

## **Leicestershire County Council Statement of Community Involvement (June 2006)**

### **INSPECTOR'S REPORT**

#### **Introduction**

- 1.1 An independent examination of the Leicestershire County Council's Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (the Act).
- 1.2 Section 20(5) indicates the two purposes of the independent examination in parts (a) and (b). With regard to part (a) I am satisfied that the SCI meets the requirements of the relevant sections of the Act and Regulations.
- 1.3 Part (b) is whether the SCI is sound. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.4 A total of 24 representations were received, all of which have been considered. I note that the majority were in support. The Council proposed a number of amendments to the SCI in response to representations received, and these have been taken into account in the preparation of this report. Further information was requested from the Council in relation to Tests ii, ii, iv and vii and this information is contained in Appendix B to this Report.

#### **Test 1**

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004. The only omission was that adjoining Parish Councils were not consulted due to a procedural error. This was rectified and the adjoining Parish Councils were included at all subsequent stages. I am satisfied that none of the Parish Councils have been prejudiced by this error.
- 2.2 This test is met.

## **Test 2**

3.1 The submitted SCI provides extensive detail on the Leicestershire County Compact (Appendix 3 of the SCI) and stresses the important role that members of this Compact can play alongside, for example, the Local Strategic Partnership (LSP), and Parish Councils in the dissemination of information. However, the SCI should provide additional detail on the role of the LSP and show how the Local Development Framework (LDF) is a way of delivering the aims of the emerging Community Strategy being prepared by the Leicestershire Local Strategic Partnership and those of the seven District Councils within Leicestershire. The Council were asked to provide text to address this issue and I recommend that their reply be inserted into the SCI.

**(R1)** Split the existing Paragraph 2.25 after the second sentence which ends with 'stakeholders and groups' and insert the following as a new paragraph, Paragraph 2.26 to read:

"Leicestershire County Council plays a leading role in Leicestershire Together, the County's Local Strategic Partnership (LLSP) which brings together a wide range of organisations from the public, private and voluntary sectors. Part I of the Local Government Act 2000 places on principal local authorities a duty to prepare 'community strategies', for promoting or improving the economic, social and environmental well-being of their areas, and contributing to the achievement of sustainable development in the UK. The Leicestershire Community Strategy, initially produced by Leicestershire Together in 2003 and subsequently reviewed in 2005, is an overarching strategy to improve the quality and co-ordination of public services in the County. It sets the main priorities for public agencies for the next 2 and 5 years which are to be reflected in a range of strategies, including local development frameworks. A separate Community Strategy has been prepared for Leicester City by the Leicester Partnership and the seven district LSPs in Leicestershire have prepared community strategies for their areas. In preparing local development documents the County Council intends to build on the community engagement and consultation that is carried out by LSPs for their community strategies and other purposes, rather than duplicating this. Similarly, regard will be had to the results of community feedback and the content of other strategies and proposals produced by both of the County Council and other local authorities. If possible, and appropriate, consultation arrangements will also be run together."

Amend the beginning of the paragraph following the newly inserted one on community strategies, to read:

"The hope is that the approach to community involvement will be....".

3.2 Subject to the recommendation above, this test is met.

### **Test 3**

- 4.1 The Council has set out in Paragraph 3.15 of the SCI a partial list of those groups which will be consulted. This list, however, did not include all the statutory bodies from PPS12 Annex E.
- 4.2 The SCI should provide, at a minimum, an appendix that lists the specific consultation bodies, government departments and general consultation bodies as laid down in Annex E2 of PPS12. The Council were asked to provide such a list as an appendix to the SCI which should be prefaced by text that provides information on how an individual or organisation may be added to the consultee database held by the Council. Additionally, this text should make it clear that the list is not exhaustive, that the Council will consult with additional stakeholders where appropriate and also that the list also relates to successor bodies where re-organisations occur. The Council's response is given in Appendix B to this report and I agree that the list provided should be included with the addition of Advantage West Midlands who, as the Regional Development Agency, are a specific consultee under the Regulations.
- (R2)** Add as a new Appendix 4 the consultee list given in Appendix B to this report with the addition of Advantage West Midlands. The existing Appendix Four should be re-numbered to become Five, and Appendix Five to become Six. Appendix 6 should be deleted as there is no need for a representation form to be attached to the adopted SCI.

Additionally add the following references to this new Appendix 4 to the body of the SCI as follows:

Insert at the end of paragraph 2.11 the words: "In addition a broader list of the different types of bodies that may be consulted on the SCI is provided at Appendix Four."

Insert at the end of paragraph 3.14 the words: "A list of the types of bodies that may be consulted on DPDs is provided at Appendix Four."

- 4.3 Subject to the recommendation above, this test is met.

