

# Statement of Community Involvement

**Adopted Document**

**2019**



**Oadby & Wigston**  
BOROUGH COUNCIL

# Contents

Chapter 1	Introduction	page 3
Chapter 2	The planning system and the legal requirements	page 4
Chapter 3	Who we consult	page 6
Chapter 4	How we consult – key stages of consultation	page 7
Chapter 5	How we consult – consultation methods	page 20
Appendix 1	Duty to Cooperate bodies	page 23
Appendix 2	Specific consultation bodies	page 24
Appendix 3	General consultation bodies	page 25
Appendix 4	Government consultation bodies	page 27
Appendix 5	Glossary of terms	page 28
Appendix 6	Contacts	page 29
Appendix 7	Further information	page 30

## **Our Vision for Community Involvement**

*'Oadby and Wigston Borough Council will ensure that everyone is able to shape the future of the Borough through active and meaningful engagement. We will help all sectors of the community to inspire plan making and gain ownership of planning decisions by providing a wide range of opportunities for timely and continuous involvement in the planning process.*

*Getting involved in planning in the Borough is very important for everyone. It means that everybody has an opportunity to influence the future of the Borough and have a say about what they like or don't like about the area and how they would like to see things change. This statement sets out ways of engaging the whole community so that this really is the case.*

*When preparing important planning documents, the Borough Council must set out how the community has been involved, what issues were raised and how those issues were dealt with. We cannot adopt any of our planning documents unless we do this, and besides, we believe it is vital to involve the residents and stakeholders of the Borough if our planning process is to work efficiently and effectively.*

*We will make use of tried and tested consultation techniques, including displays and roadshows, policy development workshops and where relevant, public events'.*

**Councillor John Boyce**

**Leader of the Borough Council**

# 1. Introduction

- 1.1 Oadby and Wigston Borough Council is committed to building a strong, empowered and active community to achieve high quality planning and development.
- 1.2 It is intended that this Statement of Community Involvement (SCI) will allow all local people, businesses and stakeholders to become fully engaged in the planning process in order for the local planning system to be a positive tool in shaping the future growth and improvement of the Borough.
- 1.3 The SCI will ensure that consultation and participation takes place in a timely manner and that a range of involvement techniques are in place to allow people to have a real influence over planning in the Borough.
- 1.4 This document sets out the Borough Council's approach to involving and consulting local people and stakeholders in the planning process, more specifically the preparation of the various components of the Local Plan and in making development management decisions on planning applications.
- 1.5 The consultation practices contained in this SCI satisfy the statutory requirements set out in the relevant legislation, as set out later in this report.
- 1.6 However, the Borough Council intend to exceed these requirements, to ensure wide and inclusive consultations that reflect local circumstances, the character and composition of the local community, and, the resources available. This will extend to those groups who have traditionally found it difficult to engage in the planning process.

## 2 The planning system and the legal requirements

- 2.1 In accordance with the Planning and Compulsory Purchase Act 2004, the Borough Council has produced this Statement of Community Involvement (SCI). The SCI will set out how the Council will engage with the community, businesses and other organisations with an interest in the development of the Borough. Minimum requirements for consultation are set out in 'The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)' (The Regulations) in the case of Planning Policy Documents and 'The Town and Country Planning (Development Management Procedure) Order 2010' (DMPO) for planning applications.
- 2.2 The National Planning Policy Framework (NPPF) states: *“Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area...”*.
- 2.3 The Council first adopted an SCI in March 2006. There have been considerable changes since, including the replacement of 'Local Development Frameworks' with 'Local Plans' and changes to the planning Regulations that set the ways in which the Government expects plans to be produced. The Local Plan contains the planning policies and proposals that will shape the future of the Borough. These policies and proposals are used to allocate or safeguard land for or against development, as well as to help inform the determination of planning applications.
- 2.4 In addition, the Council now has the authority to adopt its own SCI.
- 2.5 When preparing planning policy documents and determining planning decisions the Council must also comply with the Equality Act 2010.
- 2.6 This updated SCI demonstrates how the Council complies with the minimum legal requirements and standards for consultations and in most cases, exceeds them. It has also enabled the Council to reflect and update its methods of consultation based upon the techniques that have worked best in the Borough since the last SCI's publication in 2014. Once adopted, the Council will follow the procedures for consultation and engagement as set out in this SCI.

### **Duty to Co-Operate**

- 2.7 Current legislation and planning policy and guidance, places great weight on the Duty to Cooperate. The Duty sets out how local authorities should engage with partnering organisations during the Plan making process. To ensure that the Duty is met, the Council will engage with its partners such as neighbouring councils and government bodies throughout the formulation of its plans. Duty to Cooperate partners are listed in Appendix 1.

### **Local Development Scheme**

- 2.8 On a regular basis, in line with legislation and guidance, the Council produce a Local Development Scheme (LDS). The LDS for the Borough area establishes the programme for the preparation of, and consultation on, all the components of the Council's Development Plan.

2.9 The LDS document is available to view on the planning pages of Oadby and Wigston Borough Council website.

### **3 Who we consult**

- 3.1 Depending on the type of planning policy document or planning application being considered, there are a number of consultation bodies that the Council must notify and invite to make representations in order to comply with the Regulations set by Government.

#### **Development Plan and Supplementary Planning Documents**

- 3.2 The Regulations set out that Duty to Cooperate partners should be consulted during the production of a Development Plan. Duty to Cooperate partners are set out in Appendix 1.
- 3.3 The Regulations also set out specific consultation bodies that the Council must consult in the production of a Development Plan document and / or a Supplementary Planning Document. Specific consultation bodies are listed in Appendix 2. Chapter 4 also contains further information regarding who is consulted and at what stage of document production.
- 3.4 At the Council's discretion, it may also consult with a number of other bodies that it deems appropriate to engage with. These are referred to as general consultation bodies within the Regulations (refer to Appendix 3 for a full list).
- 3.5 These lists may change as a result of amendments to the Regulations and / or by the Council choosing to update or amend its list of general consultation bodies. The Council therefore reserves the right to amend the details held within the Appendices for either of these reasons.
- 3.6 The Council will maintain an address and personal contact information database of individuals, groups and other interested parties wishing to be informed when planning policy documents are published. The database will be kept up to date and amended as and when necessary. The information held on this database is done so in conformity with the Data Protection Act (2018) and the General Data Protection Regulation (GDPR) ((EU) 2016/679).

