



# Statement of Community Involvement

2019





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## Executive Summary

Leicester is a City that has recently seen great change in its buildings, public spaces, shops and attractions. It also has plans to continue its economic growth working with local businesses and the community to make a truly sustainable city. This growth must be well planned to ensure that it continues to support businesses and the economy well into the next century. An important part of good planning is meaningful engagement and discussion with the community, businesses and services that exist in the city. This will ensure that the growth and changes to the city in the future benefit everyone.

This statement of community involvement sets out how Leicester city council will involve the public, developers, businesses and other agencies in the preparation of its planning policy documents and in the determination of planning applications.

- The council will use a variety of methods of communication for consultation on planning policy documents. These include; letters and

e-mails, press releases, exhibitions, workshops and the internet to ensure that there is appropriate public consultation and participation. The council will aim to avoid main holiday periods for public consultation wherever possible.

- Documents will be clearly written in plain English. Copies of documents or summaries in alternative formats will be provided on request.
- Consultations on planning policy documents will be open for a minimum of six weeks, in accordance with government Regulations, to ensure everyone has enough time to respond.
- Following consultation the issues raised in the comments will be analysed and summarised. An explanation will then be given on how the issues have been addressed in the policy document.
- Consultation on planning applications will conform to government Regulations as a minimum and may involve extra consultation as necessary.
- Comments on planning applications will be summarised and considered in the Officer's report before a planning application is determined.





## Introduction

As required by the Planning and Compulsory Purchase Act 2004 the City Council has produced this Statement of Community Involvement (SCI).

The National Planning Policy Framework Paragraph 16 states Plans should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.”

This document sets out the city council’s plans to engage with and involve the community in the preparation of planning policies and proposals for Leicester, and in deciding planning applications.

A Statement of Community Involvement should be a clear public statement enabling the community to know how and when they will be involved in the preparation of planning documents and how they will be consulted on planning applications.

### The Planning System

The city council is responsible for the preparation of the planning documents for Leicester. These will include the following:

- A Local Plan including site specific policies and a proposals map;
- Supplementary Planning Documents (SPD); and
- Community Infrastructure Levy (CIL)

The timetable for preparing the documents will be displayed on the councils website ([www.leicester.gov.uk/planning](http://www.leicester.gov.uk/planning))



## How we consult

When a planning policy document is published for consultation it must be supported by a statement setting out the community involvement carried out in reaching that stage. If an Inspector finds that the council has not followed the standards set out in its Statement of Community Involvement then the planning document could be withdrawn.

The benefits of engaging a wide range of people in Leicester's planning process include:

- Greater public ownership of planning decisions;
- More attention to the public's priorities; and
- More opportunities for the council and the public to work in collaboration.

### Duty to Cooperate

- There is now a duty to cooperate in the plan making process and the council will engage with its partners such as neighbouring councils and government bodies throughout the formulation of its plans.

### Minimum Standards for consultation

The legal requirement for consultation on planning documents are set out in government regulations. These regulations require the council to:

- Place all documentation on its website [www.leicester.gov.uk](http://www.leicester.gov.uk) together with any supporting information needed to enable people to understand what they are being asked to comment upon and where and when this documentation can be inspected;
- Make all relevant material available for inspection at the council offices and other suitable places for the period for which it is open for comment;
- Send copies to the statutory consultees as defined by the government regulations; and
- Keep the consultation open for a minimum of six weeks for policy documents.

Supplementary Planning Documents should be consulted on for a minimum of four weeks.

## Extra Consultation

The city council wants to ensure that all interested people have access to information on planning matters. In addition to the minimum statutory requirements for documents to be available on the council's website [www.leicester.gov.uk](http://www.leicester.gov.uk) they will also be available to view at libraries and customer service centres.

Documents will be clearly written in plain English. Copies of documents or summaries in alternative formats will be provided on request.

The council will use a variety of methods of communication to ensure that there is appropriate public consultation and participation in planning matters and will aim to avoid main holiday periods for public consultation wherever possible. Consultation on policy documents and SPDs will be kept open for a minimum of six weeks.