### **Test 4**

- 5.1 Paragraphs 3.33 – 3.40 read in conjunction with Table 1 show that the Council will involve and inform people from the early stages of DPD preparation and Paragraphs 3.17 – 3.21 set out the range of methods the Council will employ to do this. The Council clarify in Table 1 the stages at which consultation will take place and who will be consulted at those stages. It shows that consultation will take

place with the key stakeholders during the issues and options stage of DPD production in accordance with Regulation 25.

5.2 However, the SCI omitted in Paragraphs 3.33 – 3.40 the stage in the development plan process which deals with the alternative site representations stage (under Regulation 32 and 33) if a DPD is concerned with allocations of land. The Council were asked to provide additional text to address this issue and I recommend that this be inserted into the SCI at paragraph 3.38 with a consequent amendment to paragraph 3.37.

**(R3)** Delete the last sentence in paragraph 3.37 and add the following at the end of paragraph 3.38:

“A “site allocation representation”, which is a representation received at the submission development plan document stage proposing alternative site allocations or boundaries to an identified site would represent such a major change, and the person making the proposal would have to show that the proper procedures have been followed and that the development plan would be sound with the inclusion of their change(s).”

Add the following as a new Paragraph 3.39:

“Stakeholders and the general public will be given opportunity to comment further on a site allocation representation before the independent examination, (see paragraph 3.12), and any further comments received will be considered by the inspector together with the site allocation representation.”

Subsequent paragraphs should be re-numbered accordingly.

5.2 Although the Council have stated that they do not intend to produce any Supplementary Planning Documents (SPDs), as there is no guarantee that the contents of the Local Development Framework will stay the same, the Council were asked to provide information on the preparation of these documents in order that the SCI is capable of covering any eventuality with regard to Local Development Document (LDD) production.

**(R4)** Insert the following at the end of the first section (What the Community will be involved in) of Chapter Three:

“Supplementary Planning Documents (SPDs) to expand policies or provide additional detail can also be produced, though a particular need for these has not currently been identified. If produced, a SPD would be included within the Minerals and Waste Development Frameworks as a Local Development Document. The process for preparing SPDs is similar to that for DPDs, but simpler. There would be initial consultation with a range of stakeholders to assist in determining the direction of a potential SPD. Then a draft document would be produced and subject to the same public participation

process as for the preferred options stage of a DPD. The approach to community involvement described in the following for DPDs would, where relevant, apply to the production of any SPDs.”

- 5.3 As a result of these amendments I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.
- 5.4 Subject to the recommendations above, this test is met.

### **Test 5**

- 6.1 Paragraphs 3.17 – 3.21 of the SCI set out the methods that the Council propose to use to involve the community and stakeholders. These cover a range of recognised consultation techniques that will present information via a range of different media. The Council indicate through Table 1 at what stages of LDD preparation the various methods might be employed.
- 6.2 The SCI acknowledges at Paragraph 2.10 that the Council may have to provide extra support to facilitate consultation with certain groups or individuals, and proposes (at Paragraph 2.11) how they might do this.
- 6.3 The SCI should clearly explain how the Council will make their information accessible to all members of society, and sets out how they will meet requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995.
- 6.4 Although the SCI advertises its availability in alternative formats, upon request, the SCI should also make it clear that all LDF documentation will be made available, on request, in alternative formats and the SCI should explain how these can be obtained. I recommend accordingly.

**(R5)** Add the following to the end of Paragraph 2.11:

“The Council will make every endeavour to meet the requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995.

All LDF documents can be made available on request in a variety of formats such as large print or an alternative language. To access this service please telephone 0116 265 7292 or email [planning control@leics.gov.uk](mailto:planning.control@leics.gov.uk)”

- 6.5 As a result of these amendments I am satisfied that the methods of consultation proposed in the SCI will be suitable for the intended audiences and for the different stages in LDD preparation.
- 6.6 Subject to the recommendation above, this test is met.

## **Test 6**

- 7.1 Paragraphs 2.12 – 2.17 of the SCI explain how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. I am satisfied that the Council is alert to the resource implications of the SCI.
- 7.2 This test is met.

## **Test 7**

- 8.1 Paragraph 3.42 of the SCI explains how the results of community involvement will be taken into account by the Council and used to inform decisions.
- 8.2 The Council were asked to elaborate on this paragraph to make it clear that they will also prepare reports at the end of each consultation period explaining how views have been considered and documents changed in light of the community involvement. The Council were also asked to supply details of where these will be made publicly available.

**(R6)** Amend Paragraph 3.42 to read:

“Leicestershire County Council will provide feedback on how the results of community involvement have influenced the preparation of DPDs through information on its website. Where members of the community specifically request feedback the Council will respond to them directly. Hard copies of the consultation responses together with reports prepared at the end of each consultation exercise, including summaries of the comments received and where appropriate the Council’s response will also be made available at County Hall and posted on the Council’s website.”

