involvement in planning applications: **Pre-application** and **Application** consultation.

Developer
Pre-application consultation: this is consultation with the community and other interested parties undertaken by the developer before submitting a formal application.

Council
Application Consultation: when a planning application has been formally submitted, the Council is responsible for carrying out consultation through statutory publicity and notifications.

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Pre-Application Discussions on Significant Planning Applications by developers (as defined within Figure 8)

7.3. The council encourages developers to discuss their proposals with residents and other interested parties prior to submitting a formal application. The Government also encourages this approach and the Localism Act (see 7.7 below and Page 16) requires those proposing certain major developments to consult the local community before an application is made. Pre-application consultation means that issues can

be discussed and solutions found, which should reduce conflict and potential delays during the formal determination period for the application.

7.4. The council will assist developers in identifying the issues that will need to be addressed in the application, and also in identifying possible interested parties. For example, the council operates a 'Development Team' where those proposing major planning applications can have pre-application discussions with council officers and statutory consultees such as the Highways Agency on a 'without prejudice' basis. Because of the council's statutory role in determining the application, any comments of officers or elected members of the council will not be able to prejudice the outcome of any subsequent planning application. We would ensure that at this stage of the process, specific development proposals would remain confidential and the wider community would not be involved, unless otherwise agreed with the applicant.

7.5. We expect applicants when carrying out pre-application involvement with the community to ensure that:

- The involvement approach conforms to the principles and approaches contained within this SCI.
- Any supporting information is factually correct and addresses all planning implications of the proposal.
- The results of any community involvement exercises are published and submitted with the application as part of any supporting material.

7.6. **Appendix F** contains a template for a "statement of conformity" that we would expect applicants to submit, with their planning application as a local validation requirement, to show how they have complied with this SCI. If applicants submit their own statement of consultation the details should clearly adhere to principles A-G of Appendix F. The council will have regard to the statements results as one of the "material considerations" to be used in determining the application.

7.7. The Localism Act introduces a requirement for prospective developers proposing certain major types of development (to be specified by the Secretary of Stare) to consult the local community before a planning application is submitted. The Act requires that, for the planning application to be valid, evidence of the consultation should be provided to the local planning authority together with explanation as to how the results of the consultation has influenced the form of the proposals. See **page 16** for more information on the Localism Act)[11]. If as a result of this change it is

[11] See http://www.communities.gov.uk/planningandbuilding/planningsystem/preapplicationconsultation/

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necessary for the council to produce further advice this will be published on the council's website (linking both to this SCI and to the council's requirements for the validation of planning applications). See links at http://cms.walsall.gov.uk/planning.

Planning Application Consultation by the Council

7.8. The minimum publicity requirements for planning applications are laid out in legislation, in particular in the Town and Country Planning (Development Management Procedure) (England) Order 2010 (the DMPO). The Order lists the official organisations that must be notified of particular types of application, for example the Highways Agency and the Environment Agency, as well as the requirements in some cases for site and press notices, and/or notification to individual occupiers.

7.9. A summary of our approach to consultation for different types of application is set out in **Figure 8**

7.10. The tiered approach in **Figure 8** is derived from the ODPM publication "Statements of Community Involvement and Planning Applications[12]". The definitions of the tiers will be reviewed in light of any order by the Secretary of State that defines the requirement for the prospective developer to undertake pre-application consultation under the Localism Act. Where it is uncertain which tier a particular planning application falls into, we would normally follow the requirements for the higher tier that involves the greater amount of consultation. The consultation techniques listed below are the minimum that will be required. In particular, the wide variety of planning applications that are received means that it is not possible to specify in a document of this nature a particular distance across which the council will aim to notify neighbours, except where stated below.

7.11. The council works to continually improve consultation practices and the details in figure 8 may change from time to time. Reference should therefore be made to the council's website for the most up to date information about our consultation procedures.

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for published guidance on pre-application consultation, but this should be read in the light of section 122 of the recently-enacted Localism Act http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted and http://www.communities.gov.uk/publications/localgovernment/localismplainenglishupdate

[12] See http://www.communities.gov.uk/documents/planningandbuilding/pdf/148187.pdf

Figure 8: Consultation Best Practice for Planning Applications

Tier 1: All applications, other than those in Tiers 2 to 4

Minimum amount/ type of pre-application consultation by developer
None required.

Consultation to be carried out by Walsall Council following receipt of application

- Application documents available for viewing on council website (including at local libraries, at the First Stop Shop in the Civic Centre and on the First Stop Express bus)
- Letter informing occupiers and owners about the planning application, how to view the submitted documents and how to submit comments will be sent to all properties that directly adjoin or face the application site
- Publication on weekly list of new applications received by the council (on-line)
- Press and site notice (where required by the DMPO)
- Notification to statutory bodies as required by the DMPO

Local community groups that request consultations for a particular location/area.

Tier 2: Applications for "major development" as defined in the DMPO, other than those in Tiers 3 and 4. These include applications for 10 or more dwellings, 1000 square metres of floorspace or a site area over 0.5 hectares. Also proposals that involve the loss of allotments or employment land for housing, or for "sensitive" developments and uses.

Minimum amount/ type of pre-application consultation by developer
As tier 1 plus:

- Present to Walsall Council's Development Team
- Erect site notice.

In addition, there is a need for the applicant to determine whether the proposal would trigger the requirements of section 122 of the Localism Act (inserted into the Town &Country Planning Act 1990 as Sections 61W-61Y), in which case the applicant would also have take measures including:

- publicising the proposal in such a way as to be likely to bring it to the attention of nearby occupiers and persons who may be specified, giving them sufficient information and time to comment;
- having regard to responses received; and
- providing evidence when the application is submitted to show how the requirement has been complied with, the responses received and the account taken of those responses.

