

# Walsall Statement of Community Involvement

Revised November 2018

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## Key Terms and Abbreviations

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

**Area Action Plan (AAP)** – Provides a planning framework for part of the local authority’s area where major change or conservation is proposed.

**Article 4 Direction** - Restricts the scope of permitted development rights either in relation to a particular area or site, or a particular type of development anywhere in the authority’s area.

**Community Infrastructure Level (CIL)** - A charge that will be payable by developers when they begin construction of new buildings following the granting of planning permission. It is to be used to pay for new infrastructure such as roads, open space, schools and health facilities.

**Local Development Order (LDO)** - Give a grant of planning permission to specific types of development within a defined area, without the need for planning applications.

**Local Development Scheme (LDS)** – The document that sets out the Council’s programme for the production of the Local Plan.

**Local Plan** - The plan for the future development of Walsall, drawn up by the Local Planning Authority in consultation with the community.

**Neighbourhood Plans** - Local communities can choose to: set planning policies through a Neighbourhood Plan that is used in determining planning applications.

**Site Allocation Document (SAD)** – Allocates sites where particular types of development such as housing or industry will be supported.

**Supplementary Planning Document (SPD)** – Supplements the policies and proposals in the Local Plan and explains how relevant policies will be applied.

## Chapter 1 - Introduction

### ***What is the Statement of Community Involvement?***

- 1.1. This document sets out how the planning service at Walsall Council – Planning Policy and Development Management – will involve people in making decisions on forming plans and planning applications.
- 1.2. To support people’s involvement, this statement sets out a set of principles that the Council will seek to follow. It also includes a brief explanation of the planning system and what you can expect when you get involved.
- 1.3. The Statement of Community Involvement (referred to from now as the **SCI**) is not formally part of the Local Plan, but is a Local Development Document and there is a legal requirement to produce one set out in the Planning and Compulsory Purchase Act 2004 (as amended)<sup>1</sup>.

### ***How to use this document***

- 1.4. The SCI explains how we will involve the community in preparing planning policy documents, commenting on planning applications and influencing future development in Walsall. It is intended for a variety of different people including councillors, planners producing plans, planners deciding applications, promoters of development, applicants, partners, bodies representing local and public interest, and members of the public.
- 1.5. This document looks at engagement with the statutory plan making process and planning applications. There may be times when the Council undertakes other planning exercises or evidence gathering and where appropriate and feasible early engagement will form part of this work.
- 1.6. A number of technical terms and abbreviations are used throughout this document. To help with understanding these terms, a list of key terms and abbreviations is given above, and a jargon buster is included within **Appendix A**.
- 1.7. Throughout this document, the terms **community** or **communities** are used to refer to communities of interest (age, gender, ethnicity, disability, faith business interest, developers etc.) and of place (where people may live, work,

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<sup>1</sup> Planning and Compulsory Purchase Act 2004 (as amended) can be viewed at:  
<https://www.legislation.gov.uk/ukpga/2004/5/contents>

study, play, visit, invest and develop).

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

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

- our commitment to review the SCI and how effectively the Council involves communities in planning;
- amendments to planning legislation and changes to national planning policies and guidance;
- changes in technology as well as budget constraints, which mean we need to review how we undertake consultation; and
- learning from experience of public consultation over the past few years to inform how we consult on the Black Country Core Strategy Review.

1.9. There are three important changes to planning legislation and / or national policy / guidance that mean we have to review our SCI now.

- 1) The National Planning Policy Framework (NPPF) came into effect in March 2012, after the 2012 SCI had been adopted in February, and as a result a number of the terms used in the 2012 SCI are out of date. A revised NPPF was published in July 2018<sup>2</sup>.
- 2) The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, Regulation 4)<sup>3</sup>, which comes into force on 6th April 2018, states that an "*SCI review must be completed every five years, starting from the date of adoption of the statement of community involvement*". This places a new emphasis on reviewing SCIs regularly.
- 3) The Neighbourhood Planning Act 2017<sup>4</sup>, Section 6 Commencement Order, which comes into effect on the 31<sup>st</sup> July 2018 brings in a requirements for SCIs to set out the Council's policy for advising or assisting qualifying bodies in the production of Neighbourhood Plans. The SCI therefore needs to be updated to reflect this new requirement.

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<sup>2</sup> The NPPF can be viewed at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/728643/Revised\\_NPPF\\_2018.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/728643/Revised_NPPF_2018.pdf)

<sup>3</sup> The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 can be viewed at: <http://www.legislation.gov.uk/uksi/2017/1244/contents/made>

<sup>4</sup> The Neighbourhood Planning Act 2017 can be viewed at:

<http://www.legislation.gov.uk/ukpga/2017/20/contents/enacted>

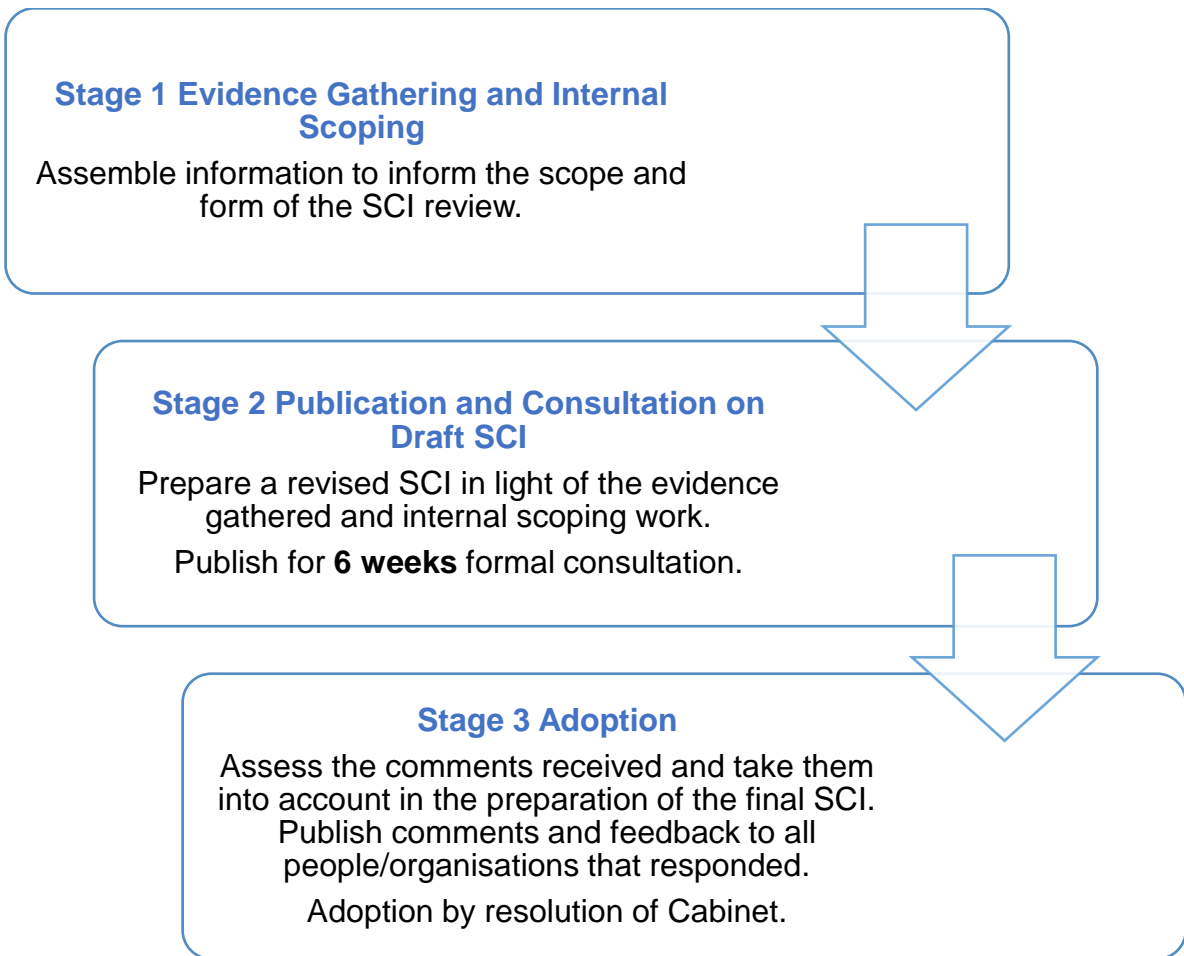


1.10. Many of the ideas and principles of the original SCI remain in this review, but the document has been amended to reflect the planning legislation and national policy changes. The revised SCI also places increased importance on the need for the Council to be more efficient with regard to the type and methods of consultation undertaken to reflect changes in resources and to learn from previous consultations.