## Direct Contact

The council will maintain a planning consultation database. This will include all statutory consultees, local organisations with an interest in planning matters and any interested individuals or organisations that have requested inclusion.

At key consultation stages in the production of planning documents, information letters or emails will be sent to people and organisations on the planning consultation database to notify them of the publication of planning documents and inviting discussion about issues that affect or concern them. This is considered to be a cost effective method of consulting stakeholders.

## Local Media

The council will publicise its documents through media releases. These will include details of any events arranged to promote community involvement. Statutory Notices will be published in the Leicester Mercury. Press releases will be made available to the local media at all key stages in the preparation of the planning documents.

Where appropriate we will seek to have feature items broadcast on Local Radio stations including the ethnic minority media.

## Exhibitions and Presentations

Exhibitions may be set up at key consultation stages in the preparation of planning documents to provide information and receive feedback from the public in an informal situation. They will be held in a variety of venues to reach the greatest cross section of Leicester's population, including seldom heard groups. The venues could include libraries, schools/ colleges/universities, community centres, health and sports centres and youth and leisure centres. When appropriate they will be attended by staff who are proficient in ethnic minority languages or the council will liaise with the groups about the provision of interpreters. All venues will be accessible and the exhibition times will be varied, to include some evening or weekend events when appropriate.

## Workshops

Workshops may be held for invited stakeholders, organisations and community groups to encourage people to participate in the formulation of policies and proposals. This could include focussed meetings with business groups and developers. The objectives of each workshop will be clearly set out beforehand. Careful consideration will be given to venues, timing and participants to ensure that workshops are as inclusive as possible. Organisations will need adequate notice of a workshop to arrange for a group to be assembled. Workshops will be facilitated using a variety of techniques aimed at promoting discussion and leading to positive outcomes.

## Internet: E-government

In accordance with government regulations all documents will be available on the council's website. An email contact address and/or e-form will be provided for comments to be sent directly to the council. This is an easy method of communication for people to understand and enables them to retain a copy of their comments.

Representation forms including e-forms for the formal consultation stages will be available on the website, with instructions on how to complete them. A brief summary will be provided along with information on where and when copies of the documents can be viewed.

## Planning Aid

Planning Aid England is a charitable organisation providing a national network of volunteers who give free, independent and professional advice and support to individuals and communities to engage in the planning process. They provide advice and guidance on all aspects of the planning system and can help:

- Understand how the planning system works;
- Apply for planning permission or appeal against the refusal of permission;
- Comment on planning proposals;
- Get involved in the preparation of your Local Plan; and
- Participate in neighborhood planning.

The contact details for Planning Aid England are as follows:

Phone: 02079298338

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

Requests for advice can be made via their [online enquiry form](#) available on their website.



## How to comment

Comments made verbally or in writing during any of the consultation events will be recorded for consideration by the council.

When written comments are required for the formal stages of consultation, they should be made on a representation form provided by the council.

On request council officers will complete these forms on behalf of any member of the public who experiences difficulties in making written representations, e.g. for reasons of language or visual impairment.

### How the council will respond to comments on planning documents

Community involvement is seen as a continuous process enabling everyone taking part to see how policies and proposals develop at the various stages. This will require a commitment to effective feedback from the council.

A report of proceedings at each consultation event will be produced and made available as part of the background information for each planning document. All comments made during the early consultation stages will be considered in the production of draft documents for formal public consultation.

The council will acknowledge all representations received (and provide the consultee with an individual identification number) at the formal consultation stages and will prepare summaries of representations and a response to them. In the case of the Local Plan and CIL, all the representations will be considered by a planning inspector at public examination. In the case of SPDs, the council will consider all comments before the document is adopted.

People and individuals on the consultation database will be notified of key dates in the timetable and informed of council decisions.

## Who we consult

The subject matter of a planning document will be the starting point for establishing who should be consulted. Anyone with an interest or involvement in the subject should have an opportunity to participate in the preparation of the document.

### Stakeholders

The term 'stakeholder' means anyone and any organisation that has an interest in the services that the council provides. Frequently these are grouped into sectors, such as private, public, voluntary or community.