- 8.3 Subject to the recommendation above, this test is met.

## **Test 8**

- 9.1 Paragraph 2.33 of the SCI explains that the Council continuously monitors and reviews all consultation documents and that the SCI will be formally reviewed as part of this process and reported on through the Annual Monitoring Report.
- 9.2 I am satisfied that the Council has mechanisms for reviewing the SCI and have identified potential triggers for the review of the SCI.
- 9.3 This test is met.

## **Test 9**

- 10.1 Chapter 4 of the SCI read in conjunction with Appendix 2 describes the Council's policy for consultation on planning applications. This chapter meets the minimum requirements and provides additional methods of consultation. This distinguishes between procedures appropriate to different types and scale of application, and includes information on how the consultation results will inform decisions.
- 10.2 The SCI does not address the longer statutory time period for consultation that may be applicable in certain circumstances, and I recommend a change to acknowledge this.
- (R7)** Insert the following at the end of the first sentence of Paragraph 4.20:
- "Bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation."
- 10.3 Subject to the recommendation above, this test is met.

## **Conclusions**

- 11.1 The Council have set out in their Regulation 31 Statement two minor amendments to the SCI in response to representations received on the submission document. These suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore agree that they be included and list them below:
- (R8)** Implement the following minor amendments to the SCI:
- Add after the twelfth word in the penultimate sentence of Paragraph 2.34 "been consulted and...."
- Add to the eleventh bullet point of Paragraph 3.18 "Parish Councils / Meetings."
- 11.2 Chapter 3 of the SCI begins by discussing the Local Development Framework. However, it would be helpful and informative if precise details of the documents that the Council envisages will be produced were given here. The Council were asked to provide additional text that addresses this matter which should contain a statement that this is the version of the LDF that is current at the time of going to print and that the up to date version is available on the Council's website. The Council's response is given in Appendix B to this report and I agree that it should be inserted as a new paragraph, Paragraph 3.4.

**(R9)** Insert as Paragraph 3.4 the following:

“The Minerals and Waste Development Frameworks are to include the following development plan documents (DPDs):

- A **Minerals Core Strategy** including **Development Control Policies**, which will set out the key principles to guide the form of minerals development in the framework area (Leicestershire), and the criteria against which planning applications for mineral development will be considered. It will also include a spatial vision, spatial strategy, strategic objectives and a monitoring framework.
- A **Waste Core Strategy** including **Development Control Policies** to guide the form of waste management development in the framework area (Leicestershire and Leicester), and the criteria against which planning applications for waste management development will be considered. It will also include a spatial vision, spatial strategy, strategic objectives and a monitoring framework.

A **Minerals Site Allocations** document, which will include specific proposals and policies for the provision of land for mineral working within the framework area (Leicestershire).

A **Waste Site Allocations** document, which will include specific proposals and policies for the provision of land for waste management development within the framework area (Leicestershire and Leicester).

A **Minerals and Waste proposals map** will also be generated to illustrate the policies and proposals within their geographic context.

It should be noted that these are the currently proposed documents at the time of production of this SCI. An up to date version of the Minerals and Waste Development Framework will be available on the Council’s website.”

- 11.3 At various points the submission SCI provides not inconsiderable detail on consultations already undertaken, for example at Paragraphs 2.18 – 2.25 and Paragraphs 2.34 - 2.36. Paragraphs 2.18 – 2.25 begins to describe the process that the SCI has undergone, but eight paragraphs intervene before the remainder of the process is described. Whilst it is appropriate that the SCI should provide details of the process for the production of the document this is more usefully achieved by a generic description of the process so that the information provided would be relevant to any future review of the SCI. The Council were, therefore, asked to combine these two areas of text into one which provides a generic description of the process and I recommend accordingly:

**(R10)** Combine the above elements of the SCI under a new heading entitled "Consultation on the SCI" to read as given in Appendix B to this report.

11.4 Furthermore, Paragraphs 3.28 – 3.32 describe what has occurred with regard to other Development Plan Documents at the time the SCI was submitted. As this information would soon become out of date the Council should remove the above mentioned paragraphs from the SCI.

**(R11)** Remove Paragraphs 3.28 – 3.32 from the SCI.

11.5 The Council were also asked to provide a schedule of changes to any text within the submission document that would become redundant once the document is adopted and I agree that the changes proposed therein be implemented.