#### **Planning Submissions**

- 3.7 The Council is 'required' to consult various organisations and bodies and is 'advised' to consult others depending upon the type of application, as set out in the Town and Country Planning (Development Management Procedure Order) (England) (2015). A complete list of these consultees can be accessed via the following link:

<http://www.legislation.gov.uk/ukxi/2015/595/contents/made>

## 4. How we consult – key stages of consultation

- 4.1 There are a wide range of consultation methods open to the Council when producing planning policy documents and determining planning applications.
- 4.2 In the case of planning policy documents, there is a distinction between ‘formal stages’ of plan production (where the nature of consultation is governed by the Regulations) and ‘ongoing consultation’ with the community as part of the development and assessment of emerging options. The type of consultation method will vary depending upon the stage of production and this document makes the distinction between consultation that is ‘required’ by the Regulations and that which is ‘promoted’ by the Council through its SCI over and above the minimum requirements.
- 4.3 Oadby and Wigston Borough Council is the ‘Local Planning Authority’ (LPA) for the area, and as such, is responsible for the determination of most planning submissions (other than those for determination by Leicestershire County Council) and for producing up to date and robust planning policy documents, including the Local Plan. The minimum legal consultation requirements in relation to the production of planning policy documents at formal stages of consultation and in determining planning applications are set out below.

### Local Plan

- 4.4 The Town and Country Planning (Local Planning) (England) Regulations (2012) (as amended) set out the stages of plan production where considerable, well documented, consultation is required. The Regulations sets out the definitive process, however a summary of these requirements is set out below. The summary tables set out who will be consulted at each stage, and how they will be consulted.

**Table 1: Regulation 18 Consultation**

Consultation Stage	Who will be notified? (for the purpose of this table known as ‘consultation bodies’)	Period of Consultation / Notice Period	Minimum Consultation or Notification Method (Statutory)	Additional consultation methods which may be used (Not Statutory and not exhaustive)
<b>Regulation 18 (relevant to ‘Issues and Options’ and ‘Preferred Options’)</b>  <b>Preparation of a Local Plan</b>  <b>Includes SA / SEA consultation</b>	Specific consultation bodies.  General consultation bodies.  Residents or businesses within the area where appropriate.  Council Members.  Duty to Co-operate partners.	Informal and on-going plan preparation and involvement will be possible up to its publication.  There will be at least one ‘formal’ consultation period during the Local Plan preparation stage.  The consultation period will last between 6 and 12 weeks, depending on circumstances.	Notify each consultation body specified of the subject of the Plan.  Invite each consultation body specified to comment on the Plan and what it should contain.  Consultation bodies will be sent a letter or email setting out: <ul style="list-style-type: none"> <li>• the consultation period</li> <li>• the Plan stage</li> <li>• details of how the Plan can be</li> </ul>	Press release to local newspaper, radio and regional TV.  Public events, forums and/or exhibitions.  Stakeholder group meetings.  Summary Leaflet prepared which may be circulated to households in the Borough.  Council Newsletter article – Letterbox.  Social Media

			<p>viewed (including an electronic copy or link where relevant).</p> <p>Consultation documents will be made available at the Council's offices and / or any other appropriate locations.</p> <p>Consultation documents will also be published on the Council's website at <a href="http://www.oadby-wigston.gov.uk">www.oadby-wigston.gov.uk</a></p> <p>The Council will have a dedicated email address for consultation comments / responses and any other enquiries: <a href="mailto:planningpolicy@oadby-wigston.gov.uk">planningpolicy@oadby-wigston.gov.uk</a></p>	<p>consultation notifications, for example Twitter and Facebook.</p> <p>Online response form on the Council's website <a href="http://www.oadby-wigston.gov.uk">www.oadby-wigston.gov.uk</a></p> <p>Advertisement of the consultation on the digital display screens.</p>
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4.5 In addition to the above, a Sustainability Appraisal (incorporating Strategic Environmental Assessment and Habitats Regulation Assessment) (SA) report will be prepared in conjunction with the Plan preparation in order to identify and report on any likely and / or significant effects of the Plan and mitigation measures to help reduce them. The Council will seek comments on this document in tandem with the consultation on the Plan.

4.6 It should be noted that the Council may consult on more than one occasion during this Regulation 18 consultation stage.

**Table 2: Regulation 19 and 20 Consultation**

Consultation Stage	Who will be notified? (for the purpose of this table known as 'consultation bodies')	Period of Consultation / Notice Period	Minimum Consultation or Notification Method (Statutory)	Additional consultation methods which may be used (Not Statutory and not exhaustive)
<p><b>Regulation 19 and Regulation 20</b></p> <p><b>Publication of a Local Plan and representations relating to a Local Plan</b></p> <p><b>Includes SA / SEA consultation</b></p>	<p>Specific consultation bodies.</p> <p>General consultation bodies.</p> <p>Residents or businesses within the area where appropriate.</p> <p>Council Members.</p> <p>Duty to Co-operate partners.</p>	<p>The consultation period will last between 6 and 12 weeks, depending on circumstances.</p>	<p>A statement of the representations procedure will be sent to specified consultation bodies, as appropriate.</p> <p>Consultation bodies will be sent a letter or email setting out:</p> <ul style="list-style-type: none"> <li>• the consultation period</li> <li>• the Plan stage</li> <li>• details of how</li> </ul>	<p>Press release to local newspaper, radio and regional TV.</p> <p>Public events, forums and/or exhibitions.</p> <p>Stakeholder group meetings.</p> <p>Summary Leaflet prepared which may be circulated to households in the Borough.</p>

	Those who responded to Plan preparation consultation.		<p>the Plan can be viewed (including an electronic copy or link where relevant).</p> <p>Consultation documents will be made available at the Council's offices and / or any other appropriate locations.</p> <p>Consultation documents will also be published on the Council's website at <a href="http://www.oadby-wigston.gov.uk">www.oadby-wigston.gov.uk</a></p> <p>The Council will have a dedicated email address for consultation comments / responses and any other enquiries: <a href="mailto:planningpolicy@oadby-wigston.gov.uk">planningpolicy@oadby-wigston.gov.uk</a></p>	<p>Council Newsletter article – Letterbox.</p> <p>Social Media consultation notifications, for example Twitter and Facebook.</p> <p>Online response form on the Council's website <a href="http://www.oadby-wigston.gov.uk">www.oadby-wigston.gov.uk</a></p> <p>Advertisement of the consultation on the digital display screens.</p>
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4.7 Copies of the Proposed Plan and associated documents are made available for inspection for at least six weeks and all interested parties are encouraged to make representations, as this is effectively the final chance that formal stakeholder representations to the Council on the content of the Plan can be made.