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

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

**Figure 1: Process for preparing the SCI**



## ***Lessons Learned from Previous Consultation***

1.12. Although it is important to note that all consultations are unique and should be approached differently, lessons of what worked well and what can be improved upon from previous consultations should be used to inform consultation strategies. The following points set out what worked well from the most recent consultation undertaken by the Council on Walsall Site Allocation Document (SAD) and Walsall Town Centre Area Action Plan (AAP).

### **1.13. What has worked well?**

- specific materials produced to address issues of interest to the community and to explain the process behind site selection;
- advertising of the consultation period and consultation events on social media;
- the use of partners' social media channels and networks to increase awareness of the consultation.
- piggy-backing on existing community events to have a wider reach in the community;
- the use of key locations in the town centre, such as development hoardings, to advertise the consultation; and
- consultation summary documents and/or leaflets to provide key information in an accessible format.

### **1.14. What has not worked so well?**

- Specific consultation events in locations where there are not 'live' issues resulted in low levels of attendance.
- The use of a blog required officer time without reaching a large audience, social media was found to be better at reaching people effectively without the extra resource implications.

1.15. In addition to learning from the consultation undertaken as part of the Local Plan we are committed to consistently reviewing and monitoring the

consultation we undertake. **Chapter 13** sets out how the Council will monitor community involvement. This ensures that we continue to learn from consultations in order to provide inclusive and rewarding community involvement.

## **Chapter 2 - Walsall's approach to community involvement**

### ***Why get involved?***

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

### ***Benefits of Community Involvement***

- 2.2. The Council recognises the benefits of engaging communities in the decision-making process:
- informing the evidence base for plans, strategies and planning decisions leading to better planning outcomes;
  - stakeholders and local communities bring a different perspective to planning;
  - helping to resolve potential conflicts between different interests (including the Council, local communities, stakeholders and developers) at an early stage;
  - communities can help shape the places they live and help the policies better meet the needs of local people;
  - helping communities to understand the planning system and the work the planning service undertakes;
  - promotes regeneration and investment by publishing proposals and facilitating joint working and involvement.

## ***Levels of community involvement***

2.3. The SCI recognises that there are varying levels of community involvement and that at different stages of consultation, different stages will be reached. The **5 key stages** are:

**Level 1** – informing is the process by which you tell people what you have planned;

**Level 2** – consultation where you offer a number of options and listen to feedback;

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

**Level 4** – acting together where you help others do what they want by providing advice and support;

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

## ***What are the Leading Principles that Guide Our Approach?***

2.4. The Council remains committed to the principles it established in the first adopted SCI (June 2006). These principles (below) are based on those agreed by participants at the SCI Launch Event which involved members of the public and a range of key partners:

### ***A) Targeting Communities***

Working with our key partners we will seek to target those communities that have not traditionally had their say in the planning process. These groups include: young people, minority ethnic groups and communities, faith based communities, people with disabilities, small businesses and people on low incomes, ensuring everyone has opportunity to contribute.

We will identify these groups at a borough level using insight and data held by the Council and our key partners. It is necessary that these communities are engaged in the process so that decisions fully reflect the diverse needs of Walsall's population now and in the future. Involvement needs to recognise and be sensitive to diversity issues and there is a need to think creatively to encourage and facilitate

involvement of all of Walsall's communities.

***B) Open access to information for all***

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

***C) Advertise widely the opportunities for involvement***

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

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

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

**- Communication Techniques. These can be used to achieve Levels 1 and 2 of community involvement, and**

**- Involvement Techniques. These can be used to achieve Levels 2 and 3 of community involvement.**

A full assessment of the suitability of each technique, including their resource implications is included within **Appendix C**. They will be reviewed to ensure that they are delivering our objectives using the approach set out in **Chapter 13**.

***E) A transparent process for considering any comments received***

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

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

For consultations on planning policy documents we will ensure that all comments are acknowledged (where contact details are provided) and published within a 'comments matrix' (an example is included in **Appendix D**). This will be developed following each consultation/involvement stage and will explain the progress of comments. This will be published on our website<sup>5</sup>.

***G) Working in partnership***

Where appropriate we will work in partnership to effectively engage communities, utilising a range of existing networks and organisations to reach and engage communities.

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

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

2.6. In particular the SCI draws on the Council's **Consultation Protocol: Our**

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<sup>5</sup> Data will be processed in accordance with all appropriate legislation. More information on this is provided in Chapter 2.

**approach to preparing for consultation**<sup>6</sup> which is designed to support the delivery of high quality consultation that is effective, fair and lawful. The protocol is largely based on the '**Gunning Principals**' that set out the legal expectations of what constitutes robust and appropriate consultation. When the Council undertakes any consultation it will use these principles as the overall backbone to the approach taken. The 'Gunning Principles' are as follows.

**G1 consultation must take place when the proposal is still at a formative stage;**

The decision-maker cannot consult on a decision that it has already made (or has seen to have been made). Otherwise, consultation is not only unfair (the outcome has been predetermined) but it is also pointless.

Asking for new ideas and alternatives as well as consulting on more than one option shows that we are open to influence. Although not a legal requirement, consulting on multiple options demonstrates that the consultation is meaningful and not contrived. If there is a preferred option or initial views on options, then it should be made clear. If only one option exists then we must be able to demonstrate how and why other options have been discounted. Any new, well-formed proposals that come forward during the consultation process must be considered.

**G2 sufficient information to allow for intelligent consideration and response;**

All evidence and information relating to potential options 'that could make a difference' to a consultee in terms of how they interpret the options must be made available or published in a readily understandable format. Proposals should be specific. No new information should come to light during the consultation period or 'late in the day'. It is important to ensure that any evidence cited in consultation papers is clearly referenced, factually correct and sufficiently detailed. Take particular care when presenting graphics, such as maps and statistics.

**G3 adequate time must be given for consideration and response;**

Unless statutory time requirements are prescribed, there is no minimum time frame within which the consultation must take place. The decision-maker may have adopted a policy as to the necessary time-frame (e.g. Compact with the voluntary sector), and if it wishes to depart from that policy it should have a good reason for doing so. Otherwise, it may be guilty of a breach of a legitimate expectation that

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<sup>6</sup> The Council's Consultation Protocol can be viewed at: [www.walsall.gov.uk/consultations](http://www.walsall.gov.uk/consultations)



the policy will be adhered to. The rules of Purdah should be followed, holiday periods avoided and flexibility allowed in order to accommodate possible extensions to the consultation period.

Decision-makers will have to form a judgment as to what period of time is appropriate for the consultation. Where there has been prior discussion about the issue, then it may reasonably decide to limit the time for formal consultation. On the other hand, where the information to be disclosed is complex, or not well known to consultees, it may consider that a greater period of consultation is required.

**G4 the product of consultation must be conscientiously taken into account;**

If the decision-maker does not properly consider the material produced by the consultation, then it can be accused of having made up its mind; or of failing to take it into account; 'predetermination'. Keeping decision makers updated throughout the consultation period reduces the risk of this and ensures their thinking is informed throughout the process and in advance of the decision being made.

The decision-maker does not have to personally read every response provided in the consultation process. However, where a summary is provided, this will need to be comprehensive and accurate. It is always sensible to make available to the decision maker all of the underlying materials, so that they can access them if they wish.

2.7. The Council's Consultation Protocol also includes reference to **Best Practice Principles** to guide consultation activity.

1. Consultation will be genuine, conducted when proposals are at a formative stage and when there are still many possible outcomes.
2. The purpose of the consultation will be made clear and we will detail what can and cannot be influenced, who is eligible to take part, who is taking the decision and when the decision will be taken.
3. Consultation will be conducted to a high standard, be well planned, co-ordinated and, where appropriate, joined up.
4. We will communicate clearly and in a range of formats, providing sufficient, balanced information to allow for intelligent consideration and without knowingly omitting or distorting any key facts.
5. Wherever possible we will consult on a range of options and always declare our preferred option. The process of appraising options and

alternatives will be transparent and robust.