**(R12)** Implement the editorial changes detailed in Appendix B to this report.

11.6 Appendix 5, the Glossary to the SCI contains a number of errors that need correction and I recommend accordingly below:

**(R13)** Amend the third entry of the Glossary by replacing 'Yearly Monitoring Report' with "Annual Monitoring Report".

Remove the entries for 'Sustainability Appraisal' and 'Strategic Environmental Assessment' from the submission Glossary and replace with the following:

**"Strategic Environmental Assessment (SEA):** a generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal environmental assessment of certain plans and programmes, including those in the field of planning and land use".

**"Sustainability Appraisal (SA):** a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required to be undertaken for all DPDs and SPDs. The first stage in undertaking a sustainability appraisal is the preparation and consultation upon a Sustainability Appraisal Scoping Report which will set out for consultation the County Council's methodology in preparing its Sustainability Appraisal Report. A Sustainability Appraisal Report will be published alongside all stages of the Minerals and Waste Development Plan Process."

11.7 In the event of any doubt, please note that I am content for such matters as any minor spelling, grammatical or factual matters to be amended by the Council, so long as this does not affect the substance of the SCI.

- 11.8 Subject to the implementation of the recommendations set out in this Report, the Leicestershire County Council SCI (June 2006) is sound.

*John R Mattocks*

Inspector

**APPENDIX A**  
**TESTS OF SOUNDNESS**



### **Examination of the soundness of the statement of community involvement**

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

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

*From:* Planning Policy Statement 12: Local Development Frameworks

<sup>1</sup> The Town and Country Planning (Local Development) (England) Regulations, 2004.

**INSPECTOR'S REPORT**  
**LEICESTERSHIRE COUNTY COUNCIL**  
**APPENDIX B – CORRESPONDENCE**



## 1. The Planning Inspectorate

Room 3/25 Hawk Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line 0117-372 8771  
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<http://www.planning-inspectorate.gov.uk>

1.1.1

1.1.2

1.1.3

1.1.4

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Phil Larter  
Environment and Heritage Services  
Community Services Department  
Leicestershire County Council  
County Hall  
Glenfield  
Leicestershire  
LE3 8TE

Your Ref:

Our Ref: PINS/M2460/429/3

Date: 28<sup>th</sup> September 2006

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### LEICESTERSHIRE COUNTY COUNCIL- STATEMENT OF COMMUNITY INVOLVEMENT

Dear Mr. Larter,

As the appointed Inspector for your Authority's Statement of Community Involvement I am requesting comments from the Council on the following points in order to assist in assessing the soundness of Leicestershire County Council's Statement of Community Involvement.

#### Test ii

The SCI should acknowledge that the LDF is a way of delivering the aims of the Community Strategy prepared (or being prepared) by the Local Strategic Partnership and in the case of County Councils reference should be made to the Community Strategies prepared (or being prepared) within the administrative area. The SCI should show how the contents of these documents will complement each other to avoid the duplication of consultation exercises. Could the Council, therefore, provide text that addresses this issue and also indicate where in the SCI this text should be positioned?

#### Test iii

The SCI should provide, at a minimum, an appendix that lists the specific consultation bodies, government departments and general consultation bodies as laid down in Annex E2 of PPS12. The list should be prefaced by text that provides information on how an individual or organisation may be added to the consultee database held by the Council. Additionally, this text should make it clear that the list is not exhaustive, that the Council will consult with additional stakeholders where appropriate and also that the list also relates to successor bodies where re-organisations occur.

I do not expect that this appendix should be so comprehensive as to include all those whom the Council consulted at submission. It would, for example, be acceptable not

to list each individual Parish Council by name, so long as “Parish Councils within Leicestershire and those adjoining the County boundary” is included under the list of specific consultation bodies. Similarly, representative descriptions of various groups, such as “Ethnic Minority Groups”, “Landowners” etc, are acceptable so long as the appendix contains a statement that individual bodies are represented through these generic descriptions. Could the Council, therefore, please provide such an appendix for the SCI?

#### **Test iv**

Could the Council please provide a new paragraph for insertion after Paragraph 3.38 which deals with the alternate site representations stage (under Regulation 32 and 33) if a DPD is concerned with allocations of land? Paragraph 3.38 should be amended in light of this addition and subsequent paragraphs re- numbered accordingly.

Additionally, although the Council do not propose to prepare any Supplementary Planning Documents at present, as there is no guarantee that the contents of the Local Development Framework will stay the same, could the Council provide information on the preparation of these documents in order that the SCI is capable of covering any eventuality with regard to Local Development Document production?

#### **Test vii**

Could the Council expand on Paragraph 3.42 with a statement that confirms that reports on the consultations undertaken will be prepared at the end of each consultation stage? This additional text should state where these reports will be made publicly available, including posting on the Council’s website and their availability as hard copies at the locations where Local Development Documents have been made available.