**Table 3: Regulation 22**

Consultation Stage	Who will be notified? (for the purpose of this table known as 'consultation bodies')	Period of Consultation / Notice Period	Minimum Consultation or Notification Method (Statutory)	Additional consultation methods which may be used (Not Statutory and not exhaustive)
<p><b>Regulation 22</b></p> <p><b>Submission of Local Plan and other related documents to the Secretary of State</b></p> <p><b>Includes SA / SEA</b></p>	<p>Specific consultation bodies.</p> <p>General consultation bodies.</p> <p>Residents or businesses within the area where appropriate.</p> <p>Council Members.</p> <p>Duty to Co-operate partners.</p> <p>Those who responded to Plan preparation and / or publication consultation.</p>	<p>This is not a consultation stage.</p>	<p>Plan and accompanying documents to be sent (at least) in electronic form to the Secretary of State.</p> <p>Consultation bodies will be sent a letter or email notification.</p> <p>Consultation documents will be made available at the Council's offices and / or any other appropriate locations.</p> <p>Consultation documents will also be published on the</p>	<p>Press release to local newspaper, radio and regional TV.</p> <p>Council Newsletter article – Letterbox.</p> <p>Social Media consultation notifications, for example Twitter and Facebook.</p> <p>Advertisement of the consultation on the digital display screens.</p>

	Any person who specifically asked to be notified when the Plan was submitted.		<p>Council's website at <a href="http://www.oadby-wigston.gov.uk">www.oadby-wigston.gov.uk</a></p> <p>A statement will be placed on the Council's website and made available at the Council's offices and / or any other appropriate locations setting out where the plan and accompanying documents are available and the times at which they can be inspected.</p> <p>A statement will be placed on the Council's website and made available at the Council's offices and / or any other appropriate locations setting out; consultation bodies notified at each consultation stage; how they were notified; a summary of main issues raised during each consultation stage; and, how representations have been taken into account.</p>	
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4.8 Upon submission of the documents to the Secretary of State, an independent Inspector is appointed by the Secretary of State to examine the soundness of the Plan. The Council provides the independent Inspector with all formal representations and its responses to them from all of the previous stages of consultation. Once submitted, only the Inspector can assess (Regulation 23) any formal representations submitted. The Council does have the opportunity to submit additional statements to the Inspector, to elaborate on previously made representations.

**Table 4: Independent Examination of the Local Plan**

Consultation Stage	Who will be notified? (for the purpose of this table known as 'consultation bodies')	Period of Consultation / Notice Period	Minimum Consultation or Notification Method (Statutory)	Additional consultation methods which may be used (Not Statutory and not exhaustive)
<b>Regulation 24</b> <b>Independent examination of Local Plan document and all supporting</b>	Any person who made a representation in accordance with Regulation 20.	Notification about the examination at least 6 weeks before the opening of the hearing.	Consultation documents will be made available at the Council's offices and / or any other appropriate locations.	Press release to local newspaper, radio and regional TV.  Council Newsletter article – Letterbox.

documents including SA / SEA			<p>Consultation bodies will be sent a letter or email notification.</p> <p>Consultation documents will also be published on the Council's website at <a href="http://www.oadby-wigston.gov.uk">www.oadby-wigston.gov.uk</a></p> <p>A statement will be placed on the Council's website and made available at the Council's offices and / or any other appropriate locations setting out the date, time and where the hearing will be held and the name of the Inspector appointed to carry out the examination.</p>	
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4.9 Following the submission of a Local Plan Document, the Independent Examination takes place. If the Plan is legally compliant, the Inspector will then consider whether the Plan is 'Sound'. The Plan will be considered as 'Sound' if it is positively prepared, justified, effective and consistent with national policy. The Inspector will publish their findings in an Inspector's Report with recommendations to either adopt the Plan; adopt with modifications; or, to not adopt the plan. The Inspector must be satisfied that the Council has met the procedural requirements of the Regulations, including whether it has been prepared in accordance with the SCI.

4.10 Should the Inspector require the Council to make main modifications to the Plan in order to make it 'Sound', it is likely that the Inspector will require the modifications to undergo further consultation (usually six weeks). Any representations submitted are then considered by the Inspector, rather than by the Council.

**Table 5: Proposed Modifications Consultation**

Consultation Stage	Who will be notified? (for the purpose of this table known as 'consultation bodies')	Period of Consultation / Notice Period	Minimum Consultation or Notification Method (Statutory)	Additional consultation methods which may be used (Not Statutory and not exhaustive)
<b>Proposed modifications</b>	Any person who made a representation in accordance with Regulation 19.	6 week consultation period if there are main modifications.	In the event of main modifications being proposed, consultation bodies will be sent a letter or email notification and a public notice will be published on the Council's website.	

**Table 6: Regulation 25**

Consultation Stage	Who will be notified? (for the purpose of this table known as 'consultation bodies')	Period of Consultation / Notice Period	Minimum Consultation or Notification Method (Statutory)	Additional consultation methods which may be used (Not Statutory and not exhaustive)
<b>Regulation 25</b>  <b>Publication of the Inspector's Recommendations</b>	All persons who requested to be notified will be given notice that the recommendations are available.	This is not a consultation period.	Inspectors recommendations will be made available at the Council offices and / or appropriate locations and published on the Council's website <a href="http://www.oadby-wigston.gov.uk">www.oadby-wigston.gov.uk</a>  Consultation bodies will be sent a letter or email notification.	

4.11 The Council will then consider the Inspector's Report and the recommendations within it. Should the Inspector recommend adopting the Plan, the Council will need to take it to an appropriate meeting, such as Full Council, where the Borough's Councillors can consider its content and approve a resolution to adopt.