6. Consultation will be inclusive, ensuring that all those who wish to have their say are enabled to do so and are aware of the ways they can respond. Engagement methods will be designed to suit the needs of key stakeholders, utilise multiple channels and having regard for accessibility and those with protected characteristics.
  7. We will give people a reasonable amount of time to respond to the consultation across a number of channels. The duration of a consultation will take into account the urgency of the decision, time of year and impact of any proposals.
  8. Data will be processed in accordance with all appropriate legislation including the General Data Protection Regulations 2016 and the reformed UK Data Protection Act. Only information that is required under the conditions of this policy and UK legislation such as the Freedom of Information Act 2000 will be made public. Results will be carefully analysed and reported accurately without bias in order to comply with transparency requirements.
  9. Findings from consultation will be carefully and conscientiously taken into account before any decision(s) are made.
  10. Results, outcomes and learning will be transparently fed back as appropriate to those involved in the consultation and the wider population. We will publish findings within 12 weeks of the closing date or explain why this has not been possible.
- 2.8. It is considered that the Gunning Principles, Best Practice Principles and the SCI Principles align with each other in a complementary way providing a firm and clear basis for our approach towards consultation.

### ***Listening to feedback and suggestion for consultation***

- 2.9. The Council is committed to reviewing and learning from consultation undertaken. We are also committed to listening to the feedback and hearing ideas for ways in which we can improve our consultation. If you have ideas of consultation methods or suggestions for channels we can use to promote consultations please email them to [planningpolicy@walsall.gov.uk](mailto:planningpolicy@walsall.gov.uk)

### ***Recognising possible limitations of community involvement***

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

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

2.11. We also have to take account of what is practically possible and deliverable. There might be examples of cases where there are no practical alternatives, where desired outcomes are not viable and no grants or delivery mechanisms are available or where the legal rights of some groups or interests (such as in terms of property owners' rights) might have to prevail over the wishes of others.

2.12. We will ensure that the things we have to take into account are explained at the outset when undertaking community involvement to ensure clarity around what can and what cannot be influenced.

2.13. Each level of community involvement requires the use of different techniques and approaches which require different amounts of input and support, from both officers and the community. We recognise that not all communities are able to give up their time or wish to be involved in lengthy exercises. Where appropriate, and depending on the availability of resources, we will ensure that a range of choices are available so that communities have opportunities to pick and choose their level of involvement.

### ***How we will use and protect the data you provide***

2.14. Any personal data and / or sensitive personal data we collect through consultation must be processed in accordance with the General Data Protection regulations (GDPR) and UK Data Protection Act and other related legislation. Personal data means data which relates to a living individual which on its own or together with other information can be used to identify a living person.

2.15. The Council is committed to adhering to the principles of GDPR:

**1. Lawfulness, fairness and transparency.**

A privacy notice will be provided to explain who is collecting and processing the information they provide and how their information might be shared and used. It will details the rights of the respondent and it will also specify how respondents can obtain a copy of their personal data or raise a complaint if they believe we have acted unlawfully.

**2. Purpose Limitation.**

Personal data will be collected for specified, explicit, legitimate and lawful purposes only.

**3. Data Minimisation.**

The council will ensure that the collection and processing of information is not excessive and it is relevant to fulfil the operational needs of the organisation or to comply with legal requirements.

**4. Accuracy.**

The council will implement adequate safeguards to ensure the quality and accuracy of any information used.

**5. Storage Limitation.**

The council will retain information in accordance with relevant UK statutes and the recommendation of The Records Management Society of Great Britain and ensure that data is securely destroyed/deleted at the relevant time so that it is not kept longer than necessary.

**6. Integrity and Confidentiality.**

The council will ensure that there are appropriate technical and organisational security measures in place to protect personal data against theft, loss, destruction or damage. Access to the data will be restricted to those Council officers who need it.

2.16. Information will only be shared with third parties where there is a lawful basis and/or informed, explicit, consent in place.

## Chapter 3 - Council Strategies and Partnership Working

3.1. In addition to the wider context of Government planning policy and legislation, Walsall Local Plan sits within the local context of a number of Council Strategies that set out the Council's priorities. The three main strategies that are of relevance are: The Walsall Plan, The Council's Corporate Plan and the Cohesion and Integration Strategy, as these documents set out the overarching priorities for the Council. Walsall Local Plan then builds on these to provide the planning framework for delivering these priorities. The SCI informs the way in which we undertake consultation on the Local Plan and planning applications.

### ***The Walsall Plan: Our Health and Wellbeing Strategy 2017 - 2020***

3.2. The **Walsall Plan**<sup>7</sup> provides the vision for Walsall. Using data collected on the needs of the borough the plan identifies three overarching priorities:

1. **Increasing economic prosperity through increased growth**
2. **Maximising people's health, wellbeing and safety**
3. **Creating healthy and sustainable places and communities**

3.3. These three priorities are united by the core action of reducing inequalities.

3.4. The plan then sets out how the priorities will be delivered through working in partnership across the Council and with partner organisations. This is channelled down to a local level through the **Locality Delivery Model** which provides the mechanism for shaping delivery on the ground.

3.5. The Locality Delivery Model is set out in **Figure 2**. This is based around four areas of the borough and is made of three main components:

- 1) The Strategic Locality Partnership Boards which include elected members, public and voluntary sector partners and business representatives,
- 2) The Operational Locality Panels which is made up of members from across all relevant partners including community representatives and
- 3) 'One Walsall', which is the voice of the voluntary sector in Walsall and provides a direct link to community groups, charities and social enterprises.

3.6. The SCI aligns with a number of elements within The Walsall Plan, in particular the focus on engaging with communities to ensure they have a

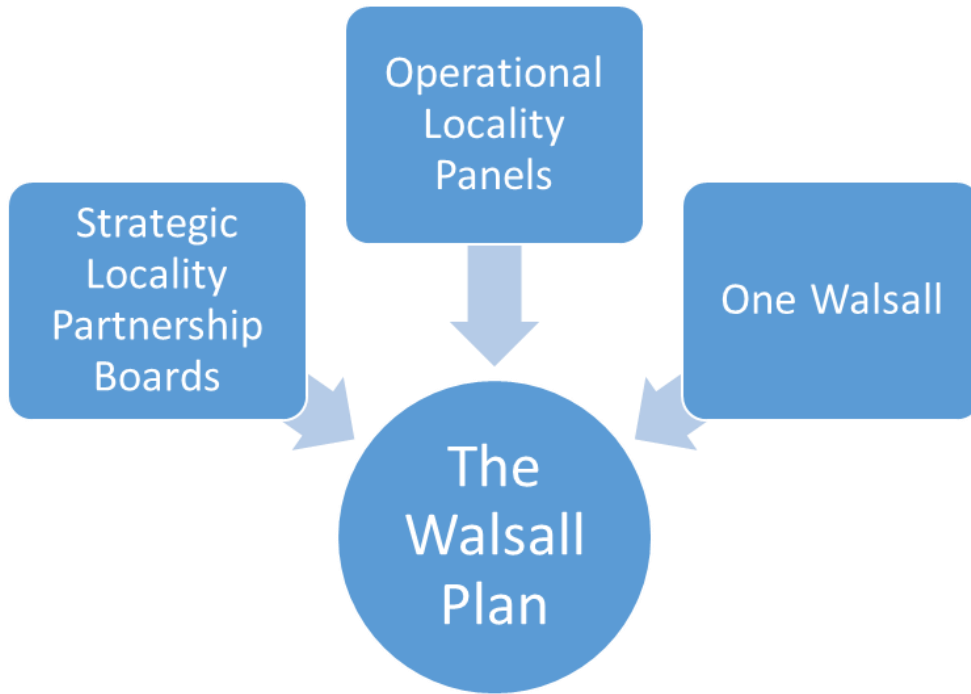
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<sup>7</sup> The Walsall Plan can be view at:

<https://go.walsall.gov.uk/Portals/0/Uploads/PublicHealth/60112%20Walsall%20Our%20Health%20and%20Wellbeing%20Strategy%202017-2020.pdf>

stake in their local environment and utilising partnership working to understand the needs of our communities. Further the three priorities of The Walsall Plan set out above clearly have a spatial planning element and the Local Plan provides the delivery mechanism for developing strategies that will achieve these priorities.