### **Other Matters**

#### **1) Editorial issues.**

At various points the submission SCI provides not inconsiderable detail on consultations already undertaken, for example at Paragraphs 2.18 – 2.25 and Paragraphs 2.34 - 2.36. Paragraphs 2.18 – 2.25 begins to describe the process that the SCI has undergone, but eight paragraphs intervene before the remainder of the process is described. Whilst the SCI should provide details of the process for the production of the document this is more usefully achieved by a generic description of the process so that the information provided would be relevant to any future review of the SCI. Could the Council, therefore, combine these two areas of text into one which provides a generic description of the process?

Furthermore, Paragraphs 3.28 – 3.32 describe what had occurred with regard to other Development Plan Documents at the time the SCI was submitted. As this information will soon (if not already) be out of date the Council should remove the above mentioned paragraphs from the SCI. Could the Council confirm that they will do this?

The Council should also provide a schedule of changes to any text within the submission document that would become redundant once the document is adopted.

#### **2) Local Development Framework**

Chapter 3 of the SCI begins by discussing the Local Development Framework. However, it would be helpful and informative if precise details of the documents that the Council envisages will be produced were given here. Could the Council provide additional text that addresses this matter; any such description should also contain a statement that this is the version of the LDF that is current at the time of going to print and that the up to date version is available on the Council's website.

These answers are to assist in the production of a binding report. Once you have submitted your response to these questions, the report will be produced as quickly as possible. Please reply to Tanya Clinton whose details are given above. Thank you for your assistance in this matter.

Yours sincerely,

*Keith Holland*

Keith Holland BA(Hons) Dip TP MRTPI ARICS

Tanya Clinton  
The Planning Inspectorate  
Room 3/25 Hawk Wing  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Your Ref: PINS/M2460/429/3

Dear Ms Clinton

### **Leicestershire County Council – Statement of Community Involvement**

I refer to the letter dated 28 September 2006 from Mr Keith Holland the appointed Inspector for my Authority's Statement of Community Involvement, and would respond to the points he raises as follows.

#### **Test ii**

The Council would suggest the following text to address the issue of links with other community involvement initiatives, and in particular community strategies.

“Leicestershire County Council plays a leading role in Leicestershire Together, the County's Local Strategic Partnership (LLSP) which brings together a wide range of organisations from the public, private and voluntary sectors. Part I of the Local Government Act 2000 places on principal local authorities a duty to prepare 'community strategies', for promoting or improving the economic, social and environmental well-being of their areas, and contributing to the achievement of sustainable development in the UK. The Leicestershire Community Strategy, initially produced by Leicestershire Together in 2003 and subsequently reviewed in 2005, is an overarching strategy to improve the quality and co-ordination of public services in the County. It sets the main priorities for public agencies for the next 2 and 5 years which are to be reflected in a range of strategies, including local development frameworks. A separate Community Strategy has been prepared for Leicester City by the Leicester Partnership and the seven district LSPs in Leicestershire have prepared community strategies for their areas. In preparing local development documents the County Council intends to build on the community engagement and consultation that is carried out by LSPs for their community strategies and other purposes, rather than duplicating this. Similarly, regard will be had to the results of community feedback and the content of other strategies and proposals produced by both of the County Council and other local authorities. If possible, and appropriate, consultation arrangements will also be run together.”

In terms of placing this text, it is proposed that paragraph 2.25 should be split after the second sentence, ending “...stakeholders and groups.”, and the above text inserted as a new paragraph. It is proposed that a slight amendment is then made to the beginning of the paragraph following the

newly inserted one on community strategies, so that it reads: “The hope is that the approach to community involvement will be.....”.

### **Test iii**

The required appendix listing the consultation bodies is attached. It is proposed that this should be Appendix Four, which would mean re-numbering existing Appendix Four to become Five, and Appendix Five to become Six. (There would be no need for existing Appendix Six, as there would be no Representation Form in the adopted SCI).

It is further proposed that reference should be made to the new Appendix within the body of the SCI as follows:

- by inserting at the end of paragraph 2.11 the words: “In addition a broader list of the different types of bodies that may be consulted on the SCI is provided at Appendix Four.”; and
- by inserting at the end of paragraph 3.14 the words: “A list of the types of bodies that may be consulted on DPDs is provided at Appendix Four.”

### **Test iv**

The following amendments and new text are proposed in response to the request for details about site allocation representations at paragraph 3.38:

“3.38 After analysing the representations, the authority may suggest minor wording changes to a submission development plan document, but would not propose any major changes at this stage, because they will not have been the subject of continuous community involvement or sustainability appraisal. A “site allocation representation”, which is a representation received at the submission development plan document stage proposing alternative site allocations or boundaries to an identified site would represent such a major change, and the person making the proposal would have to show that the proper procedures have been followed and that the development plan would be sound with the inclusion of their change(s).