4.12 As soon as reasonably practicable after the Council has adopted the Local Plan, in accordance with Regulations 26 and 35, it must make all documents in association with the Plan available at appropriate locations, for the regulated time frame in accordance with the Regulations, and specify when and where they are available to view to all interested stakeholders that have previously been consulted and made representations.

**Table 7: Regulation 26**

Consultation Stage	Who will be notified? (for the purpose of this table known as 'consultation bodies')	Period of Consultation / Notice Period	Minimum Consultation or Notification Method (Statutory)	Additional consultation methods which may be used (Not Statutory and not exhaustive)
<b>Regulation 26</b>  <b>Adoption of a Local Plan Document</b>  <b>Includes the SA / SEA</b>	The Secretary of State.  All persons who requested to be notified when the Plan is adopted.  Council Members.  Duty to Co-operate partners.	This is not a consultation period	As soon as is reasonably practicable after the Council adopts a plan, the document and its accompanying evidence will be made available electronically at the Council offices and / or appropriate locations and on the Council's website.  A statement setting out where the plan and accompanying documents are	Press release to local newspaper, radio and regional TV.  Council Newsletter article – Letterbox.  Social Media consultation notifications, for example Twitter and Facebook.  Advertisement of the consultation on the digital display screens.

			<p>available and the times at which they can be viewed will be made available electronically at the Council offices and / or appropriate locations and on the Council's website.</p> <p>A copy of the adoption statement will be sent via email or letter to the Secretary of State and any specified consultation bodies.</p>	
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### Sustainability Appraisal / Strategic Environmental Assessment / Habitats Regulation Assessment

4.13 Usually, Development Plan Documents require a Strategic Environmental Assessment (SEA), Habitats Regulation Assessment (HRA) and Sustainability Appraisal (SA). These documents are produced in tandem with the production of the Development Plan Documents to assess their economic, environmental and social impact.

4.14 The tables set above indicate how SA / SEA / HRA can be aligned with plan production and at which stage of consultation an SA / SEA / HRA will be consulted on.

### Supplementary Planning Document and / or Development Briefs

4.15 As part of the on-going production of planning documents, the Council will produce Supplementary Planning Documents (SPD) and Development Briefs (DB). These documents seek to add greater depth to a planning area or topic and support planning policies as well as the Council's objectives. Although SPDs do not have the same status as Development Plan Documents, they are important documents in decision making.

4.16 The Town and Country Planning (Local Planning) (England) Regulations (2012) (as amended) set out the requirements for the production of SPDs. The requirements involve formal stages of involvement. The Regulations sets out the definitive process, however a summary of these requirements is set out below. The summary tables set out who will be consulted at each stage, and how they will be consulted.

**Table 8: Preparation of Supplementary Planning Documents**

Consultation Stage	Who will be notified? (for the purpose of this table known as 'consultation bodies')	Period of Consultation / Notice Period	Minimum Consultation or Notification Method (Statutory)	Additional consultation methods which may be used (Not Statutory and not exhaustive)
Preparation of SPD The Council will prepare the content of the SPD	Those who the Council engage with during the production process.	This is not a consultation period	Not applicable	Not applicable

4.17 This is not a formal stage of consultation as set out in the Regulations but will present an opportunity for the Council to engage with specific stakeholders to ascertain visions and objectives of the document.

**Table 9: Regulation 12 Consultation**

Consultation Stage	Who will be notified? (for the purpose of this table known as 'consultation bodies')	Period of Consultation / Notice Period	Minimum Consultation or Notification Method (Statutory)	Additional consultation methods which may be used (Not Statutory and not exhaustive)
<p><b>Regulation 12</b></p> <p><b>Public participation stage</b></p>	<p>Those bodies or persons that the Council considers to have an interest in the document.</p> <p>Council Members.</p> <p>Duty to Co-operate partners.</p>	<p>Minimum consultation period of 4 weeks.</p>	<p>Engage with / involve consultation bodies as appropriate.</p> <p>Notify each consultation body specified of the subject of the document.</p> <p>Invite each consultation body specified to comment on the document.</p> <p>Consultation bodies will be sent a letter or email setting out:</p> <ul style="list-style-type: none"> <li>• the consultation period</li> <li>• details of how the Plan can be viewed (including an electronic copy or link where relevant).</li> </ul> <p>Consultation documents will be made available at the Council's offices and / or any other appropriate locations.</p> <p>Consultation documents will also be published on the Council's website at <a href="http://www.oadby-wigston.gov.uk">www.oadby-wigston.gov.uk</a></p>	<p>Press release to local newspaper, radio and regional TV.</p> <p>Public events, forums and/or exhibitions.</p> <p>Stakeholder group meetings.</p> <p>Council Newsletter article – Letterbox.</p> <p>Social Media consultation notifications, for example Twitter and Facebook.</p> <p>Online response form on the Council's website <a href="http://www.oadby-wigston.gov.uk">www.oadby-wigston.gov.uk</a></p> <p>Advertisement of the consultation on the digital display screens.</p>

4.18 The Council will consult on a draft SPD for a minimum period of four weeks. Any representations made at this stage will be considered by the Council and either incorporated into the final draft or a justified response as to why such is not incorporated will be provided as part of the Council's consultation responses. A statement setting out; who was consulted; the main issues raised during the consultation; and how the issues were addressed will also be published by the Council in line with the Regulations.

**Table 10: Regulation 14 Consultation**

Consultation Stage	Who will be notified? (for the purpose of this table known as 'consultation bodies')	Period of Consultation / Notice Period	Minimum Consultation or Notification Method (Statutory)	Additional consultation methods which may be used (Not Statutory and not exhaustive)
<p><b>Regulation 14</b></p> <p><b>Adoption</b></p>	<p>Anyone who has specifically asked to be notified when the SPD is adopted.</p>	<p>This is not a consultation period.</p>	<p>An adoption statement, together with the adopted SPD, will be made available at the Council offices and / or any other appropriate location and published on the Council's website <a href="http://www.oadby-wigston.gov.uk">www.oadby-wigston.gov.uk</a></p> <p>Anyone who has asked to be notified will be sent an email or letter including a copy of the Adoption Statement.</p>	<p>Press release to local newspaper, radio and regional TV.</p> <p>Council Newsletter article – Letterbox.</p>

4.19 The final version of the SPD will be presented to the Councillors at an appropriate committee to seek resolution to adopt. An adoption statement will then be published on the Council's website, as well as sent to all stakeholders that requested notifications as part of the SPD's development.