Consultation to be carried out by Walsall Council following receipt of

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application

As tier 1 plus

- Letter informing occupiers and owners about the planning application, how to view the submitted documents and how to submit comments may also be sent to other properties. The extent of properties to be notified will be determined on a case by case basis.
- For the following types of application, the letter will be sent to all properties within the stated radius from the boundaries of the application site:
  - 150 metres minimum for telecommunications developments
  - 100 metres minimum for hot food takeaways

In the case of applications for hot food takeaways, all schools within 400 metres of the application site, along with ward members, Walsall Children's Services-Serco and the neighbourhoods team

Tier 3: Large applications, other than those in Tier 4, that require a full transport assessment (see Planning Policy Guidance Note 13), involve the development of playing fields and/or are for proposals with Schedule 2 of the Environment Impact Assessment Regulations.

Minimum amount/ type of pre-application consultation by developer

As tiers 1 and 2 plus:

- Letter to ward councillors to inform of proposals

In addition, there is a need for the applicant to determine whether the proposal would trigger the requirements of section 122 of the Localism Act (inserted into the Town &Country Planning Act 1990 as Sections 61W-61Y), in which case the applicant would also have take measures including:

- publicising the proposal in such a way as to be likely to bring it to the attention of nearby occupiers and persons who may be specified, giving them sufficient information and time to comment;
- having regard to responses received; and
- providing evidence when the application is submitted to show how the requirement has been complied with, the responses received and the account taken of those responses.

Consultation to be carried out by Walsall Council following receipt of application

As tiers 1 and 2

Tier 4: Very large applications that depart from the adopted development plan and/or which are likely to have significant effects on the environment (falling within Schedule 1 of the Environmental Impact Assessment Regulations) (for example, a proposal for 300 dwellings in the green belt).

Minimum amount/ type of pre-application consultation by developer

As tiers 1 to 3 plus:

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- Staffed exhibition at a venue in the locality of the proposal

In addition, there is a need for the applicant to determine whether the proposal would trigger the requirements of section 122 of the Localism Act (inserted into the Town &Country Planning Act 1990 as Sections 61W-61Y), in which case the applicant would also have take measures including:

- publicising the proposal in such a way as to be likely to bring it to the attention of nearby occupiers and persons who may be specified, giving them sufficient information and time to comment;
- having regard to responses received; and
- providing evidence when the application is submitted to show how the requirement has been complied with, the responses received and the account taken of those responses.

Consultation to be carried out by Walsall Council following receipt of application

As tiers 1 to 3

7.12. We are working to develop greater use of electronic media such as RSS feeds and Twitter that will allow interested parties to choose the types of planning applications they are informed about, for example applications in a particular geographical area or for certain application types.

7.13. Neighbour notification letters offer the provision of alternative arrangements to view the application details where a person does not have internet access, is unable to visit us or is a non-English speaker.

Commenting on Planning Applications

7.14. The council requires all comments on planning applications to be made in writing or by e-mail. This is to ensure that comments are fully and properly recorded as they are public documents and open to public inspection, which will be used in determining planning applications. Where applications are to be determined by the Planning Committee, interested parties, including applicants are also able to speak at the Committee. Further details of the procedure for speaking at the Committee are included on the council's website and at the First Stop Shop.

7.15. We are required to give interested parties **21 days** to comment on planning applications or 28 days in the case of a planning application potentially affecting a Site of Special Scientific Interest (SSSI) or Site of Special Scientific Interest consultation area.

7.16. We will write to those persons who have made comments in writing on a

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planning application to let them know the decision. Details of any conditions that have been imposed if permission has been granted, or the reasons for refusal, will be provided on the council's website.

7.17. If an applicant makes an appeal against the decision on an application, the council will notify all those neighbours who were informed of the original application, and any other parties who submitted comments.

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Chapter 8 - Resources and Monitoring

Effective involvement requires adequate resourcing, in terms of funding, time and human resources, if we are going to deliver what we have set out in Chapters 3 - 7. This chapter describes how we will identify resources and make the most of working with our key partners to support involvement. A monitoring process to ensure that we are delivering what we set out to is also discussed.

Resources

8.1. Our approach emphasises the need to work with our partners and co-ordinate consultation. We will utilise contacts and networks within the council and build on previous consultations undertaken. This will ensure that we are able to share resources, in particular costs and human resources along with databases to access communities. The council will ensure however that contact details are not shared outside of the council unless permission has been sought from the individuals beforehand.

8.2. We will work, where appropriate, with other council departments when producing DPDs and SPDs. For instance in producing the Affordable Housing SPD we developed a working partnership with the council's Housing Department who took the lead in producing the document.

8.3. We are looking to take advantage of new opportunities being developed for outreaching to communities including the use of social media sites such as Twitter. We will work closer with the council's communication team to ensure we utilise new opportunities to engage with communities.

8.4. However, we recognise that we need to ensure that our partners understand both the planning process and their roles. We are therefore committed to updating our key partners, developing their understanding and ability to get involved; ensuring they are informed and involved in the process through information giving sessions, continuing the work we have already started prior to the reviewing of the SCI.

8.5. Our key partners provide valuable experience, not only in community involvement but also in other areas such as understanding diversity and cultural awareness. We would welcome any opportunities for our officers to share any 'good practice' in these important areas to benefit their ability to work with communities.

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Monitoring

8.6. Monitoring and assessing the tasks we have identified in the SCI are important in showing how successful we have been. One of the most useful ways of doing this is to ask people who have been involved in making comments on any plan/policy or planning application to complete an evaluation question that asks their opinion of their experiences of the process and any suggestions for making improvements. A model evaluation form is included in **Appendix E**.