3.39 Stakeholders and the general public would be given opportunity to comment further on a site allocation representation before the independent examination, (see paragraph 3.12), and any further comments received will be considered by the inspector together with the site allocation representation.”

The following text provides a suggested new paragraph relating to the preparation of Supplementary Planning Documents to be inserted at the end of the first section (What the Community will be involved in) of Chapter Three:

1.2 “Supplementary planning documents (SPDs) to expand policies or provide additional detail can also be produced, though a particular need for these has not currently been identified. If produced, a SPD would be included within the Minerals and Waste Development Frameworks as a Local

Development Document. The process for preparing SPDs is similar to that for DPDs, but simpler. There would be initial consultation with a range of stakeholders to assist in determining the direction of a potential SPD. Then a draft document would be produced and subject to the same public participation process as for the preferred options stage of a DPD. The approach to community involvement described in the following for DPDs would, where relevant, apply to the production of any SPDs.”

### **Test vii**

Paragraph 3.42 is proposed to be amended as follows to confirm the availability of consultation reports:

“Leicestershire County Council will provide feedback on how the results of community involvement have influenced the preparation of DPDs through information on its website. Where members of the community specifically request feedback the Council will respond to them directly. Hard copies of the consultation responses together with reports prepared at the end of each consultation exercise, including summaries of the comments received and where appropriate the Council’s response will also be made available at County Hall and posted on the Council’s website.“

### **Other Matters**

#### **1) Editorial issues**

With regard to providing a generic description of consultation on the SCI, the two areas of text, paragraphs 2.18, 2.25, 2.34 and 2.35, specifically concerning the process have been combined under one new heading: “**Consultation on the SCI**”, and revised to read as follows:

“2.18 In preparing this SCI, the County Council undertook a considerable amount of early stakeholder and community consultation. This comprised:

- Workshops for a variety of stakeholder groups
- A questionnaire to the Leicestershire County Council citizen’s panel
- A letter, newsletter and questionnaire sent to all parish councils
- Newsletters and questionnaires sent to all libraries and available on the Leicestershire County Council website
- A series of open surgeries throughout the County

2.19 For the next stages of consultation and public participation (including future reviews of the SCI) the documents are put on the County Council website and are available to see in printed form at County Hall, county council service shops and in libraries across Leicestershire. Letters are sent to all those groups and individuals who have taken part explaining where to find the SCI and giving them the opportunity to make representations. For the pre-submission draft SCI an advertisement is also placed in the local press.

- 2.20 Having amended the SCI to take account of the responses received from these consultation exercises. The SCI is submitted to the Secretary of State. During the further opportunity to make representations at this stage, those who have been taking part are notified and the document is available as before, together with the Pre-Submission Consultation Statement, which sets out the details of the consultation that has been carried out. An advertisement is again placed in a local newspaper.
- 2.21 The representations received are forwarded to the inspector who is appointed to carry out an independent examination of the SCI. The purpose of the examination will be to consider whether the SCI meets the tests of soundness as set out at Appendix One. In so doing the inspector will consider any representations that have been made. Government advice is that the preferred method for the examination of SCIs is by written representation rather than by oral hearing. However, where an oral hearing is required this will normally take the form of a round table discussion.”

The first paragraph relates to the initial round of consultation that is unlikely to be repeated for any future reviews of the SCI. Additional text has been added to the next paragraph to make clear that subsequent stages also relate to future reviews of the SCI.

The intervening paragraphs have now been included in the section headed: The Proposed Approach for Community Involvement.

The Council confirms that paragraphs 3.28 -3.32 will be removed from the SCI as suggested.

As requested a schedule of text that would become redundant once the SCI is adopted is also attached. (This does not include the revisions detailed in this letter).

In addition in the interests of clarity a copy of the SCI is attached with all the proposed changes including consequential paragraph re-numbering. The revisions outlined in this letter and other text that would become redundant are shown as tracked changes in the document.

## **2) Local Development Framework**

1.3 As suggested the following additional text setting out the details of the development plan documents that the Council envisages producing is proposed to be inserted as a new paragraph 3.4.

1.4

1.5 “The Minerals and Waste Development Frameworks are to include the following development plan documents (DPDs):

- A **Minerals Core Strategy** including **Development Control Policies**, which will set out the key principles to guide the form of minerals development in the framework area (Leicestershire), and the criteria against which planning applications for mineral development will be

considered. It will also include a spatial vision, spatial strategy, strategic objectives and a monitoring framework.