### **Neighbourhood Planning**

4.20 Neighbourhood planning was introduced by the Localism Act 2011. There are two main mechanisms for neighbourhood planning – Neighbourhood Plans and Neighbourhood Development Orders.

4.21 A Neighbourhood Plan is a new way of helping local communities to influence the planning of the area they live and work in. If a plan is prepared and agreed by the community by referendum, it will become part of the Development Plan for the local authority area and be used in the determination of planning applications.

4.22 A Neighbourhood Development Order can grant planning permission for certain types of development without the need to submit a planning application to the Council. The Regulations for Neighbourhood Planning came into force on 6th April 2012. The Localism Act 2011, together with other relevant regulations, places various duties and responsibilities upon the Council.

4.23 It is the full responsibility of the community forums or local groups in the Borough to prepare the Plan and to undertake an inclusive consultation, although the Council has a duty to assist. Conducting a wide-reaching consultation procedure is in a community group's interest as the Plan or Order can only be adopted after a referendum in which over 50% of voters support the Plan or Order. Neighbourhood Plans must also conform to the Council's adopted Local Plan.

4.24 Where the Council has a duty to publicise a Plan or referendum (including the original application to designate a Neighbourhood Area), the Council will do so in line with the Localism Act 2011, the Neighbourhood Planning (General) Regulations 2012 and the principles set out in this SCI.

**Table 11: Neighbourhood Planning Consultations**

Consultation Stage	Who will be notified? (for the purpose of this table known as 'consultation bodies')	Period of Consultation / Notice Period	Minimum Consultation or Notification Method (Statutory)	Additional consultation methods which may be used (Not Statutory and not exhaustive)
<p><b>Regulation 6 and 7</b></p> <p><b>Neighbourhood Area Designation consultation</b></p> <p><b>Regulation 9 and 10</b></p> <p><b>Neighbourhood Forum Designation Consultation</b></p> <p><b>Regulation 16 and 17</b></p> <p><b>Publicising the plan and submission of the plan</b></p> <p><b>Regulation 18, 19 and 20</b></p> <p><b>Publication of examiners report, decision of the plan and publication of plan decision</b></p>	<p>Those bodies or persons that the Council considers to live, work or carry on business in the area which the application relates.</p> <p>Council Members.</p> <p>Duty to Co-operate partners.</p>	<p>Minimum of 6 weeks.</p>	<p>Engage and involve consultation bodies through a targeted letter or email setting out the requirements as per the Regulations.</p> <p>Publicise consultations and designations (as per the Regulations) on the Council's website at <a href="http://www.oadby-wigston.gov.uk">www.oadby-wigston.gov.uk</a>.</p> <p>Also any consultation or designation documents will be made available at the Council offices and / or any other appropriate location.</p> <p>The Council will have a dedicated email address for consultation comments / responses and any other enquiries: <a href="mailto:planningpolicy@oadby-wigston.gov.uk">planningpolicy@oadby-wigston.gov.uk</a></p>	<p>Press release to local newspaper, radio and regional TV.</p> <p>Public events, forums and/or exhibitions.</p> <p>Stakeholder group meetings.</p> <p>Summary Leaflet prepared which may be circulated to households in the Borough.</p> <p>Council Newsletter article – Letterbox.</p> <p>Social Media consultation notifications, for example Twitter and Facebook.</p> <p>Online response form on the Council's website <a href="http://www.oadby-wigston.gov.uk">www.oadby-wigston.gov.uk</a></p> <p>Advertisement of the consultation on the digital display screens.</p>

## Planning Applications

4.25 The Council is aware of the importance of consultation with the community when it comes to considering and deciding formal planning submissions.

4.26 As set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the Council is required to consult various organisations and bodies and is advised to consult others depending on the type of planning application being considered.

4.27 The Borough Council deals with many planning applications each year and the nature of the planning applications dealt with are wide ranging from householder and minor applications, to large scale mixed use proposals including residential,

leisure, and other forms of development. The nature, scale and type of planning application submitted will determine how the Council will engage with the Community.

- 4.28 Planning applications submitted to the Council are either determined at Development Control Committee by elected Council Members or they are delegated to Officers and are determined without the need to be reported at Planning Committee. When a planning application is to be considered at a Planning Committee, there may be the opportunity for interested parties to address the Committee at the meeting prior to any decision being taken. Further information on this can be viewed on the Council's website planning pages.
- 4.29 Chapter 5 explains in more detail how the Council will engage with the community when determining planning applications.
- 4.30 Some planning applications can require special (or additional consultation) procedures due to their particular characteristics, including but not limited to:
- applications which are a departure from the Local Plan
  - applications which are classed as Major Developments, as defined by the Town and Country Planning (Development Management Procedure Order) (England) (2015)
  - applications which are accompanied by an Environmental Statement
  - applications for Listed Buildings, Scheduled Monuments and certain works that materially affect the character of Conservation Areas or Listed Buildings
  - applications affecting public Rights of Way.
- 4.31 There are some applications where there is no statutory requirement to consult. These include Certificates of Lawful Development, internal alterations to a Grade II listed building, advertisements, non-material amendments and approval of details.

### **Pre-Application Discussions**

- 4.32 The Council offers a pre-application advice service for all planning applications. Pre-application discussions identify issues and requirements at an early stage, and are beneficial for applicants to provide clarity as to the process and some degree of certainty where local planning policies and constraints are identified. Details of how to approach pre-application advice, including fees and application forms, can be found on the Council's website.
- 4.33 At the pre-application stage, developers are advised of local residents and amenity groups where known and suggestions are made to engage with them prior to submitting applications. The Council cannot require a developer or householder to undertake pre-application discussions, or to engage with local residents and amenity groups, however it is advised as a 'good practice' approach. Pre-application discussions with the Council are encouraged for all development proposals.