**Figure 2: Locality Delivery Model**



### ***The Council's Corporate Plan 2018 – 2021***

- 3.7. The **Council's Corporate Plan**<sup>8</sup> sets out the Council's purpose along with the priorities with the aim of reducing inequalities and maximise potential.
- 3.8. Ensuring the community is involved in decision making directly relates to a number of the Council's Priorities: Community engagement promotes civic activity which can directly link to ensuring that "*people have increased independence, improved health and can positively contribute to their communities*".
- 3.9. Also by producing plans that reflect the views and needs of all stakeholders the Council is better placed to deliver "*economic growth for all people*,

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<sup>8</sup> The Council's Corporate Plan can be viewed at: [www.walsall.gov.uk/corporate-plan](http://www.walsall.gov.uk/corporate-plan)

*communities and businesses*” and ensure that “*communities are prospering and resilient with all housing needs met in safe and healthy places that build a strong sense of belonging and cohesion*”. The SCI and our approach to consultation is therefore a key mechanism in supporting the delivery of the Council’s vision for Walsall.

### ***Cohesion and Integration Strategy 2017 - 2020***

- 3.10. The Council’s **Cohesion and Integration Strategy**<sup>9</sup> looks to foster good relations between communities in light of the demographic and economic changes. The work undertaken by the Council around understanding the different elements of community cohesion has resulted in a number of priorities that look to address the issues within Walsall.
- 3.11. The strategy includes an action plan that sets out activities and identifies the relevant partners to ensure outcomes are achieved. Consultation on planning plays an important role in ensuring community cohesion by providing all members of the community an opportunity to be heard and influence decisions in their local area. Good planning can also support cohesion by ensuring developments provide opportunities for community integration.
- 3.12. The approach set out in the SCI includes a commitment to engage all communities, including minority ethnic communities, faith-based communities, disabled groups and individuals, young people, people on low incomes and the business community. This approach is designed to ensure that those communities that traditionally have not had their say on planning decisions are able to influence the planning process.

### ***Partnership Working***

- 3.13. The Walsall Plan, Walsall Corporate Plan and the Cohesion and Integration Strategy all work in parallel with each other, with shared the key principle aim of reducing inequalities. In looking to deliver this all three strategies recognise the need for partnership working and community involvement in achieving this vision.
- 3.14. Recognising the role of partnership working and the role of communities is the main way in which the SCI aligns with these strategies. Effective partnership working is key to consultation and this is reflected in the SCI

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<sup>9</sup> The Cohesion and Integration Strategy can be viewed at: [www.walsall.gov.uk/equality\\_documents](http://www.walsall.gov.uk/equality_documents)

principles. The Council's approach to consultation and planning relates directly to the Council's overarching strategies, as effective consultation ensures the views and needs of our communities are represented.

- 3.15. One of the key ways in which this will be achieved is through utilising the existing networks and community linkages of other teams with the Council. It is therefore recognised that the Locality Delivery Model is fundamental in this by providing a route to key partners, community representatives and the voluntary sector in Walsall. Through representation at the different boards and panels we can utilise these existing networks to ensure consultations reach the local level in Walsall. This also ensures that the work being undertaken through the Locality Delivery Model in identifying issues and priorities at a local level is fed directly into plan making so we are all working towards a united vision.
- 3.16. The Council will use the Locality Delivery Model and other channels to work with service providers and the 3<sup>rd</sup> sector to promote planning policy consultation. The Council will also provide information on consultations to such networks so they can share with their service users. If you are involved in a community group or have connections with a service provider and feel you could support consultations by sharing information with your service users we would welcome your involvement so please contact [planningpolicy@walsall.gov.uk](mailto:planningpolicy@walsall.gov.uk).



## Chapter 4 - The planning process and the Statement of Community Involvement

- 4.1. The Council is responsible for preparing planning documents used to shape the future development of the borough. Together, these documents are known as the **Local Plan**. The policies within these documents need to take into account local, regional and national policies, needs and interests.

### ***The Local Plan***

- 4.2. National planning policy<sup>10</sup> requires Walsall to prepare a Local Plan to guide future development in the borough and aiming to meet all communities' economic, social and environmental needs. This will eventually replace the existing Unitary Development Plan (UDP).
- 4.3. In law the Local Plan is made up of Development Plan Documents (DPDs) adopted under the Planning and Compulsory Purchase Act 2004 (as amended)<sup>11</sup>.
- 4.4. The Council is then required to use the Local Plan when making decisions on planning applications and they must be determined in accordance with the Local Plan unless other material considerations indicate otherwise.
- 4.5. **Figure 3** (on the following page) sets out the documents that currently make up Walsall Local Plan:

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<sup>10</sup> The Neighbourhood Planning Act 2017 requires local planning authorities to have up to date policies that identify the strategic priorities for the development and use of land in the authority's area.

<http://www.legislation.gov.uk/ukpga/2017/20/contents/enacted>

<sup>11</sup> The Planning and Compulsory Purchase Act 2004 (as amended) can be viewed at:

<https://www.legislation.gov.uk/ukpga/2004/5/contents>

**Figure 3: Description and status of Walsall Local Plan documents**

| Document <sup>12</sup>  | Description  | Status   |
|---|--|--|
| Black Country Core Strategy (BCCS)  | Sets the long-term vision and policies for the Black County, identifies broad locations for development and growth.  | Adopted February 2011. Revision of strategy started 2017 with 'Issues and Options' consultation in 2017.   |
| Walsall UDP Saved Policies, Proposal Map, Town and District Centre inset Maps   | Detailed policies and proposals about where and when different types of development can or cannot take place. Many of the policies and site allocations have been or will be replaced by the BCCS and the SAD / AAP                            | Adopted March 2005.  |
| Walsall Site Allocations Development Plan Document (SAD)  | Sets out proposals for allocating land uses to specific sites and areas  | Examination September 2017. Adoption anticipated early 2019  |
| Walsall Town Centre Area Action Plan (AAP)  | Establishes the planning framework to guide new development in Walsall Town Centre   | Examination October 2017. Adoption anticipated early 2019.   |
| Supplementary Planning Documents (SPD) (Although they form part of the Local Plan, SPDs are not DPDs they are Local Development Documents (LDD)). | Deal with specific planning issues such as affordable housing provision across the borough, design guidance for new developments, and levels of open space provision and will be used when assessing the suitability of planning applications. | At the time of writing the Council has 7 adopted SPDs are adopted. The Council will keep its SPDs under review and if necessary new SPDs could be adopted by the Council <sup>13</sup> . |

<sup>12</sup> All documents are available to view at: [www.walsall.gov.uk/local\\_plans](http://www.walsall.gov.uk/local_plans)

<sup>13</sup> A full list of the current SPDs can be found on the Council website at: [www.walsall.gov.uk/ldf\\_supplementary\\_planning\\_documents](http://www.walsall.gov.uk/ldf_supplementary_planning_documents)

- 4.6. The latest version of **Walsall Local Development Scheme (LDS)** sets out a more detailed timetable for the production of Walsall's Local Plan documents and is available to download from Walsall Council's website: see: [www.walsall.gov.uk/ldf\\_local\\_development\\_scheme](http://www.walsall.gov.uk/ldf_local_development_scheme).
- 4.7. We will be required to prove how we have met the requirements of the SCI in producing future Local Plan documents and SPDs, and deciding planning applications.
- 4.8. As required by national planning policy, the Local Plan should be drawn up by the Local Planning Authority in consultation with the community and the legislation provides some requirements for public consultation. Consultation responses also form part of the evidence base which Local Plans are tested on, so individuals who respond formally through the consultation process can be confident that their views form part of the planning document process.