8.7. We also need to assess whether targeted communities are being reached. Therefore we monitor participants through voluntary questions in terms of diversity strands as set out in the Equality Act 1010. The information collected may change in order to ensure it is relevant to the consultation being undertaken but this can include for example age, gender, ethnicity or disability. This information is then used to review our approach to targeting if appropriate.

8.8. The success of involvement techniques championed by this SCI will need to be measured to see whether they have contributed towards achieving the aim of community involvement as set out in **Chapter 2**. A set of **8 criteria** (identified below) can be used to monitor the success of the SCI:

1. **Comprehensive - ensuring that consultation is undertaken on all relevant aspects.**

2. **Inclusive - ensuring all relevant groups are reached and addressing any gaps in involvement if identified through the monitoring process.**

3. **Focused - having clear understanding in advance of options and how consultation might influence them.**

4. **Effective - demonstrating that results can influence policy.**

5. **Technically competent - ensuring fitness for purpose in techniques selected.**

6. **Cost effective - demonstrating that consultation cost were proportionate to the objectives.**

7. **Communicated - demonstrated how results have been used.**

8. **Evaluated for impact on policy.**

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8.9. The adoption and operation of this document will be the responsibility of a nominated officer of Walsall Council who will oversee community involvement in planning documents. This will include developing and maintaining linkages and dialogue with our key partners. They will support the community involvement related to the emerging plans and policies that are going to be produced over the next few years and ensure that it complies with this SCI.

8.10. However, it will rest with individual officers to ensure that community involvement in their plans and policies or planning applications complies with this document. In the case of DPDs and SPDs officers will be required to complete the statement of conformity (in **Appendix F**) clearly setting out how they have achieved the standards set out in this SCI.

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Appendix A
Jargon Buster

Area Action Plan (AAP) - A Development Plan Document that provides a planning framework for an area where major change or conservation is proposed.

Black Country Core Strategy (BCCS) – The key Development Plan Document for Walsall and the other local authorities in the sub-region. It sets out the council's long term spatial vision and the strategic policies and proposals to deliver that vision.

Community Infrastructure Levy (CIL) – A payment, set at a standard rate, that is made to the council by developers when development commences. The payment is used to fund infrastructure that is needed to serve development in the area. This can include for example road schemes, schools and green spaces.

Development Plan – The planning document(s) that that the planning authority has to take account of when making decisions on planning applications and other matters The development plan for Walsall currently comprises the West Midlands Regional Spatial Strategy, most of the policies in Walsall's UDP (those policies that have been "saved" and which have not been replaced by the BCCS), and the BCCS.

Development Plan Document (DPD) - Documents that set out the planning authority's policies for the use and development of land. They are prepared in accordance with the procedures in the Planning and Compulsory Purchase Act 2004 and are subject to independent examination.

Formal Consultation – Consultation that is carried during a set time period and is open to all interested parties. This includes statutory consultation periods such as Publication.

Informal Consultation – Consultation that is carried out between the formal stages of consultation that help to shape the documents production throughout its development. This can include the targeting specific consultee groups using more flexible consultation methods.

Local Development Document (LDD) - A document that forms part of the Local Development Framework. Can either be a Development Plan Document or a Supplementary Planning Document.

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Local Development Framework (LDF) - The "folder" of Local Development Documents which provide the framework for spatial planning in the council's area.

Local Development Scheme (LDS) – The document that sets out the local planning authority's intended programme for the production of Local Development Documents (LDDs) over the next 3 years. Progress against this programme is reported each year in the Annual Monitoring Report.

Planning Authority - The legal term for the body that has responsibility for setting local planning policies and making decisions on planning applications. Usually it is the council (the Local Planning Authority – LPA), but the Secretary of State or a planning inspector acts as the planning authority when determining appeals.

Preferred Options – The stage in the preparation of a DPD where the LPA sets out which one of a range of alternative proposals it feels is the most appropriate to take forward.

Sustainability Appraisal (SA) - An appraisal that is carried out at the start of the preparation of a DPD to ensure that the policies and proposals in the document will be sustainable. The SA is carried out at the same time as the Strategic Environmental Assessment.

Sustainable Development – This is not currently defined in planning legislation but is generally meant to mean development which meets the needs of the present without comprising the ability of future generations to meet their own needs.

Strategic Environmental Assessment (SEA) – The formal assessment of the impact of certain policies, plans and programmes on the environment. European and UK legislation defines the types of documents that must be assessed, and the matters that must be examined.

Saved Plans – Planning documents that were prepared prior to 2004, such as Walsall's UDP, have to be saved to remain in effect. Saving is done through a formal letter that is issued by the Secretary of State.

Stakeholder – A person, group, company, association, etc. with an interest or concern in the borough.

Statutory Bodies – Legislation requires various bodies to be consulted about the preparation of DPDs and other documents, and about individual planning applications.

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Supplementary Planning Documents (SPD) - Local Development Documents that supplement the policies and proposals in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.

Unitary Development Plan (UDP) - An "old style" development plan that contained both the overall strategy for the council's area and detailed policies for individual sites. Most of the strategy and policies in Walsall's UDP will remain in effect (the "saved" policies) until they are replaced by the documents in the LDF.

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Appendix B
Consultees

The Town and Country Planning (Local Development) (England) Regulations 2004 specifies the bodies/organisations that must be consulted if affected by what is proposed within a Local Development Document.