## **Community Involvement**

- 4.34 Community involvement on planning applications does not just involve the public. The Council must also consult the appropriate statutory bodies. Statutory bodies are those bodies which have particular powers in the policy making process. In deciding which statutory body is consulted, the Council must take into account the nature and location of the proposal. There are also a significant number of non-statutory bodies including local interest groups which the Council will consult in appropriate circumstances. The public, statutory consultees and non-statutory consultees have 21 days to make any comments they may have on a submission from the initial notification of an application. The results of any such consultation will be taken into consideration in the determination of any planning application.
- 4.35 In publicising planning applications, it is necessary for the Council to strike a balance between the consideration of cost, speed of decision making and providing a reasonable opportunity for public comment.
- 4.36 In the event that an application is significantly amended during its consideration, the Council will send a further round of consultation letters to nearby residents, to those who have already written in with comments and consultees. Further comments can then be submitted regarding the amendments.

## **Permitted Development**

- 4.37 It is important to note that certain proposals do not need permission of the Council because these developments fall under 'Permitted Development' and are given permission by Central Government legislation. What constitutes permitted development is detailed in the Town and Country Planning (General Permitted Development) (England) Order (2015) (as amended). For any further information on what requires planning permission and what constitutes 'permitted development', it is advisable to speak to the Council's Planning Control section before you undertake any work.

## **Appeals**

- 4.38 Anyone who has submitted a planning application has a right of appeal to the Secretary of State if an application is refused, not determined, or if the permission contains conditions that are considered to be unacceptable to the applicant. Details on how applicants can appeal against a decision are contained within all decision notices issued by the Council. Third parties do not have the right to appeal.
- 4.39 Upon receipt of an appeal and start date from the Planning Inspectorate, the Council informs all neighbours and all those who have made representations on the application that an appeal has been lodged. Appeals are examined by an Independent Planning Inspector.
- 4.40 An appeal may be considered either through an exchange of correspondence (known as written representations), at an informal hearing, or at a more formal Public Inquiry.
- 4.41 Any comments received during the original consideration of the application will be sent to the Planning Inspectorate. There may be the opportunity to make further

representations on the appeal directly to the Planning Inspectorate, and the Council will ensure that the same neighbour notifications as the original planning application are carried out.

- 4.42 If the matter is to be heard by an Inspector at an informal hearing or Public Inquiry, then objectors will be invited to attend the hearing / inquiry where they may have the opportunity to make verbal submissions directly to the Inspector. The Appellant and the Borough Council also appear at the hearing or inquiry. All parties associated to the appeal are informed of the Inspector's decision if they have been requested to be notified.

### **Leicestershire County Council**

- 4.43 The Borough Council does not deal with all types of planning applications, as certain applications are the responsibility of Leicestershire County Council. The County Council will deal with applications relating to waste and minerals developments, as well as applications relating to County Council owned properties such as depots.

### **Planning Aid**

- 4.44 Planning Aid provides independent professional advice and information on planning matters and is run by a network of volunteer caseworkers. It is aimed at individuals, community groups and other voluntary groups who cannot afford to pay for private consultants. Planning Aid may be able to help you if you want to find out how to:

- apply for planning permission;
- object to or support another person's planning application;
- appeal against a refusal of planning permission;
- get involved in Local Development Document preparation.

- 4.45 Contact details for Planning Aid can be found at:

<http://www.rtpi.org.uk/planning-aid/>

- 4.46 Another source of useful planning information is the Planning Portal. Planning Portal website details are as follows: <https://www.planningportal.co.uk/>

## 5. How we consult – consultation methods

- 5.1 The previous Chapter provided a summary of consultation methods; however this Chapter looks at the methods in more detail. There are a wide range of consultation methods open to the Council when producing planning documents and determining planning applications. The planning legislation sets out the minimum requirements for public participation and the Council will notify all stakeholders and organisations (at least) as set out in the Regulations. The preferred method of consultation is by email, but where a person or organisation does not have an email address, a letter or other methods will be used.
- 5.2 All Local Plan consultations will be for a minimum of six weeks and Supplementary Planning Documents consultations must be for a minimum of four weeks.
- 5.3 Some of the key methods of consultation that the Council may choose to use to meet the publicity requirements of the Local Planning Regulations are set out below along with the benefit and potential disadvantages of the method. Please note, this list is not exhaustive or statutory.

**Table 12: Methods of Consultation**

Method	Benefit	Disadvantage
Make documents and supporting information available at the Council's Customer Service Centre and public libraries in Wigston and Oadby.	Consultation document, information and forms for submitting responses are free of charge to view and available during opening hours.	Not all stakeholders will be able to access this information due to limitations on their ability to travel etc. Also opening times can be limiting.
Make documents and supporting information available on the Council's website.	Information easily accessible from people's own homes and businesses, 24 hours a day.	Not all stakeholders will be able to access this information due to limitations on their access to the internet.
Make documents available on CD's (for those unable to access the Internet or Libraries / Council's Customer Service Centre) or printed copies to those who ask.	This provides information in an alternative format, free of charge.	This can be a costly consultation method and also will require stakeholders to have access to a computer to view the documents on a CD.
Hold Exhibitions and / or staffed Road Shows where practical and appropriate.	Publicises information in a user friendly way in a variety of locations. It also provides an opportunity for the public to have a conversation with Officers / the Council about the issues in hand, face to face.	Not all stakeholders will be able to attend these events.
Include information in a Summary Leaflet and send out to households in the Borough where appropriate, this could also include a questionnaire with collection boxes provided at the Council's Customer Service Centre and Libraries.	Provides a brief summary of the document outlining the key headlines to inform plan preparation or to raise awareness of upcoming events or public consultations etc.	Not all residents will read the leaflet. This can also be a very costly consultation method.
Council Newsletter – Letterbox.	This newsletter is distributed to all households in the Borough four times a year so this can be used to alert people to upcoming major issues or planning consultations.	Although distributed to every household and business in the Borough, not all residents will read the information. Timing of a consultation may not fall at an appropriate time of the year to justify inclusion of an article in Letterbox.