In general terms the types of groups that we want to be involved include:

- Special interest groups, such as environmental groups; conservation societies; nature conservation bodies; sports clubs; voluntary organisations;
- Residents groups;
- Representatives of ethnic and faith communities;
- Organisations representing disabled people;
- Young people and the elderly;
- Asylum seekers/refugees;
- People with low literacy;
- Gay, lesbian, bisexual and transgender groups;
- Those representing the wider community, including the local strategic partnership and area forums;
- Landowners, the business community, property and development interests, trade unions and transport bodies;
- Small and medium sized businesses; and
- Statutory bodies, including adjoining councils, and regional and national agencies.

Legislation sets out the minimum requirements for public involvement in any consultation on planning documents. The table in Appendix 1 provides a general list of those who **must** be consulted by the city council and those who may be consulted. It is not a definitive list and the Council may need to consult other bodies at the appropriate time.

A planning consultation database with the contact names of all stakeholders who will be involved in the planning process has been compiled by the City Council and will be updated regularly. Individuals or organisations can ask to be included on this database by phone, letter or email.

### **Seldom heard groups**

It is recognised that some sectors of the community may be more difficult to engage in the participation process. These 'seldom heard' groups include some smaller minority ethnic communities such as the gypsy and traveller community, recent arrivals during the past few years, disabled people, elderly people and young people. The council will actively seek to engage with these groups, using local networks and contacts, in order to ensure they can make a contribution to planning the future of the city.

## **When we will consult**

The statutory requirements for community involvement in the preparation of planning documents are set out in government regulations and are designed to ensure that the process is as open and transparent as possible.

### **Key stages for planning documents**

The key stages for community involvement in the preparation of the Local Plan, SPDs and CIL are shown in the diagrams below. Leicester City Council will provide regular updates to its timetable via the yearly authority monitoring report and every 3 years through a new local development scheme (LDS). Getting involved at the earliest stages or preparation will ensure your views have the most opportunity for being taken into account. The Local Plan and the CIL will be subject to independent examination, chaired by a Planning Inspector, when people will be able to speak if they have made formal comments at the publication stage of consultation.



# Key stages diagrams

**Figure 1: Key stages in preparing our Local Plan (LP)**



**Figure 3: Key stages in preparing our Community Infrastructure Levy (CIL)**



**Figure 2: Key stages in preparing our Supplementary Planning Documents (SPD)**



-  Required stage
-  Optional stage
-  Stage at which the public can participate

## Neighbourhood Planning

The Localism Act 2011 introduced statutory neighbourhood planning in England. This enables communities to draw up a Neighbourhood Plan, and grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders. This is intended to give local people more of a say in the development of their local area.

The Neighbourhood Planning (General) Regulations 2012 sets out the requirements for publicity and consultation in relation to the preparation of Neighbourhood Plans and Neighbourhood Development Orders. Depending on how advanced the neighbourhood plan is, it is the responsibility of either the qualifying body such as the community forum or Leicester City Council to publicise the consultation.

### **What will we do to help with neighbourhood plan process?**

The Council will provide advice and assistance to any neighbourhood plan groups seeking to prepare a neighbourhood plan. We will fulfil our statutory obligations such as to share our evidence base, publicise the designation of a neighbourhood area on our website and issue a press release. It should be noted that in developing a neighbourhood plan, most of the responsibility for consulting the community affected falls to the community forums or local groups in the City.

Once a plan has been prepared and consulted on by the community, it will be submitted to the Council and we will provide advice to ensure it meets the relevant legislation and conforms with the Local Plan. The Council will consult on the plan and publicise the details of the plan, including where it can be inspected on the Council's website and also issue a press release. We will then organise an independent examination of the document in collaboration with the relevant parish community forum or local group.

If the document is considered to meet the requirements by the independent examiner and the Council is also satisfied it does then it will be subject to a referendum by the community and businesses affected. This will be co-ordinated by the Council and we will make all of the documents available to view on the Council's website.