### ***Who will we seek to involve in the Local Plan***

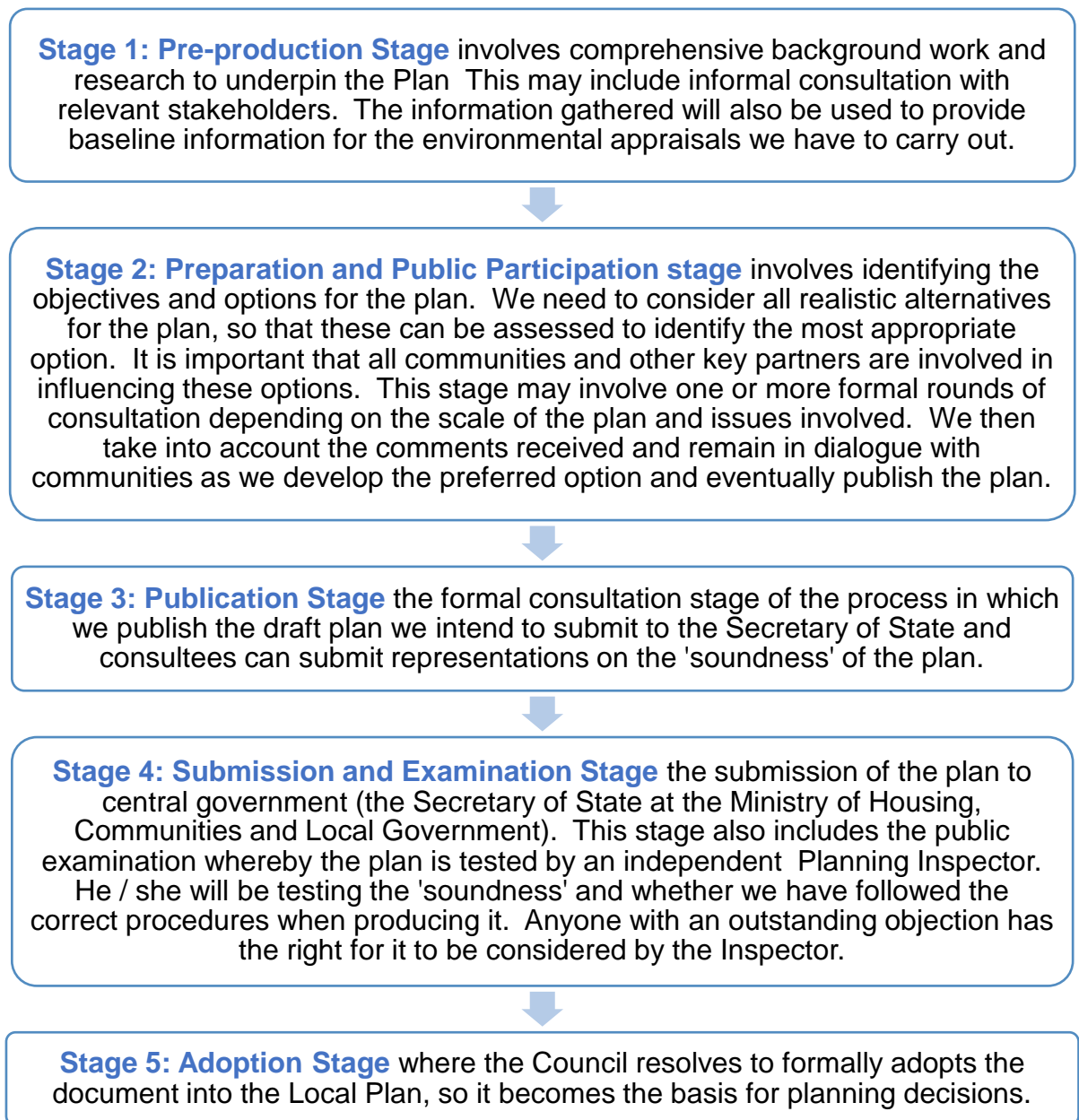
- Duty to Cooperate Bodies – legislation identifies specific consultation bodies that the Council must consult and cooperate with (**See Appendix B**);
- Specific and General Consultees – The Town and Country Planning Regulations 2012 (as amended) sets out a list of specific consultees that should be consulted, along with some criteria for general consultees who include businesses and community groups (**See Appendix B**);
- Statutory Bodies – planning law dictates who needs to be consulted on planning applications but a number of these bodies are also useful contacts to consult on Local plans (**See Appendix B**);
- Depending on the plan being produced, it may be necessary to consult with other agencies and organisations. As well as local people this can include developers, landowners, planning professionals; and Members and officers of the Council.
- In order to keep interested parties informed on progress with plan making and consultations the Planning Policy team has a contacts database. This provides a record of those who has responded to or shown interest in the plans being developed for Walsall. It also includes contact details for the groups identified above. This database serves the purpose of planning consultations only and will not be shared with external parties unless they are partners in the development of plans. All data collected through Planning Consultations will be kept in accordance with the data protection requirements as set out in **Chapter 2**.

## Chapter 5 – Local Plan stages of involvement

### *Community Involvement in the Local Plan Production Process*

- 5.1. The Local Plan is made up of a number of Development Plan Documents (DPDs). The production of DPDs can be seen in terms of **5 stages**; the first 4 of which require community involvement (see **Figure 4**).

#### **Figure 4: The Local Plan Production Process**





**Figure 4** should help illustrate the importance of communities and others being involved from the outset in influencing the content of our plans. Being involved and influencing the issues and options identified should ensure that people's ideas and concerns can best influence the agenda and the contents and policies and proposals of the plans.

- 5.2. The Tables on **pages 24 - 27** sets out how communities can get involved in the different stages of plan-making and how these will lead to the shaping of the plan for adoption. It includes what we, as a Local Planning Authority, will do to ensure we deliver our principles of involvement, the key partners we will work with to involve communities, and in particular our 'hard to reach groups' and the opportunities for communities to get involved.
- 5.3. The approach and techniques used will differ depending on the type of plan. An area specific document, such as an AAP, will require a more local focus (which will be geographic and / or interest based), publicity and the techniques used. A topic based plan will be likely to require the involvement of specific interest groups and organisations and hard to reach groups that are more interest based.

### ***Sustainability Appraisals (SA) of the Local Plan***

- 5.4. We are required to carry out a **Sustainability Appraisal (SA)** of all the plans that make up the Local Plan. Under separate legislation a plan will also require a Strategic Environmental Assessment (SEA) and an Equalities Impact Assessment (EqIA). It is normal practice to integrate these with the SA. This process ensures that we assess the environmental, economic and social effects of policies and proposals together as the plan is being produced. The overall aim is to check whether our policies and plans are contributing towards achieving sustainable development. The SA is undertaken alongside the preparation of the plan and includes opportunities for involvement at key stages<sup>14</sup>.
- 5.5. We will:
  - Consult key consultees (**as defined in Appendix B**) on the scope of the SA at **stage 1** (pre-production stage);
  - Consult key stakeholders and communities on the emerging SA at **stage 2** (preparation and public participation stage);
  - Undertake public consultation on the final sustainability report along with preferred options at **stage 3** (publication stage); and
  - Produce a SA statement explaining how the SA has influenced the final plan at **stage 5** (the adoption stage).

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<sup>14</sup> See <http://www.communities.gov.uk/corporate/> for links to guidance on SA, SEA and EqIA.

**Figure 5: The Local Plan Process and our approach to involvement**

**Stage 1 – Involvement in the pre-production stage**

| <b>Timescale</b>   | <b>Possible Activity</b>  | <b>Possible Involvement techniques</b>   | <b>Who will be involved</b>  | <b>How community can get involved</b>   | <b>Objective and Outcomes</b>   |
|--------------------|---|--|--|---|---|
| <b>3- 6 Months</b> | Raising awareness (evidence gathering).<br>Establishing the context, objectives and scope of the Sustainability Appraisal (SA). | Press articles/reports.<br>Website.<br>Plasma Information screens.<br>Social Media.<br>Piggy-back on other consultations.  | All communities and key partners.<br>Statutory organisations and groups in <b>Appendix B</b> .<br>Contacts from the Planning Database. <sup>15</sup> | Receive information and be aware of next stage. Provide ideas for consultation methods and groups to involve in the consultation.   | Raise awareness, advertise and inform.<br>Help provide evidence as to what the issues and options might be. |
|                    | Establish linkages with key partners, including service providers and the 3 <sup>rd</sup> sector to access communities.         | Presentations.<br>Question and Answer sessions.<br>Production of leaflets and materials.<br>Email updates.<br>Social Media.<br>Piggy-back on other consultations.                  |  | Attend meetings and develop understanding of issues and ideas.  | As above.   |
|                    | Launch Event.   | Facilitated event at community location (for Local Plans and policies) and/or central location (for core strategy and policies).<br>Mobile exhibition.<br>Visual/audio techniques. | All communities and key partners.<br>Statutory organisations and groups in <b>Appendix B</b> .<br>Contacts from the Planning Database.               | Attend event, participate in discussing issues and potential solutions.<br>Receive information from exhibitions and consider the opportunities to be involved in the next stage(s). | Raise awareness.<br>Identify interested parties and key issues and possible solutions.                      |

<sup>15</sup> The Planning Database is the secure database of contacts kept by the Planning Policy for the purpose of consulting on plans.