Method	Benefit	Disadvantage
Attendance of Planning Officers at meetings and community forums.	Allows information to be displayed in public locations in local areas. Gives opportunities for representatives at meetings and forums to raise and discuss issues.	Not all stakeholders will be able to attend / be aware of these events.
Letters and emails sent to stakeholders and organisations.	A formal means of communication with those on the database; ensures communication is received.	Not all stakeholders have an email registered or will check their emails regularly. Stakeholders address details may also be out of date.
On-line response form on the Council's website.	Comments can be submitted to the Council, quickly, at any time of the day, with no postage costs.	Not always easily accessible to all stakeholders because it requires them to have access to the internet and an email account. There may also be a charge to the Council for its implementation.
Dedicated email address for planning policy matters.	Means of submitting comments and contacting the Council for further information and assistance for the public.	Not always easily accessible to all stakeholders because it requires them to have access to the internet and an email account.
Press releases to local newspapers, radio and regional TV.	Information to the local community which stimulates debate.	Not always easily accessible to all stakeholders because they may not see or hear it.
Posters around the Borough Including the Council's Digital Display Screens.	Information for the local community that may not be seen by other forms of communication. These can be displayed on Notice Boards, Bus Stops, and on Lamp Posts in the areas that are effected.	Not always easily accessible to all stakeholders because they may not be seen. They can also be removed or vandalised.
Involving Elected Members and providing updates.	By informing Members of the latest publications or consultations, they will then be prepared to inform their constituents of the latest planning policy position.	Information presented may be missed or be misinterpreted.

## Planning Control – Planning Submissions

5.5 The statutory requirements for consultation with regards to planning applications are set out within the Town and Country Planning (Development Management Procedure Order) (England) (2015). The regulations require that planning applications are publicised by way of some or all of the following, depending on the type of application:

- neighbour notification letters
- a notice in a local newspaper
- a site notice

5.6 Some of the ways that the Council may look to achieve appropriate levels of publicity for an application are set out below.

- 5.7 **Neighbour notification by letter or email** - is the principal method of consultation on most planning applications. Statutory organisations and neighbours adjoining a site or otherwise directly affected are targeted as a minimum. The letter includes brief information about the proposals and gives guidance on how to comment.
- 5.8 **Site notices** - are a 'formal' requirement of the Regulations for applications which affect conservation areas, or for listed buildings, public rights of way and major applications. They are also used to supplement letters or where there are no immediately apparent neighbours to consult.
- 5.9 **Newspaper advertisements** - are a statutory requirement for applications in conservation areas, listed building, public rights of way and major applications.
- 5.10 **A Weekly List of Planning Applications** - is produced on the Council's website which details every application received and validated. This information can be viewed at:  
  
[http://www.oadby-wigston.gov.uk/pages/weekly\\_list](http://www.oadby-wigston.gov.uk/pages/weekly_list)
- 5.11 **The Council's Website** - is a useful tool to search for and view new planning applications via the online PublicAccess database:  
  
[https://www.oadby-wigston.gov.uk/pages/viewing\\_planning\\_information\\_with\\_publicaccess](https://www.oadby-wigston.gov.uk/pages/viewing_planning_information_with_publicaccess)
- 5.12 **Posting public notices and press releases** - the local press and radio broadcasters may be an option to communicate with the public on larger planning applications.
- 5.13 **Applications available for inspection at Council Offices** - enables those not able to access the information online the opportunity to examine the appropriate information with prior appointment only.
- 5.14 In addition to the above, the Council has a Practice Note on Publicity and Consultation. This information can be viewed at:  
  
[http://www.oadby-wigston.gov.uk/pages/how\\_to\\_make\\_representations\\_on\\_a\\_planning\\_or\\_associated\\_application](http://www.oadby-wigston.gov.uk/pages/how_to_make_representations_on_a_planning_or_associated_application)

## Appendix 1 – Duty to Cooperate bodies

Relevant bodies to Oadby and Wigston Borough Council extracted from Part 2, Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) that must be consulted to conform to the Duty to Co-operate:

<b>Duty to Co-operate bodies</b>
The Environment Agency
The Historic Buildings and Monuments Commission for England (known as English Heritage recently changed to Historic England)
Natural England
The Civil Aviation Authority
Homes and Communities Agency (now known as Homes England)
East Leicestershire and Rutland Clinical Commissioning Group
The Office of Rail Regulation
Integrated Transport Authority
Leicestershire County Council Highway Department
Leicester and Leicestershire Enterprise Partnership
Local Authorities in the HMA - Blaby District Council, Charnwood Borough Council, Harborough District Council, Hinckley and Bosworth Borough Council, Leicester City Council, Melton Borough Council, North West District Council, and Leicestershire County Council.

## Appendix 2 – Specific consultation bodies

In accordance with Government regulations, the following specific ‘formal’ consultation bodies must be consulted where the Borough Council considers that they may have an interest in the subject of the proposed planning document:

This list is not intended to be definitive and it may be appropriate to consult other groups not listed.

<b>Specific consultation bodies</b>	
Blaby District Council	Coal Authority
East Leicestershire and Rutland Clinical Commissioning Group	Environment Agency
Harborough District Council	Highways Agency
Historic England	Homes England
Leicester City Council	Leicestershire Constabulary
Leicestershire County Council (relevant departments)	Natural England
Network Rail	Relevant Telecommunication Companies
Relevant Utility Companies	Severn Trent
Stoughton Parish Council	

## Appendix 3 – General consultation bodies

This list is not intended to be definitive (it gives an example of the likely groups) and it may be appropriate to consult other groups not listed.

<b>General consultation bodies</b>	
Architecture, Design and Heritage Interests	Local Groups and Organisations*, inc. Civic Societies
Business and economic Development Organisations	Confederation of British Industry (CBI) Chambers of Commerce, East Midlands Chamber
Countryside / Rural Organisations	Campaign for the Protection of Rural England National Farmers Union Rural Community Council for Leicestershire and Rutland
Emergency Services	Leicestershire Constabulary Leicestershire Fire & Rescue Service
Environmental Protection and Conservations Organisations	Royal Society for the Protection of Birds (RSPB) The National Trust
Health Organisations	East Leicestershire and Rutland Clinical Commissioning Group
Housing Providers and Organisations	Home Builders Federation
Libraries	Agency for the Legal Deposit Libraries
Major Landowners	The Crown Estate University of Leicester
Media Organisations	ITV Central BBC Radio Leicester
Other Government Organisations	H M Prison Services
Other Voluntary Bodies / Charities	British Red Cross Citizens Advice Bureau Guide Dogs for the Blind
Planning Consultancies	National and Local Planning Consultancies that have registered their interest
Postal Services	Royal Mail Group
Racial, Ethnic, National, Religious and Minority Groups Representatives and Interests	Local Groups and Organisations that have registered their interest
Retailers	National and Local Retailers that have registered their interest