More information about neighbourhood Planning can be found at: <https://www.leicester.gov.uk/your-council/policies-plans-and-strategies/planning-and-development/neighbourhood-planning>

### **Time Periods for Designations related to Neighbourhood Planning**

Leicester City Council will determine requests for neighbourhood areas and forums within a maximum of 13 weeks. Depending on the complexities the council will aim to process the applications quicker however where any neighbourhood area proposal covers more than one local authority the council will use the maximum requirement of 20 weeks for determination as defined under legislation.

## Consultation on planning applications

The city council receives and determines applications for planning permission to construct new developments, to allow an existing building to be altered and for changes of use to land and buildings. It also receives applications for other consents covered by planning legislation such as advertisements, listed building consents and some demolitions.

The city council encourages those intending to submit planning applications for large scale developments to consult with local communities and ward councillors before making their planning applications.

A list of all received applications and decisions reached on applications are available on the council's web site, along with copies of the Planning and Development Control Committee agenda and minutes. The weekly list of new applications received is available on the city council web site.

Planning applications are advertised by site notices, which are placed on or near the application site and/or by letters of notification to owners or occupiers of land adjoining the site. In certain circumstances, planning applications are advertised in the Leicester Mercury newspaper.

Adjoining land is defined in the regulations as any land or property which:

- Has a common boundary with the application site, however short;
- Touches the application site at any point e.g. at a corner;
- Is across an entry from the application site; and
- Any flat directly below, above or abutting the application property.

It may include separate units within the application site, for example a self contained flat above a shop.

Complying with the statutory requirement will not necessarily ensure that all owners and occupiers who might reasonably consider themselves to be directly affected will be notified. We will consider sending additional notifications in some cases, for example, to property on the opposite side of the road from a front extension to a house or using additional site notices where a development may affect a wider area in material planning terms.

Planning applications are also available to view on the city councils website. <http://www.leicester.gov.uk/planning> Planning applications are available for the public to view electronically at customer service centres during office hours.

Organisations that must be consulted about types of development are set out in the legislation. For example Sport England is consulted on applications involving playing fields and the Environment Agency for flood risk and other environmental matters. Also it is normal practice to consult a range of other important organisations as appropriate.

**Table summarising publicity on planning applications:**

Type of Planning Application and summary	Stakeholders	What government regulation say we must do	What additional publicity we do, where appropriate
<p>Major Applications: Housing: 10 or more dwellings or 0.5 hectares, Other development: 1000 m2 floorspace or 1.0 hectares</p> <p>Application that is a departure from the local plan, and/or has an environmental impact assessment and/or affects a public right of way.</p>	<p>Neighbours, general public and wider community Government and Statutory consultees</p>	<p>Notice in Leicester Mercury and post a site notice</p>	<p>Notifying neighbours.</p>
<p>Development affecting the setting of a listed building</p>	<p>Neighbours, general public and wider community English Heritage, national amenity groups.</p>	<p>Notice in Leicester Mercury and post a site notice. Notify English Heritage if the application relates to grade I or II* listed building.</p>	<p>Notifying neighbours. Conservation Advisory Panel and national amenity groups will be consulted where appropriate.</p>
<p>Development affecting the character of a conservation area.</p>	<p>Neighbours, general public and wider community English Heritage, national amenity groups.</p>	<p>Notice in Leicester Mercury and post a site notice. Notify English Heritage if the application relates to an area over 1000sqm or a building over 20m in height.</p>	<p>Notifying neighbours. Conservation Advisory Panel consulted and national amenity groups will be consulted where appropriate.</p>
<p>Other applications requiring statutory publicity</p>	<p>Neighbours and general public</p>	<p>Post a site notice or notify neighbours.</p>	<p>Normally notifying neighbours in adjoining and opposite properties. Posting site notices where there is likely to be wider public interest in material planning considerations or where it is not practicable to notify adjoining properties</p>
<p>Advertisement Applications</p>	<p>General public</p>	<p>There are no statutory requirements</p>	<p>A site notice may be displayed or a letter sent to neighbouring properties if it is considered that the advertisement may affect neighbouring residents or have a significant effect on the surrounding area.</p>
<p>Listed Building consent for works affecting the exterior of the building.</p>	<p>General public English Heritage, national amenity groups.</p>	<p>Site notice. Press notice in Leicester Mercury. Consult English Heritage and national amenity groups on Grade I and Grade II* and substantial demolition and where the council owns the building.</p>	<p>Conservation Advisory Panel and national amenity groups will be consulted where appropriate.</p>



All representations received on applications are summarised in the report on the application and are considered before a decision is made. The council cannot determine most applications before the 21 days allowed for responses has expired. This does not apply to advertisement consent and some other types of applications and notifications. Representations should be made in writing, by email, or through the city council website.