Where applicable and appropriate, the council will consult with:

- The Environment Agency
- English Heritage
- Natural England
- Birmingham City Council
- Sandwell Metropolitan Borough Council
- Lichfield District Council
- Wolverhampton City Council
- Staffordshire County Council
- Cannock Chase District Council
- Dudley Metropolitan Borough Council
- South Staffordshire District Council
- West Midlands Police Authority
- National Planning Casework Unit
- Coal Authority
- Birmingham Airport
- British Waterways
- Highways Agency
- Relevant utility companies
- Strategic Health Authority
- Primary Care Trust
- Civil Aviation Authority
- Train operating companies
- Bus operating companies
- Network Rail
- Fields in Trust
- Theatres Trust
- Centro
- Sports England
- Forestry Commission
- Museums, Libraries and Archives West Midlands
- Arts Council West Midlands
- Local Chamber of Commerce
- Homes and Communities Agency
- Equalities Commission
- Department for Communities and Local Government

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We will also consult, where applicable and appropriate:

- Voluntary bodies/organisations and community organisations, some or all of whose activities benefit the whole or part of the borough including:
- Walsall Voluntary Action
- Walsall Area Partnerships

Bodies/organisations representing the interests of:

- Different racial, ethnic or cultural bodies in the borough
- Different religious/faith based groups
- Children and young people
- People with disabilities in the area
- Persons carrying out business in the area
- Land owners and developers, including house builders (e.g. The Home Builders Federation and others)
- Sport and recreational bodies
- Environmental organisations (e,g. Friends of the Earth, Council for the Protection of Rural England and others)
- Amenity Societies
- Specialist interest groups e.g. cycling clubs

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Appendix C
Review of Involvement Techniques

Technique	Benefits	Resources	Possible Limitations
Internet/website	Reach increasingly wide audience, interactive and can include links to other partners. Excellent way of establishing two way dialogue and feedback	Low cost-corporate website already exists. Requires regular update and management (staff time)	Information is not necessarily read and hard to monitor how many people the information reaches. Not all residents have access to a computer or the internet.
Local Newspaper and community newspapers/letters	Reach wide audience, borough wide. Potential to use adverts and features	Costs associated with producing information and advertisement costs	Information is not necessarily read and hard to monitor how many people the information reaches
Mail out/leaflet drop	Reach all households across borough, or can be focused on households directly affected by a proposal	Costs associated with producing information	Limited amount of information can be sent in this format
Libraries/One Stop Shop/First Stop Express Bus	Reach wider communities, although limited coverage in some areas of borough. Could link to internet access at sites. Also suitable venue for planning surgeries-excellent way of explaining issues and obtaining feedback face to face	Medium resource cost (staff time) requires officer presence or staff training to provide information and advice	Audience will have to be already using council services and as such the method may reach a limited audience. First Stop Express bus only visits a few locations every week, always during day time ie. may not reach people who cannot get to these locations or work during the day
SMS text messaging	Reach wide audience and a good way of engaging young people and provides opportunities for quick feedback – e.g. through voting	Cost/resources involved in establishing/updating database. More recent developments in council systems makes this increasingly efficient in terms of resources	May isolate some groups so should always be used in conjunction with other methods. Limited amount of information can fit into a text message. Would require collation of database, people need to be willing to provide Council with contact details.
Plasma Screens	Can be eye-catching and very visual way of displaying information e.g.	Free through council systems. Resources involved in providing/updating	No opportunity for community to feedback. Audience will have to be

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	plans, fly-throughs, images etc	information	already using council services and as such the method may reach a limited audience
Consultation Bus	Reach communities where they are at, especially outreaching to areas not covered by libraries/centres. Could link to internet access at sites. Also suitable venue for planning surgeries- excellent way of explaining issues and obtaining feedback face to face	Dependent on successful funding bid. Resource intensive in terms of cost and staff time	Unless linked with other events or consultations it may be difficult to attract people onto the consultation bus and be actively engaged
Questionnaires	Can target communities and send directly to homes, schools, businesses etc. Provides clear opportunity for feedback, listening to people's views	Resource intensive in designing and distributing, analysing results	Unless the individual is interested in the topic it may be difficult to get them to complete the questionnaire, results may therefore not be representative of the wider community. Too many questionnaires/ surveys can result in consultation fatigue
Focus Groups and workshops	Allow consideration of issues and options in greater depth. Useful way of enabling relationships to develop between communities and other key partners	Staff time to facilitate and present information. Possible costs of employing consultant/external facilitator, costs of potential translator/crèche/venue and materials	Hard to ensure all interest groups are equally represented, particularly hard-to-reach groups. Relies on people being willing to give up their free time to participate. May be difficult to ensure all members of the focus group or workshops views are heard
Visioning	Useful start to looking at issues and options, interactive and fun. Useful to use with young people	Staff time to facilitate and present information. Possible costs of employing consultant/external facilitator, costs of potential translator/crèche/venue	May raise expectations and be difficult to agree on a final vision
Public Meetings	Opportunity to outreach communities, present proposals and discuss/generate debate over issues and options with communities and	Staff time to present and prepare information and displays. Possible costs of employing consultant/external facilitator, costs of potential	Difficult to find a time and locations that suits all of the community, most effective if a number of different interest groups attend and all views are