Services for the Disabled or those with Special Needs	Equality and Human Rights Commission Mind
Services for the Elderly	Age UK and Age UK Wigston
Service Providers and Conservation Bodies	National Grid UK Western Power Distribution
Sport and Leisure Organisations	Sport England Leicester-Shire and Rutland Sport
Telecommunication Groups	Relevant Groups and Organisations
Tourism	Go Leicestershire
Transport Undertakings and Interests	Network Rail Local Bus Companies, inc. Arriva and First
Youth Organisations	Schools Youth Council

## Appendix 4 – Government consultation bodies

<b>Government consultation bodies</b>
Home Office
Ministry of Defence
Ministry of Housing, Communities and Local Government
Ministry of Justice
Department for Business, Energy and Industrial Strategy
Department for Business Innovation and Skills
Department of Digital, Culture, Media and Sport
Department for Education
Department for Environment, Food and Rural Affairs
Department of Health and Social Care
Department for Transport
Department of Work and Pensions

## Appendix 5 – Glossary of terms

<b>Title</b>	<b>Abbreviation</b>	<b>Description</b>
Adoption		The final confirmation of a Plan and its policies being deemed acceptable by the Council.
Annual Monitoring Report	AMR	Is a report that measures the ‘success’ of planning policies and assesses plan making performance.
Development Plan Document	DPD	Document subject to independent examination, which will form part of the statutory development plan for the area.
Equalities Impact Assessment	EIA	An evaluation tool which analyses the effect that a policy or procedure will have on a particular group of people to highlight whether there needs are being met and if there are any issues requiring further action.
Independent Examination		Development Plan Documents will be examined by an Independent Inspector whose role is to assess whether the Plan has been prepared in accordance with the Duty to Co-operate, legal and procedural requirements and whether it is sound.
Local Development Scheme	LDS	The Council’s programme for preparing planning documents.
Local Plan		The document setting out the overall planning strategy, policies and proposals for the Borough area.
National Planning Policy Framework	NPPF	The NPPF sets out the Government’s National planning policies and how these are expected to be applied at a local level.
Neighbourhood Planning (General) Regulations 2012 (as amended)		The Regulations that set out the process by which the Neighbourhood Plans must be prepared.
Planning Inspectorate		A government body whose work involves processing planning and enforcement appeals and holding examinations into Development Plan Documents.
Statement of Community Involvement	SCI	Document setting out when, with whom and how consultation will be undertaken on Local Development Documents.
Supplementary Planning Document	SPD	Document that expands on policies and proposals set out in the Local Plan.
Stakeholder		A person, group, organisation, company etc with an interest in or potentially affected by planning decisions in the Borough.
Sustainability Appraisal	SA	Document setting out the appraisal of plans and policies to ensure that their potential impact is assessed and that they reflect sustainable development objectives.
Test of Soundness		A series of questions the Independent Inspector asks during the Independent Examination of the Local Plan to assess whether it has been positively prepared, justified, effective, and if it is consistent with national policy.
The Council		Oadby and Wigston Borough Council
Town and Country Planning (Local Plans) (England) Regulations 2012 (as amended)		The Regulations that set out the process by which the Local Plans and SPDs must be prepared.

## Appendix 6 - Contacts

You can contact the Planning Policy and Regeneration, and Development Management Teams by telephoning the Borough Council Offices in Wigston, or by emailing or writing us:

Tel: 0116 288 8961

Email (Development Management - Applications):  
[planning@oadby-wigston.gov.uk](mailto:planning@oadby-wigston.gov.uk)

Email (Planning Policy and Regeneration):  
[planningpolicy@oadby-wigston.gov.uk](mailto:planningpolicy@oadby-wigston.gov.uk)

Postal Address:

Oadby and Wigston Borough Council  
Council Offices  
Station Road  
Wigston  
Leicestershire  
LE18 2DR

## Appendix 7 – Further information

### Legislation

The Town and Country Planning (Local Planning) (England) Regulations 2012.  
<http://www.legislation.gov.uk/ukxi/2012/767/contents/made>

Neighbourhood Planning (General) Regulations 2012.  
<http://www.legislation.gov.uk/ukxi/2012/637/contents/made>

The Town and Country Planning (Development Management Procedure) (England) Order 2015: <http://www.legislation.gov.uk/ukxi/2015/595/contents/made>

The Town and Country Planning (General Permitted Development) (England) Order (as amended)

### National Policy / Guidance

National Planning Policy Framework, sets out government's planning policies for England and how these are expected to be applied.  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

National Planning Practice Guidance, sets out the government's guidance for implementing policies set out in the NPPF.  
<https://www.gov.uk/government/collections/planning-practice-guidance>

Planning Aid, provides independent professional advice and information on planning matters and is run by a network of volunteer caseworkers. It is aimed at individuals, community groups and other voluntary groups who cannot afford to pay for private consultants. <http://www.rtpi.org.uk/planning-aid/>

Planning Portal, is the national home of planning and building regulations information and the national planning application service: <https://www.planningportal.co.uk/>

### Oadby and Wigston Borough Council

Planning, outlines the way planning issues are dealt with by the Council.  
<https://www.oadby-wigston.gov.uk/pages/planning>

Planning Policy, outlines the Borough's Local Plan and provides links to the various relevant documents. [https://www.oadby-wigston.gov.uk/pages/oadby\\_and\\_wigston\\_local\\_development\\_framework](https://www.oadby-wigston.gov.uk/pages/oadby_and_wigston_local_development_framework)

Planning Control, (which is sometimes referred to as 'development control' or 'development management') deals principally with managing the development process from pre-application enquiries and discussions, the formal application process and post decision requirements and or alterations. It also includes planning enforcement which deals with breaches of planning control. [https://www.oadby-wigston.gov.uk/pages/development\\_control](https://www.oadby-wigston.gov.uk/pages/development_control)

Building Control, provides advice and assistance to achieve quality of design and construction in buildings in accordance with The Building Regulations and associated legislation. [https://www.oadby-wigston.gov.uk/pages/building\\_control](https://www.oadby-wigston.gov.uk/pages/building_control)