Sometimes the council will carry out further consultation/publicity when amended plans are received and the development has significantly changed.

Officers under “delegated powers” determine approximately 90% of planning applications. The other 10% of applications are determined by the Planning and Development Control Committee, made up of elected city councillors, in accordance with the Scheme of Delegation.  
<https://www.leicester.gov.uk/planning-and-building/planning-applications/the-application-process>.

Ward Councillors can speak at Planning and Development Control Committee. Objectors and applicants may also speak at a Planning and Development Control Committee meeting. Details of when this can happen are in our guidelines at: <https://www.leicester.gov.uk/your-council/decisions-meetings-and-minutes/participating-in-council-meetings/>

If planning permission is refused the applicant has the right of appeal to the Secretary of State. There is however no third party right of appeal. If a member of the public has any complaint about the process of decision making the city council has a complaints procedure.

## Protecting your Personal Information

### Data Protection and the General Data Protection Regulation (GDPR) Local Plans and Policy

The protection of personal information is paramount to the City Council and the involvement of the community in planning must always be balanced against the legislation set down to protect people's personal information.

Following the adoption of Leicester City Council's Local Plan and beyond the statutory period of legal challenge it is proposed all persons and organisations listed on the consultee database will be asked if they wish for their details to be retained and for them to be contacted about future Local Plan and planning policy updates.

A period of six weeks will be given to respond after which time the database would be updated as soon as practicably possible. Those persons either requesting to be removed or that did not respond within the allocated period will be removed. Once this is actioned a further letter or email will be sent to all persons being removed to confirm that this had been carried out.

For those persons removed from the database and who had previously made comments on the various iterations of the Local Plan and other policy documentation, their comments will be anonymised.

Therefore, any person registering to be on the consultee database will only have their details held until such time the document (i.e. the Local Plan) being prepared or revised is adopted and the legal challenge period has expired. After that date, consultees who have not requested to remain on the database will be removed, and if required, their comments anonymised. They will be notified as such.

It is proposed to update the information on the consultee database on a regular basis following the same process explained above; most likely following the adoption of an updated Local Plan which under new guidelines should occur at least every 5 years.

There are a number of statutory (or specific) consultees as set out in the Town and Country Planning (Local Planning)(England) Regulations 2012. These consultees will not be removed from the database as the production of a Local Plan without their involvement would be viewed as being unsound.

### What information is made public (Local Plans and Policy)?

The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the consultation requirements for each stage of plan preparation. If you make formal comments on any Local Plan or policy document your comments will be public facing and attributed to your name only. No other personal details will be public facing including addresses, phone numbers or email addresses

### Regulation 18 Stage (Plan Preparation Stage)

All representations made at this stage will be taken in account by the local planning authority when revising the plan before plan publication stage. If changes suggested at this stage are not taken forward to Plan Publication stage only those which have been made formally can be then passed to the planning inspectorate.

### Regulation 19 Stage (Plan Publication Stage)

Anonymous comments at this stage will not be accepted as details are legally required to be passed to planning inspectorate.

### Development Management

Interaction with the Planning Service is undertaken in accordance with the GDPR. No sensitive personal details will be made public but any comments made will be available to the case officer in full.

## Appendix 1: Consultation bodies

### Specific Consultation Bodies

In accordance with government regulations the following specific consultation bodies must be consulted where the city council considers that they may have an interest in the subject of the proposed planning document:

- The Coal Authority;
- Leicestershire County Council;
- The Marine Management Organisation;
- Adjoining Local Planning Authorities: Blaby District Council, Charnwood District Council, Harborough District Council, Oadby and Wigston Borough Council and Hinckley and Bosworth Borough Council;
- Leicester City Clinical Commissioning Group;
- The Environment Agency;
- Highways England;
- Historic England;
- Natural England;
- Electronic communications companies and those who own or control apparatus in Leicester;
- Relevant gas and electricity companies;
- Severn Trent PLC;
- Homes England;
- Regulator of Social Housing;
- Leicestershire Police; and
- Office of Rail and Roads.