- A **Waste Core Strategy** including **Development Control Policies** to guide the form of waste management development in the framework area (Leicestershire and Leicester), and the criteria against which planning applications for waste management development will be considered. It will also include a spatial vision, spatial strategy, strategic objectives and a monitoring framework.
- A **Minerals Site Allocations** document, which will include specific proposals and policies for the provision of land for mineral working within the framework area (Leicestershire).
- A **Waste Site Allocations** document, which will include specific proposals and policies for the provision of land for waste management development within the framework area (Leicestershire and Leicester).
- A **Minerals and Waste proposals map** will also be generated to illustrate the policies and proposals within their geographic context.

1.6 It should be noted that these are the currently proposed documents at the time of production of this SCI. An up to date version of the Minerals and Waste Development Framework will be available on the Council's website."

I hope this covers all the matters raised to assist the Inspector in producing his report.

Yours sincerely

Phil Larter

Schedule of text that would become redundant once the SCI is adopted  
(Paragraph numbers of SCI text with amendments in brackets)

Chapter or Paragraph no.	Redundant text
Contents page	<p>Change “Consultation Already Undertaken on the SCI” to “Consultation on the SCI”.</p> <p>Change “The Proposed Approach for Community Involvement” to “The Approach to Community Involvement”.</p> <p>Remove “The Next Stage of Community Involvement in Production of the SCI”.</p> <p>Change page numbers: “13” to “14”, “14” to “15”, “16” to “17” and “17” to “18”.</p> <p>Change “Appendix Four” to “Appendix Five” and “Appendix Five” to “Appendix Six”.</p> <p>Remove “Appendix Six Submission Stage Representation Form”</p>
1.2	Second sentence: Remove “draft” before “SCI”.
Chapter 2	<p>Change section title “The Proposed Approach for Community Involvement” to “The Approach to Community Involvement”.</p> <p>Remove section title: “The Next Stage of Community Involvement in Production of the SCI”.</p>
2.5	<p>First sentence: Change “was” to “is”.</p> <p>Second sentence: Change “meant” to “means”, first “needed” to “need” and second “needed” to “needs”.</p> <p>Third sentence: Change “was” to “must be”.</p> <p>Fourth sentence: Change “were” to “are”.</p>
2.6	<p>First sentence: Change “was” to “is”.</p> <p>Second sentence: Change “set” to “sets”.</p> <p>Third sentence: Change “was” to “is”.</p> <p>Fourth sentence: Change “was” to “is”, “has been” to “is”. Remove “now to be” before “submitted”.</p>

2.13	<p>Second sentence: Change “last year’s” to “the”.</p> <p>Third sentence: Change “a few years ago” to “in the past”.</p>
2.19 (2.22)	<p>First sentence: Remove “this”.</p> <p>Remove fourth sentence</p>
2.20 (2.22)	<p>Second sentence: Remove “draft”.</p> <p>Remove third sentence.</p> <p>Combine remaining text with previous paragraph.</p>
3.5 (3.6)	<p>Second sentence: Change “has been” to “is”.</p>
3.19 (3.21)	<p>Third sentence: Change “Four” to “Five”</p>
3.21 (3.23)	<p>First sentence: Change “was” to “is”.</p>

## Appendix Four

### Consultation Bodies

For local development documents the Town and Country Planning (Local Development) (England) Regulations 2004 define specific consultation bodies and require that the County Council must consult each of them to the extent that they think that the proposed subject matter of the document affects the body.

The Regulations also require consultation of general consultation bodies as the local planning authority consider appropriate. The meaning of general consultation bodies given in the Regulations encompasses voluntary bodies and bodies which represent the interests of different racial, ethnic, national or religious groups, disabled persons and persons carrying on business in the area.

The following list of consultation bodies is based on Annex E of Planning Policy Statement 12: Local Development Frameworks (PPS12), adapted so that it is relevant to Leicestershire. It is not an exhaustive list of all those who may be consulted. The County Council will consult other stakeholders as appropriate and the list relates to successor bodies where re-organisations occur.

The County Council holds a database of consultation bodies, many of which are represented through generic descriptions in the following lists. If any organisation or individual wishes to be added to the database they should contact the County Council's Planning Group at: County Hall, Glenfield, Leicester LE3 8TE, telephone: 0116-2657292 or by email at: [planningcontrol@leics.gov.uk](mailto:planningcontrol@leics.gov.uk).