**Stage 2 - Involvement in the preparation and public participation stage**

| <b>Timescale</b>   | <b>Possible Activity</b>  | <b>Possible Involvement techniques</b>   | <b>Who will be involved</b>   | <b>How community can get involved</b>                                     | <b>Objective and Outcomes</b>                       |
|--|---|--|---|---|---|
| <b>6 – 12 Months</b><br>(may be longer depending of the scale and scope of the plan) | Issues Workshops.   | Focus groups.<br>Visioning sessions.   | All communities and key partners.<br>Statutory organisations and groups in <b>Appendix B</b> .<br>Contacts from the Planning Database.  | Participate through working in partnership to develop issues and options. | Begin addressing specific issues and solutions.     |
|  | Advertise formal consultation period. <b>6 weeks</b> minimum (may be extended if necessary). There may be more than one stage of consultation for the Preparation Stage of the plan depending on the scale and scope of the plan. | Notification email and letter sent to all relevant parties.<br>Website.<br>Newspaper/media (articles, adverts and press releases).<br>Social Media.<br>Piggy back on other events to raise awareness of the consultation.<br>Leaflets in libraries, community centres and other key locations.<br>Posters in libraries, community centres and other key locations. | All communities and partners including hard to reach groups<br>Planning Database organisations and groups in <b>Appendix B</b>  | Note the next stage of the process and procedures.                        | Raise awareness and receive comments.               |
|  | Publish comments received from consultation.  | Emails to individuals.<br>Devise comments matrix and make available on website.<br>Newsletters/e-bulletins.  | Those that submitted comments or participated previously.<br>All communities and key partners.<br>Statutory organisations and groups in <b>Appendix B</b> .<br>Contacts from the Planning Database. | Receive information.  | Provide feedback and sustain community involvement. |
|  | Analysing responses and preparation of draft proposals.   | Establishment of Steering/Working Group.   | Representatives of above.   | Scrutiny role to oversee production of options.                           | Retains input and ownership.                        |



**Stage 3 – Involvement in the publication stage**

| <b>Timescale</b>                             | <b>Possible Activity</b>   | <b>Possible Involvement techniques</b>   | <b>Who will be involved</b>  | <b>How community can get involved</b>                    | <b>Objectives and Outcomes</b>                               |
|--|--|--|--|--|--|
| <b>6 weeks statutory consultation period</b> | Produce Preferred Option and Final Sustainability Report.                            | Steering/Working Group retained.   | Representatives of communities/organisations.  | Scrutiny role to oversee production of preferred option. | Retains input and ownership.                                 |
|  | Advertise formal statutory consultation period.                                      | Notification email and letter sent to all relevant parties.<br>Website.<br>Newspaper/media (articles, adverts and press releases).<br>Social Media.<br>Piggy back on other events to raise awareness of the consultation.<br>Leaflets in libraries, community centres and other key locations.<br>Posters in libraries, community centres and other key locations. | All communities and partners.<br>Planning Database organisations and groups in <b>Appendix B</b> . | Note the next stage of the process and procedures.       | Raise awareness and receive comments.                        |
|  | Formal statutory consultation period - <b>6 weeks</b> (may be extended if necessary) | Make the plan available to view online, including Consultation Statement and SA Report.<br>Hard copies available at main offices and libraries.<br>Summary leaflets.<br>Send website link of documents in notification letter/email.<br>Exhibitions and displays.<br>Public meetings.<br>Social Media.   | Email to individuals.<br>Devise comments matrix and make available on website.                     | Submit comments on preferred option.                     | Representations received and carried forward to examination. |

**Stage 4 – Involvement in the submission / examination stage**

| <b>Timescale</b> | <b>Possible Activity</b>   | <b>Possible Involvement techniques</b>   | <b>Who will be involved</b>   | <b>How community can get involved</b>  | <b>Objectives and Outcomes</b>  |
|------------------|--|--|---|--|---|
| <b>6 Months</b>  | Feedback and Awareness raising.                                      | Advise relevant individuals by email/letter.<br>Details of examination on website.<br>Pre-examination meeting held if necessary.<br>Update Social Media. | Individuals/organisations with outstanding objections.  | Request to attend and participate in examination.                                    | Secure involvement in the examination process.<br>To fully understand the view of those concerned and give them the right to be heard by an independent body. |
|                  | Examination.   | As directed by inspector.  | All interested parties.   | Here duly made have their objections heard and assessed by inspector <sup>16</sup> . | To test soundness of the plan leading to a sound, robust plan ready for adoption.   |
|                  | Consultation on modifications to the plan following the examination. | As directed by inspector.  | All interested parties.<br>Statutory organisations and groups in <b>Appendix B</b> .<br>All contacts on the Planning Database | Have their objections heard and assessed by inspector.                               | To test soundness of the plan leading to a sound, robust plan ready for adoption.   |

<sup>16</sup> In order for a consultation representation to be duly made it must be submitted in writing within the period set out at the start of the consultation by the Council.

**Stage 5 – Involvement in the adoption stage**

| <b>Timescale</b> | <b>Possible Activity</b>                                    | <b>Possible Involvement techniques</b>  | <b>Who will be involved</b>   | <b>How community can be involved</b>  | <b>Objectives and Outcomes</b>            |
|------------------|---|---|---|---|---|
| <b>3 months</b>  | Publish representations received and the Inspectors Report. | Advise relevant individuals and partners by letter or email.  | Those who submitted comments.   | Receive information.  | Feedback and explanation of process.      |
|                  | Advertise of adoption.                                      | Advertise adoption statement on website.<br>Local newspapers article.<br>Social media.<br>Advise relevant individuals and partners. | All communities and key partners.<br>Statutory organisations and groups in <b>Appendix B</b> .<br>All contacts on the Planning Database | Receive information.  | Raise awareness of adoption               |
|                  | Publish adopted plan.                                       | Plan published and available to view in civic centre offices, libraries and website.  | All communities and key partners.   | Receive information and access adopted plan.  | Promote 'end product'.                    |
| <b>Long Term</b> | Implement plan  | Through the planning application process ( <b>See Chapter 9</b> ).  | As above.   | Pre-application consultation (where applicable).<br><br>Receive information and comment on planning application ( <b>See Chapter 9</b> ). | Development proposals conforms with plan. |