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	other key partners.	translator/crèche/venue	able to be heard equally
Exhibitions and Road Shows	Opportunity to outreach communities, present proposals in an interactive and visual way. Potential to reach 'hard to reach' groups and link into existing community events and consultations	Staff time to prepare information and displays and be present. Costs of venues	Difficult to find a time and locations that suits all of the community
Interactive displays	Interactive method of obtaining ideas and suggestions on proposals/plans. Useful where language or written skills may be limited - potential to engage hard to reach communities especially BME and Young people	Staff time to prepare information and displays. Possible costs of employing consultant/external facilitator, costs of translator	Difficult to find a time and locations that suits all of the community
Modelling-virtual or physical models of proposals	Visual method of displaying proposals, overcomes language issues. Virtual method may create opportunity for comments to be made Opportunities to work with young people in schools and colleges	High costs in producing models. Staff time in explaining models. Costs of venues	May raise expectations and be difficult to agree on a final vision. May be difficult to incorporate into written policies.
Local radio	Non visual way of reaching groups such as young people and people who are visually impaired Opportunities to use community radio with different community languages	Staff time in preparing material, Possible costs involved	Limited audience and difficult to get across detailed information
Social Media e.g. Facebook and Twitter	Engagement with new audiences especially younger groups, ease and speed of ability to respond.	Free but staff need access to such medias and will need monitoring due open format	Open for all to make comments so may result in a negative image being created and may be difficult to monitor. May exclude members of the community without access to social media, so should be used in conjunction with other methods

N.B All formats will need to consider alternative formats including large print, easy read and audio.

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Appendix D
Example of Comments Matrix

(Recording comments at the Options consultation stage of a Development Plan Document)

Comment(s)	Number received	How we will take it forward	Reasons for not taking forward
Propose Shopping Centre on playing field	9		Would conflict with policies that seek to protect existing town and district centres and protect public open space. Also would not contribute towards achieving sustainable development
Support Option 2 which Promotes the re-use of existing buildings in town centre for a mixture of different uses	17	Agree as helps deliver sustainable development, complied with policies on centres and housing in adopted Unitary Development Plan. Will be included within Preferred Option.	

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Appendix E
Model Evaluation Form

Involvement/Communication Technique (i.e. exhibition, workshop etc)

Thank you for taking part in (insert plan/proposal/event). We are always seeking to improve how we involve communities and would appreciate if you could complete this form and tell us your experience of being involved.

1. How did you hear about (insert plan/proposal/event)

_____

_____

2. To what extent did you feel able to get involved and have your say?

Very much so ☐ To some extent ☐ Not at all ☐

If no, what would have enabled you to get involved or more involved?

_____

_____

3. To what extent do you feel that you have been listened to?

Very much so ☐ To some extent ☐ Not at all ☐

If no, what could we have been done differently?

_____

4. Do you understand the purpose for the (insert plan/proposal/event)?

Yes fully ☐ Yes partly ☐ No not at all ☐

5. What if anything have you learnt from getting involved in (insert plan/proposal/event)?

Very little ☐ Something New ☐ A Great Deal ☐

6. Are you aware of:

What will happen to your comments?	Yes	☐	No	☐
What happens next to the (insert plan/proposal/event)?	Yes	☐	No	☐
Further opportunities to be involved?	Yes	☐	No	☐

7. Any other comments

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Appendix F
Statement of Community Involvement (SCI)
Statement of Conformity

Who should complete this form:
A) Those responsible for producing Development Plan Documents (DPDs)
B) Those responsible for producing Supplementary Planning Documents (SPDs)
C) Planning applicants who have undertaken pre-application consultation
What this involves, and overall aims:
We require those who are responsible for producing DPDs/SPDs and planning applicants who have undertaken pre-application consultation to show how they have complied with the SCI. **The boxes below provide an opportunity for those who are responsible for producing DPDs/SPDs and conducting pre-application consultation to demonstrate how they have fulfilled the Principles A-G contained within Chapter 2 of the SCI.** **In addition to submitting this document we also require copies of any representations, letters received, comments (both formal and informal) concerning the DPD/SPD/pre-application consultation received during consultation along with a list of the individuals and organisations that have commented. We also require copies of press releases, article, site notices and any other supporting information produced.** **Section E) of this form could also be used by developers whose proposals would trigger a requirement for pre-application consultation under the Localism Act.**
Principles:
A) Targeting Communities:
For example, please show how you have identified and targeted different communities, and in particular 'Hard to reach groups'?
B) Open access to information for all:
For example, please state where the information on the DPD/SPD/pre-application consultation was made available and in what formats?

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C) Advertise widely the opportunities for involvement:
For example, please show how the opportunities for involvement were advertised
D) A toolkit of methods by which people can put forward ideas and comment:
For example, please show what different methods of involvement were used. You may wish to refer to Appendix C of the SCI to assist you.
E) A transparent process for considering any comments received: **F) The provision of feedback to those involved on the outcomes of consultation:**
For example, please state, at the start of the consultation, how you showed the public's comments will be received and taken forward, and how the provision of feedback would be undertaken? You may wish to use the template in Appendix D of the SCI. Note where pre-application consultation is required under the Localism Act, this should include evidence of the account taken of any representations received.

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G) Working in Partnerships:
For example, please show how you worked with existing partnerships or any other bodies to involve the community and how did this impact on the consultation?

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Appendix G:
Further Information and Advice

Planning Aid

Planning Aid England provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees. They provide all callers to the Planning Aid advice line with up to 15 minutes of free and independent advice.

Some cases will qualify for further assistance and will be passed to a professionally qualified volunteer.

They also offer Community Planning services where Community Planners offer training and information on the planning system for deprived communities and help them to put forward views on proposals in their area.

For further information see http://www.rtpi.org.uk/planningaid/

Planning Portal

The Planning Portal is the Government's website that offers clear guidance on the planning system

The website can be viewed at www.planningportal.gov.uk

Business Friendly Planning

The Black Country Local Enterprise Partnership (LEP) that acts as a forum between business and local government has initiated a project to help guide businesses through the planning and development process in the Black Country. Projects that fall under Business Friendly Planning include;

- A set of pledges has been endorsed by the Black Country LEP which were worked up through engagement with our customers (including a voluntary working group consisting of customers/partners) and sets out how Walsall will implement the business friendly approach. The pledges form the basis for the Planning and Development Charter that will be published online from September 2011.
- A guidance note will be prepared to assist customers on the end to end planning and development process along with reviewing our web-pages to

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provide effective signposting to our services. This is due to take place later in the year.