#### Specific Consultation Bodies

- East Midlands Regional Assembly;
- Borough and District Councils within Leicestershire;
- City, Borough and District Councils adjoining Leicestershire;
- Town and Parish Councils/Meetings within Leicestershire;
- Town and Parish Council/Meetings adjoining Leicestershire;
- County Councils adjoining Leicestershire;
- Natural England
- The Environment Agency;

- The Highways Agency;
- English Heritage;
- The Strategic Rail Authority;
- The East Midlands Development Agency;
- Advantage West Midlands;
- Any person to whom the electronic communications code applies by virtue of a direction under section 106(3)(a) of the Communications Act 2003;
- Any person who owns or controls electronic communications apparatus situated in Leicestershire;
- The Strategic Health Authority;
- A person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989
- A person to whom a licence has been granted under section 7(2) of the Gas Act 1986;
- Sewage undertakers; and
- Water undertakers

### **Government Departments**

- Government Office for the East Midlands
- Home Office
- Department for Communities and Local Government
- Department for Culture, Media and Sports
- Department for Education and Skills
- Department for Environment, Food and Rural Affairs
- Department for Transport
- Department of Constitutional Affairs
- Department of Health
- Department of Trade and Industry
- Department of Work and Pensions
- Ministry of Defence
- Office of Government Commerce

### **General Consultation Bodies**

- Environmental Interest Groups, including:
  - Council for the Protection of Rural England
  - Forestry Commission
  - Friends of the Earth
  - Local Conservation and Environmental Groups

- Leicestershire Bridleways Association
- Leicestershire Footpaths Association
- Royal Society for the Protection of Birds (RSPB)
- The National Forest
- The Ramblers Association
- The Woodland Trust
- Wildlife Trusts
- Other Interest and Amenity Groups, including:
  - Age Concern and other Organisations for Elderly Persons
  - Associations of Councils
  - British Geological Survey
  - British Waterways
  - Centre for Ecology and Hydrology (CEH)
  - Church Commissioners
  - Civil Aviation Authority
  - Civic Societies
  - Community Groups
  - Commission for Architecture and the Built Environment (CABE)
  - Commission for New Towns and English Partnerships
  - Commission for Racial Equality
  - Crown Estate Office
  - Diocesan Board of Finance
  - Disability Rights Commission
  - Disabled Persons Transport Advisory Committee
  - Educational Establishments
  - Equal Opportunities Commission
  - Health and Safety Executive
  - Housing Corporation
  - Jobcentre Plus
  - Leicester, Leicestershire and Rutland Combined Fire and Rescue Service
  - Leicester Racial Equality Council
  - Leicestershire and Rutland Association of Parish and Local Councils
  - Leicestershire Constabulary
  - Leicestershire NHS Trust and Local Primary Care Trusts
  - Leicestershire Learning And Skills Council
  - Local Cultural, Ethnic and National Group Organisations
  - Local Learning Partnerships
  - Local Strategic Partnerships
  - National Farmers Union
  - National Playing Fields Association

- Organisations for Persons with Disabilities
- Race Equality Councils and Groups
- Religious Groups
- Regional Housing Boards
- Regional Sports Boards
- Sport England
- The Coal Authority
- The Gypsy Council
- Traveller Law Reform Coalition
- Women's National Commission
- Youth Groups
- Business and Commercial Interests, including:
  - Airports
  - Bus Operators
  - Business Associations/Federations/Institutes
  - Chambers of Commerce
  - Construction Companies
  - Developers
  - Electricity Companies
  - Developers
  - Gas Companies
  - Haulage Companies
  - Housebuilders
  - Landowners
  - Manufacturing Companies
  - Mineral Companies
  - Planning and Land Agents/Surveyors
  - Post Office Property Holdings
  - Rail Companies
  - Service Industries
  - Telecommunication Companies
  - Waste Management Companies
  - Water Companies

Ms Tanya Clinton  
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Dear Ms Clinton,

### **Leicestershire County Council – Statement of Community Involvement**

I refer to your letter dated 28<sup>th</sup> November and the draft Inspector's Report on the County's Statement of Community Involvement. I would respond to the report as follows.

Paragraph 1.2 of the report alludes to the County's Local Development Scheme. This Scheme was revised and approved by the Council's Cabinet on 23 November 2005. Within the revised Scheme the SCI was to be submitted in June 2006 and adopted by January 2007. Therefore, the Scheme has already been revised, the SCI complies with s19(1) of the Act and the adoption of the SCI can proceed forthwith.

Paragraph 4.2, Test 3, the final sentence of the Inspector's report recommends the addition of the text at the end of the new Appendix 4 of "Please note, this also relates to successor bodies where re-organisations occur". However, within the text submitted by the Council for the new Appendix 4, the final sentence of the third paragraph states "The County Council will consult other stakeholders as appropriate and the list relates to successor bodies where re-organisations occur." It is the Council's contention that this sentence already in Appendix 4 fulfils the role of the additional sentence recommended and that if inclusion of the sentence at the end of the appendix is required then the 'original' text be amended.

Finally, in regard to the new Appendix 4, the Council would like to add 'Advantage West Midlands' to the list of consultees.

Should you wish any further clarification then please contact me.

Yours sincerely,

Phil Larter (Planning Officer)  
On behalf of the Director of Community Services.