## Chapter 6 - Supplementary Planning Documents stages of involvement

### ***Community Involvement in Supplementary Planning Documents (SPDs)***

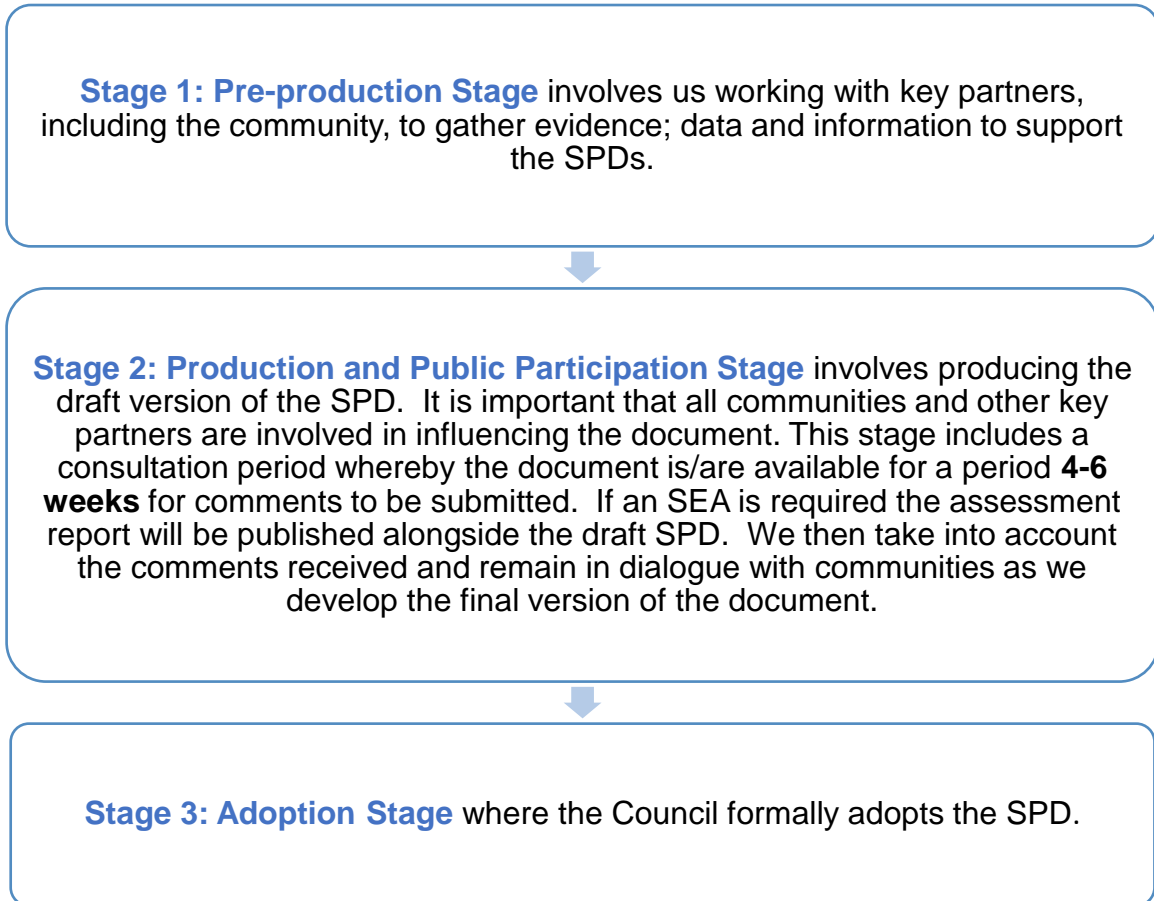
- 6.1. Although they form part of the Local Plan, **Supplementary Planning Documents** (SPDs) are not Development Plan Documents (DPDs). Instead they are referred to as Local Development Documents (LDDs). Their role is to help deliver the Local Plan. As such, they can offer guidance and explanation across a range of planning related issues.
- 6.2. SPDs are not subject to an independent examination. This means that the level of community involvement in their production is not as lengthy or involved as that for the DPDs. However, the principles of frontloading and continuous community involvement will underpin their preparation in the same way as DPDs. SPDs are formally adopted by the Council after consultation has taken place.
- 6.3. Currently there are no new SPDs planned as part of the Council's Local Plan programme. It may be necessary however, to update the Council's current SPDs in order to ensure they are accurate and up to date with national and local policy changes.
- 6.4. The process set out in **Figure 6** (on the following page) will apply to both the review of current SPDs and the production of new SPDs and there will be the same opportunities for consultation.
- 6.5. SPDs do not require SAs but could be subject to Strategic Environmental Assessment (SEA) if they have or could lead to significant environmental impact (See **page 23** for more information on SA and SEA). It also be appropriate to undertake an EqlA depending of the nature of the SPD.

Designing Walsall SPD

- 6.6. SPDs are produced in **3 stages**; the first 2 require a level of

community involvement (see **Figure 6**).

**Figure 6: The Supplementary Planning Document (SPD) production process**



**Figure 7: The Supplementary Planning Document Process and our approach to involvement**

**Stage 1 – Involvement in the pre-production stage**

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

**Stage 2 – Involvement in the production and public participation stage**

| <b>Timescale</b> | <b>Possible Activity</b>                                   | <b>Possible Involvement techniques</b>   | <b>Who will be involved</b>  | <b>How community can get involved</b>              | <b>Objectives and Outcomes</b>   |
|------------------|--|--|--|--|--|
| <b>6 months</b>  | Advertise formal consultation period.                      | Local press.<br>Website.<br>Community Newsletters.<br>Promote at other community events.<br>Posters.<br>Notification letters/emails. | All communities and key partners.<br>Statutory organisations and groups in <b>Appendix B</b> .<br>Contacts from the Planning Database. | Note the next stage of the process and procedures. | As above.  |
|                  | Formal statutory consultation period ( <b>4-6 weeks</b> ). | Make the SPD available (using website and libraries).  | All communities and key partners.<br>Statutory organisations and groups in <b>Appendix B</b> .<br>Contacts from the Planning Database. | Submit comments.                                   | Receive comments.<br>Begin to move towards producing final SPD.                          |
|                  | Publish comments received and our response.                | Letters/email to individuals.<br>Devise comments matrix and make available on website.   | Those who submitted comments.  | Receive information.                               | Provide feedback and sustain involvement.<br>Community involvement continues.<br>Buy in. |

**Stage 3 – Involvement in the adoption stage**

| <b>Timescale</b> | <b>Possible Activity</b> | <b>Possible Involvement techniques</b>                                       | <b>Who will be involved</b>  | <b>How community can get involved</b>   | <b>Objectives and Outcomes</b>           |
|------------------|--------------------------|--|--|---|--|
| <b>3 months</b>  | Advertise adoption.      | Advertise adoption statement on website.<br>Press article where appropriate. | All communities and key partners.<br>Statutory organisations and groups in <b>Appendix B</b> .<br>Contacts from the Planning Database. | Receive information.  | Raise awareness.                         |
|                  | Publish adopted SPD.     | Advise relevant individuals.   | As above.  | Receive information and access adopted SPD.   | Promote 'end product'.                   |
| <b>Long Term</b> | Implement SPD.           | Through the planning application process ( <b>See Chapter 9</b> ).           | As above.  | Pre-application consultation (where applicable).<br><br>Receive information and comment on planning application ( <b>See Chapter 9</b> ). | Development proposals conforms with SPD. |



## Chapter 7 - Consultation on the Community Infrastructure Levy Charging Schedule

### *Introduction to the Community Infrastructure Levy (CIL)*

- 7.1. As part of the recent changes to the planning system the **Community Infrastructure Levy (CIL)** came into force in April 2010<sup>17</sup>. It allows local authorities to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of infrastructure that is needed as a result of development. This includes for example road schemes, schools and green spaces.
- 7.2. CIL will be payable for all new building work (other than small works such as most extensions to existing homes) that has planning permission. Payments will be made at the set rates, rather than being negotiated on a site by site basis as is currently the case with planning obligations under Section 106 of the Town and Country Planning Act. CIL is therefore intended to provide greater certainty for developers about the amount they have to pay, as well as spreading the cost of paying for new infrastructure more fairly over a wider range of schemes. Use of Section 106, which involves the making of a legal agreement between a developer and the Local Planning Authority, is now limited to supporting contributions from the developer that are directly related to the proposed development.
- 7.3. The amount payable (in £/square metres) is set by each local authority. Before introducing CIL, the authority must issue a “**charging schedule**” that sets out the amount. This amount can vary across the authority’s area, for example because of different land values, as well as between different land uses, for example new shops may be required to pay more than new factories. The amount charged must have regard to the actual and expected costs of infrastructure, the economic viability of development and what other sources of funding might be available for particular types of infrastructure.
- 7.4. Details of the infrastructure that are to be funded by CIL must be published by the local authority on its web site.

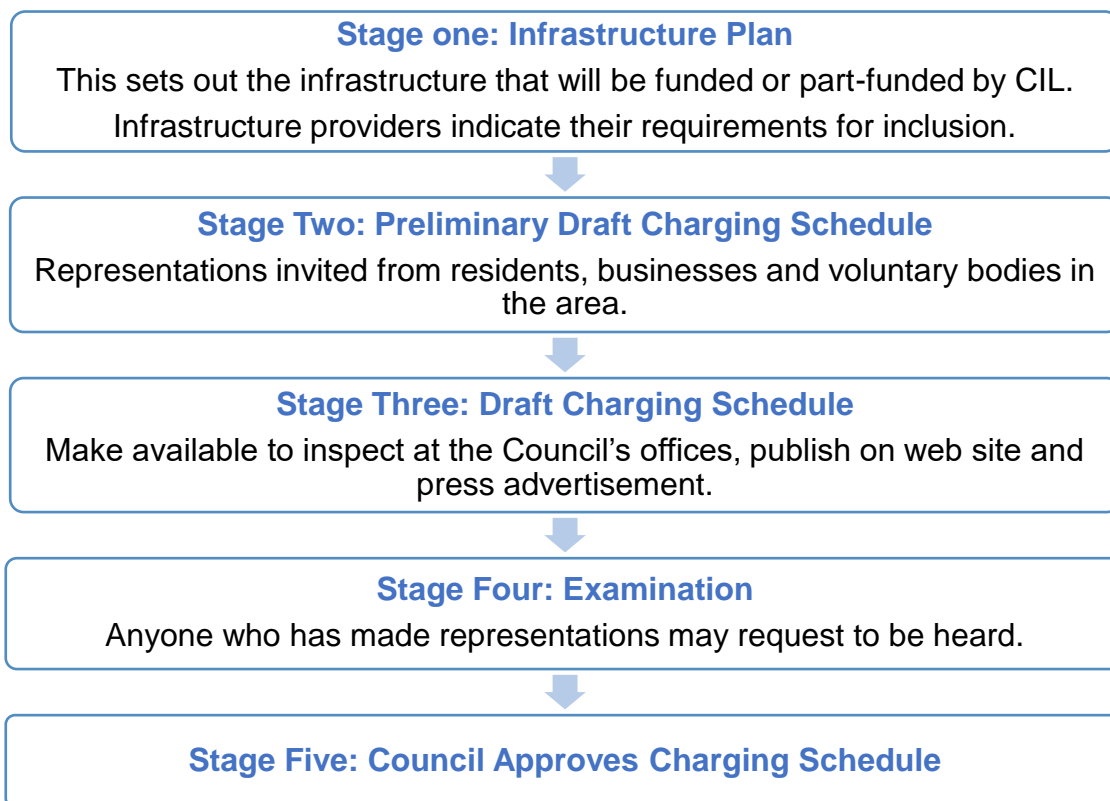
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<sup>17</sup> The Government’s Department for Community and Local Government website has a specific section on CIL: <https://www.gov.uk/guidance/community-infrastructure-levy>