- A local validation checklist is being developed for the Black Country to help customers in submitting the required information alongside planning applications to the 4 Local Planning Authorities. Consultations on the checklist are due to take place later this year.
- Black Country business customer forums are planned to be held jointly by the 4 Local Planning Authorities on an annual basis and dates and venues will be confirmed later in 2011.

For further information - http://the-blackcountry.com/default.asp?PageID=325and n=Business+Friendly+Planning+Review

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Contact Information

Planning Policy Team
Regeneration - Planning and Building Control
2nd Floor, Civic Centre
Darwall Street
Walsall
WS1 1DG

Website: www.walsall.gov.uk
Email: ldf@walsall.gov.uk
Telephone: 01922 652455
Textphone: 0845 111 2910

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Appendix B: Consultation Statement

Six week consultation on the draft revised SCI

The revised SCI was published alongside an online questionnaire in order to obtain the views and feedback of Consultees on the documents and consultation process. Paper copies of both the questionnaire and the document were made available on request. Representations could be made on the draft of the SCI during a six week period that ran from the 26th September to 7th November 2011.

Notification

The council notified people of the consultation by a range of mechanisms, including

- Council website
- Press release (article in Walsall Advertiser on 06/10/11)
- 758 contacts were consulted by email and 471 by post from the LDF database

Response to consultation on the draft SCI

Name	Representing
Robert Barnes	Planning Agent
Wendy Powell	Accord Housing Association
Jolande Bowater	Barton Willmore
Gerald Kells	Walsall Friends of the Earth
Rose Freeman	The Theatres Trust
Robin Arnold	Landowner
David Hill	Aldridge Prime Ltd
Robin Dixon	West Register (Realisation) Ltd
Nick Massey	Planning Agent
Charanjeet Singh Sehmi	Sehmi Associates Ltd
Ben Delaney	Chamber of Commerce Black Country
Gerald Owen	Cory Environmental (central) Ltd
Paul Holford	Holford Farm Group
Katherine Burnett	British Waterways
Rachel Bust	Coal Authority
Diane Clarke	Network Rail
Michael Nicklin	West Midlands Fire Service
Clive Narrainen	Resident or Individual

Summary of overall document

	Very Good	Good	Ok	Poor	Very Poor	Don't Know
Overall Content	2	12	1	0	0	3
Use of plain English	2	10	2	1	0	3
Introduction	1	11	2	0	0	4
Chapter Summaries	0	13	1	0	0	4
Tables and diagrams used	0	10	4	0	0	4
The Jargon Buster	1	8	5	0	0	4
Referencing to sources of information	0	10	3	0	0	5
General format	1	9	4	1	0	3
Signposting to other information	0	9	5	0	0	4
Appendices	1	7	6	0	0	4
The SCI overall	0	11	4	0	0	3

Summary of main responses to draft revised SCI

- A substantial number of responses gave support for both the general document and for specific sections of the document.

- A number of the responses were very positive about the layout and clarity of the document. Suggestions on areas that need to be made clearer have been addressed in the final revised SCI.

- There were some general comments about the need for clarity on terms used, for example 'informal' and 'formal' consultation, which have been addressed through amending the glossary.

- There were several responses which requested further explanation of the Community Infrastructure Levy (CIL) and how it works. In addition, a few requested further details as to how the consultation representations will be taken into account in the development of the CIL charging schedule. This has been addressed where possible with the recognition that the Council is still to determine its approach to CIL and the details of how it will consult on this.

- A number of the respondents were positive about their inclusion in the Consultees list within the SCI and stated their wish to be included in further consultations on development plans and in pre-application consultations on planning proposals.

- There were a few detailed comments around the consultation process for planning application and pre-application advice, all of which have been responded to in the schedule of consultation responses which the Council will publish.

The table on the following page sets out the detailed consultation responses and how the Council has used these to inform the revised SCI.

Detailed Comments Received on the Revised SCI 2012

Unique Reference Number	Representing	Comment	How we will take it forward within the revised SCI	Reasons for not taking forward the comments in the revised SCI
1235	Accord Housing Association	Comprehensive range of opportunities at any of 5 stages on consultation on DPDs	Noted and welcome the support	
1235	Accord Housing Association	Why will the charging schedule for the Community Infrastructure Levy [CIL] not be in place until 2014? It seems a straightforward process.		The legislation requires the authority to have regard to the actual and expected costs of infrastructure, to the possible impact on the viability of development proposals, and to other actual and expected sources of funding. These requirements all necessitate the collection of evidence. In particular, the council needs to be satisfied that any charging rate will not adversely impact on viability: this is a major concern in the Black Country, where there are often issues of ground contamination and stability to address as well as funding for infrastructure. The collection of evidence is taking place in parallel with the preparation of the Site Allocation Document and Walsall Town Centre Area Action Plan.
1235	Accord Housing Association	The requirements for consultation on hot food takeaways with schools within 400 metres is not a high enough standard - it could be with all schools within say 1 mile		Most schools are likely to already be within 1 mile of a hot food takeaway. It is therefore unlikely that a proposal that is more than 400 metres from a school will