### General Consultation Bodies

In accordance with government regulations the following general consultation bodies must be consulted where the City Council consider it appropriate:

- Voluntary bodies whose activities benefit any part of the city;
- Bodies which represent the interests of different racial, ethnic, or national groups in the city;

- Bodies which represent the interests of different religious groups in the city;
- Bodies which represent the interests of disabled people in the city; and
- Bodies which represent the interests of persons carrying on business in the city.

### These include organisations such as:

- Connexions Leicester;
- East Midlands Chamber (Derbyshire, Nottinghamshire, Leicestershire); and
- Leicester and Leicestershire Enterprise Partnership (LLEP).

### Government Departments

The following Government Departments will be consulted where appropriate:

- Home Office;
- Ministry of Housing Communities and Local Government;
- Department for Education;
- Department for Environment, Food and Rural Affairs;
- Department for Transport;
- Department for Business Energy and Industrial Strategy;
- Department of Health and Social Care;
- Ministry of Defence;
- Department for Work and Pensions;
- Ministry of Justice; and
- Department for Digital, Culture, Media and Sport.

### Other Consultees

The following agencies and organisations will be consulted where the City Council consider it appropriate. Some of these will be consulted as 'general consultation bodies'.

- ACERT- Advisory Council for the Education of Romany and other Travellers
- Age UK;

- BID Leicester;
- British Geological Survey;
- Campaign to Protect Rural England (Leicestershire Branch);
- Campaign for Better Transport (Leicestershire);
- CAMRA;
- Canal and River Trust;
- Centre for Ecology and Hydrology;
- Church Commissioners for England;
- Civil Aviation Authority;
- Community Groups;
- De Montfort University;
- Diocesan Board of Finance;
- Electricity, Gas, and Telecommunications Undertakers, and the National Grid Company;
- Equality and Human Rights Commission;
- Fields in Trust;
- Forestry Commission;
- Freight Transport Association Ltd;
- Friends of the Earth;
- Gypsy Council;
- Health and Safety Executive;
- Home Builders Federation;
- Institute of Directors (Leicestershire Branch);
- Leicester Civic Society;
- Leicester College;
- Leicestershire & Rutland Wildlife Trust;
- Leicestershire Promotions;
- Leicester Shire and Rutland Sport Board;
- Leicestershire Asian Business Association (LABA);
- Leicestershire Fire and Rescue Service;
- Leicester Racial Equality Council;
- Leicestershire and Rutland Probation Trust;
- Local Access Forum;
- Local Tenants and Residents Groups;
- Local Transport Authorities;
- Local Transport Operators;
- National Housing Federation;
- National Offender Management Service;
- National Rail Infrastructure Limited;
- Network Rail;
- Passenger Transport Authorities;
- Passenger Transport Executives;
- Post Office Property Holdings;
- Rail Companies and Rail Freight Groups;
- Road Haulage Association;
- Royal Society for the Protection of Birds;
- Sport England;

- The Crown Estate;
- The Theatres Trust;
- The Victorian Society, Leicester Group;
- The Woodland Trust;
- University of Leicester; and
- Voluntary Action Leicestershire.

**Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur.**

### **Planning application consultees (in prescribed circumstances)**

- Canal and River Trust;
- Coal Authority;
- Crown Estate Commissioners;
- Department for Transport;
- Designated Neighbourhood Forums;
- Forestry Commission;
- Garden History Society;
- Historic England;
- Lead Local Flood Authority;
- Local Highway Authority;
- Natural England;
- Secretary of State for Housing, Communities and Local Government;
- Sport England;
- The Environment Agency;
- The Health and Safety Executive;
- The relevant railway network operator;
- The Theatres Trust; and
- Water and sewerage undertakers.