		of such proposals due to their impact on health.		have a demonstrable impact.
1235	Accord Housing Association	Should the range of interest groups be expanded to include all diversity strands within the Equality Act 2010? e.g. sexual orientation	Chapter 8 has been amended to take into account the comments on the Equalities Act 2010	
66	Aldridge Prime Ltd	The whole of the planning process is aimed at finding reasons why something cannot be done. The presumption should be that new development is good not that any development is problematic. The more problematic and the more consultations required the less likely any developer is going to do any development and that is simply bad for Walsall. At the end of the day Walsall has to compete for development and this process simply makes it less likely.		Comments have been noted. Walsall is currently working with businesses, developers and investors to deliver a positive approach to planning through initiatives such as Business Friendly Planning which act to ensure the planning process is as efficient as possible in delivering development of the right scale and in the right locations.
14	West Register (Realisations) Ltd	Publicity and out of hours engagement. Use of technology as well as leaflet drops.	The SCI makes a number of references to being flexible around techniques for consultation and this will include the use of technology and out of hour's consultation.	
14	West Register (Realisations) Ltd	Need further explanation of the concept of the Community Infrastructure Levy	Text within the chapter will be clarified where possible.	
14	West Register (Realisations) Ltd	Comparison to neighbouring Councils approach towards pre-application consultation.		It is not considered that a comparison with neighbouring authorities would help in setting out Walsall's councils approach to consultation.
160	Barton Willmore	A comprehensive set of possible activities and involvement techniques is set out, as	Noted and welcome the support	

		well as guidance as to how the community can get involved.		
160	Barton Willmore	Perhaps a definition or explanation of the difference between "informal consultation" and "formal consultation" as referred to in Figure 3.	Noted and a definition of both terms have been added to the Glossary	
160	Barton Willmore	Paragraph 6.6 could be expanded to explain how representations will be taken into account - for example, will they be reported to Committee?	Paragraph 6.6 is currently simply a summary of the legislation rather than an explanation of how the council will respond to any representations. This section will be clarified. However, the Community Infrastructure Levy Regulations state that anyone who makes representations may request to be heard by the examiner	
160	Barton Willmore	Re paragraph 7.16, in the spirit of full engagement, the Council should consider advising persons who have commented what the officer recommendation is for an application before a decision is made.		This would only be relevant to decisions made by Planning Committee (for delegated decisions the officer recommendation and the decision are made at the same time). The limited timescale (7 days) between publication of the recommendation and the committee date means that it would not be practical to notify all interested parties of the recommendation: increasing this timescale would lengthen the application process.
160	Barton Willmore	Figure 8 could be more clearly set out starting with minor application proposals and increasing consultation with more major applications. The current explanation and way in which the	Agree with the comment and the table has been amended accordingly.	

		information is set out in confusing.		
108	Sehmi Associates Ltd	The final decision is with the planners, and they rarely try to accommodate a proposal if they have negative attitude towards the proposal.		Comments have been noted. Walsall is currently working with businesses, developers and investors to deliver a positive approach to planning through initiatives such as Business Friendly Planning which act to ensure the planning process is as efficient as possible in delivering development of the right scale and in the right locations
108	Sehmi Associates Ltd	Will depend on the planning officer to listen and solve any issue before refusing the application.		Comments have been noted. Walsall is currently working with businesses, developers and investors to deliver a positive approach to planning through initiatives such as Business Friendly Planning which act to ensure the planning process is as efficient as possible in delivering development of the right scale and in the right locations
108	Sehmi Associates Ltd	It depends whether the planning officer is willing to hear from the developers.		Comments have been noted. Walsall is currently working with businesses, developers and investors to deliver a positive approach to planning through initiatives such as Business Friendly Planning which act to ensure the planning process is as efficient as possible in delivering development of the right scale and in the right locations
108	Sehmi Associates Ltd	Having sent a new proposal to the planners a month ago, they don't even have the courtesy to acknowledge the receipt let alone they will want to discuss		Comments have been noted and passed to Development Management.

		the issue.		
430	Chamber of Commerce (BC Head Office)	The Chamber of Commerce is listed in Appendix B as a Statutory Consultation Body, which is a positive action. There are also a significant number of other bodies listed which should ensure any consultation will be effective - as long as enough time is given for the listed bodies to consider any proposals and formulate their responses.		Noted. It is considered that the SCI clearly sets out the time periods, many of which are set by planning legislation, and that these are adequate for effective consultation.
430	Chamber of Commerce (BC Head Office)	The grid in the Chapter offers a well developed consultation process and includes many ways to do it - focus groups, workshops, online media etc.	Noted and welcome the support	
430	Chamber of Commerce (BC Head Office)	It is clear that consultation will take place before the Community Infrastructure Levy rate is set but figure 7 does not state clearly how this will happen. It states "Representations invited from residents, businesses and voluntary bodies in the area" but no list of these groups is given unless it's the list of statutory bodies in the appendix. Will this consultation be via websites only or will Council staff visit, for example, Chamber of Commerce meetings to actively engage with local businesses via an information session?	Figure 7 is only a summary of the legislation. This will be clarified. The council has not yet decided how it will consult on any proposed charging schedule. In part, the consultation techniques will depend on what types of development, if any, are to be charged.	
430	Chamber of Commerce (BC Head Office)	Can't get much clearer than bullet pointed lists as it's currently presented. As long as any developer is aware of your requirements before they spend a lot of time and resources on developing their		The SCI sets out these requirements along with the Council website. Walsall is currently working with businesses, developers and investors to deliver a positive approach to planning through

		plans.		initiatives such as Business Friendly Planning which act to ensure the planning process is as efficient as possible in delivering development of the right scale and in the right locations. Part of this work includes the promotion of the pre-application consultation process.
430	Chamber of Commerce (BC Head Office)	I have not taken part in previous planning consultations but colleagues within the Black Country Chamber might have been. Personally, it was relatively easy to use although I was not familiar with all the details of the issues involved. It is important to consult with the business community when possible.	Comments noted and businesses are included as a key stakeholder throughout the SCI. The Council has undertaken consultation with business as part of the Business Friendly Planning work and efforts will be made to ensure as many businesses as possible are involved in the LDF consultations.	
481	Cory Environmental (Central) Ltd	The requirement for a statement of conformity should be stated as being unnecessary for applications which include the developers or applicants Statement of Community Involvement - it is simply adding to "paperwork" or hurdles at a time the Coalition Government is seeking to reduce this. The template should only be required if a developer SCI is not submitted.	Noted and the chapter has been amended to confirm that an applicant can submit their own statement but that this should adhere to the principles set out in the Statement of Conformity.	
481	Cory Environmental (Central) Ltd	Although well written, the document is far too long. I started losing interest at page 29. The part local people affected by the planning system will be most interested in is at Chapter 7, i.e. re planning applications, which can often stimulate far more comments than much of the plan		Noted. Every effort was made to make the SCI a concise document however the current level of detail is needed in order to ensure the document provides sufficient information to be useful. Consideration will be given to the development of a leaflet size document to accompany the

		making process. I would prefer to see the final document as a much more concise Report (maximum of 10 pages) which simply sets out the level and means of engagement (and how comments have been addressed) for the plan making (LDF) process and planning applications - if people want more detail they can delve into the appendix, which can contain all of the explanatory etc text.		document and consultations setting out the necessary basics.
758	Friends of the Earth	We have looked briefly at your Statement of Community Involvement and it generally seems sensible. Walsall FoE is keen to be involved in relevant areas. We note that although we have signed up for Planning Application Alerts in several categories the notice we receive by e-mail is patchy and you may want to look at how well this is working and whether you are targeting the right applications at the right groups.		Comments have been noted and passed on to Technical Support within Development Management.
758	Friends of the Earth	We also noted that the SCI does not always take account of new Government initiative. While we appreciate some of these are still fluid it will be important to address the impact of them. An obvious example is the proposal for Neighbourhood Planning in the Localism bill.	Noted and the section on Localism has been amended to include further details where possible. A further Appendix will be added to the SCI when more information is provided by the Government on Neighbourhood Planning to provide communities and stakeholders with guidance on the consultation process.	
734	British Waterways	Chapter 4 and 5 Development Plan Documents and Supplementary Planning		This advice is noted

		Documents Consultations BW welcomes our inclusion within Appendix B: Consultees who are consulted on Development Plan Documents and Supplementary Planning Documents Consultations. Appendix 2 of Policy Advice Note (PAN) on Inland Waterways sets out waterway proofing of planning policy as all different spatial levels which is a useful reference tool in order to help unlock the economic, environmental and social benefits offered by the waterways.		
734	British Waterways	Opportunities exist under the current planning system to support waterways as a form of strategic and local infrastructure, through infrastructure planning and the planning obligations system. It is important that local authorities involve navigation authorities, canal owners, and others responsible for waterway infrastructure which is likely to be affected by development when they are: local infrastructure plans and developing future CIL charging schedules; and setting planning obligations policies and, where appropriate, formulating site-specific planning obligations requirements. Given the multi-functional nature of waterways they need to be considered under a number of different categories of infrastructure. For example, waterways	The issue of which infrastructure providers, which could include British Waterways, are to receive any income from CIL will be examined as part of the development of the charging schedule. The text will be clarified to explain this.	

		should be considered under the following forms of infrastructure as currently defined in the provisions for CIL: green infrastructure and open space; sustainable transport infrastructure; and part of the infrastructure e supporting flood alleviation, drainage, and water supply.		
734	British Waterways	British Waterways (BW) has been a Statutory Consultee for Planning Applications since 1997. BW have recently reviewed our notification area for planning application consultations and the result of this review is the introduction of two notified areas, one for Environmental Impact Assessment and Major scale developments and one for Minor and Household scale developments. The notified area for Household and Minor scale development has in general been reduced from a blanket 150m either side of the waterway to a maximum of 50m from the relevant waterway. There are however exceptions to this to address the presence of certain assets such as reservoirs, cuttings and embankments or because of the nature of the waterway. In such instances the notified area has been set to 75m or 150m from the relevant waterway. Development likely to affect a particular waterway include issues such as development which involves any		This advice is noted

		digging of foundations; the building of anything large which could impose a loading on the side of the waterway; any development which could create a breach in the waterway for example by increasing surface water discharges; and any major change of land use, for example from fields to housing. The Town and Country Planning Association, with the support of BW, have produced a Policy Advice Note (PAN) on Inland Waterways. Appendix 2 sets out a development management and control checklist for waterside development which is a useful reference tool in relation to assessing whether a proposal may adversely affect inland waterways. The PAN can be downloaded free of charge from: http://www.tcpa.org.uk/data/files/InlandWaterways.pdf		
734	British Waterways	BW wishes to encourage pre-application consultation from applicants and LPAs on proposals likely to affect inland waterways that we own or manage, particularly where proposals are likely to have a significant impact on the waterway.		Comment noted
724	The Theatres Trust	The CIL chapter doesn't explain how CIL differs from S.106 etc	CIL will replace S106 contributions except for contributions that are designed to directly address the impact of a development in the immediate vicinity of the site. The text will be clarified to explain this.	

724	The Theatres Trust	The Theatres Trust is an 'interested party' in any pre-plans for theatres - please ensure we are notified of any pre-application discussions involving your theatres		Comment noted
802	West Midlands Fire Service	Ensure plans submitted are clear		Comment noted. The quality of plans submitted is part of the application process and the Council produces clear guidance through its validation list as to the standard required.