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

- 7.5. The CIL Regulations 2010 require the local authority to consult local communities and stakeholders on the **preliminary draft charging schedule** which sets out the proposed rates for the levy. At least **4 weeks** must be allowed for representations.
- 7.6. A preliminary draft of the charging schedule must be sent to each of the consultation bodies inviting them to make representations. This includes neighbouring authorities along with publicising the charging schedule to residents, businesses and any other interested parties in the area in order to allow them to make representations.
- 7.7. The charging authority must take into account any representations made to it under the regulation before it publishes the charging schedule for examination.
- 7.8. There are several opportunities for interested parties to make representations during the preparation of a charging schedule (see **Figure 8**):

### **Figure 8: The Community Infrastructure Levy (CIL) production process**



## Chapter 8 - Neighbourhood Planning

### *Introduction to the Neighbourhood Planning*

- 8.1. The Localism Act 2011<sup>18</sup> introduced **Neighbourhood Planning** which gives the right to communities to shape development in their areas through the production of Neighbourhood Development Plans (often referred to simply as Neighbourhood Plans), Neighbourhood Development Orders and Community Right to Build Orders.
- 8.2. Neighbourhood Plans become part of the Local Plan once adopted by the Council and the policies contained within them are then used in the determination of planning applications. Neighbourhood Development Orders and Community Right to Build Orders allow communities to grant planning permission either in full or in outline for the types of development they want to see in their areas.
- 8.3. Neighbourhood Plan policies cannot block development that is already part of the Local Plan. Therefore any Neighbourhood Plans produced in Walsall would need to have consideration of adopted and emerging Local Plan

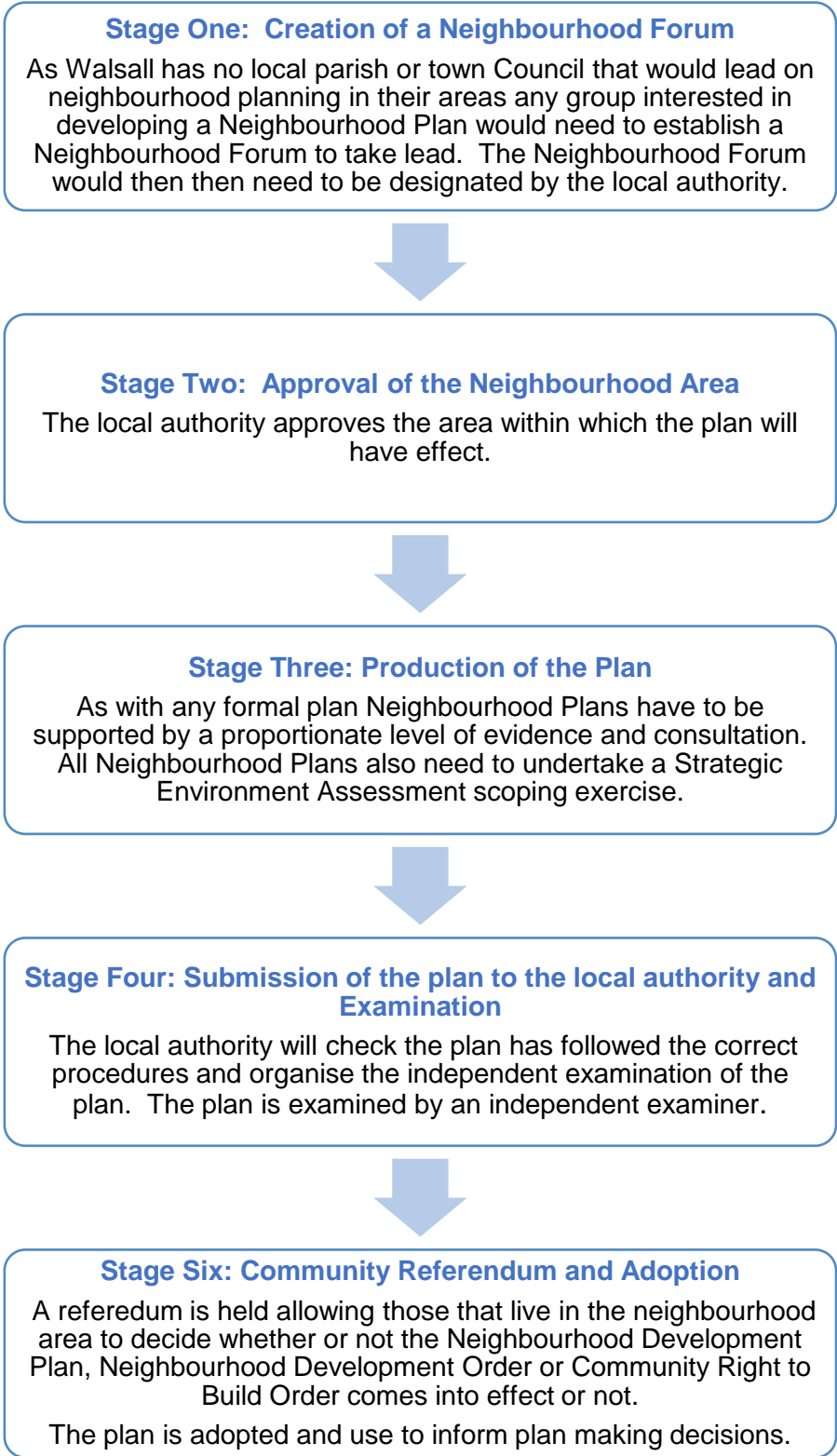
<sup>18</sup> The Localism Act 2011 can be viewed at: <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

documents. However, what Neighbourhood Plans can do is shape where the development identified through the Local Plan will go and what it will look like.

### ***How are Neighbourhood Plans produced?***

- 8.4. There are five key stages in the production of Neighbourhood Plans. Whilst Neighbourhood Plans are led by the community or a business group there are a number of formal stages that involve seeking authorisation from the local authority. **Figure 9** (on the following page) sets out the key stages.

**Figure 9: The Neighbourhood Plan Process**



## ***What support is available to communities producing Neighbourhood plans?***

- 8.5. At present Walsall has no Neighbourhood Plans in place or in production. If there was interest from a community group the Council would be required to support them with the process and meet their statutory requirements as set out in the Neighbourhood Planning Regulations 2012 as amended<sup>19</sup>.
- 8.6. In addition to the statutory required support the Council has three guiding principles that set out our approach towards supporting groups in the production of Neighbourhood Plans. These are set out below along with suggestions of what form this support may take.

### **Principle One: Providing Guidance**

- Discussion on the scope of the Neighbourhood Plan and its relationship with the Local Plan
- Answering general enquires on the process
- Support with mapping and accessing information on assets and constraints and on potential needs for development for homes and jobs, etc.

### **Principle Two: Supporting Engagement**

- Assistance in identifying stakeholders who will need to be involved
- Support with consultation events
- Promotion of the Neighbourhood Plan and consultations

### **Principle Three: Being a Critical Friend**

- Reviewing the plan to ensure it is compliant with the Local Plan and the correct producers are being followed.

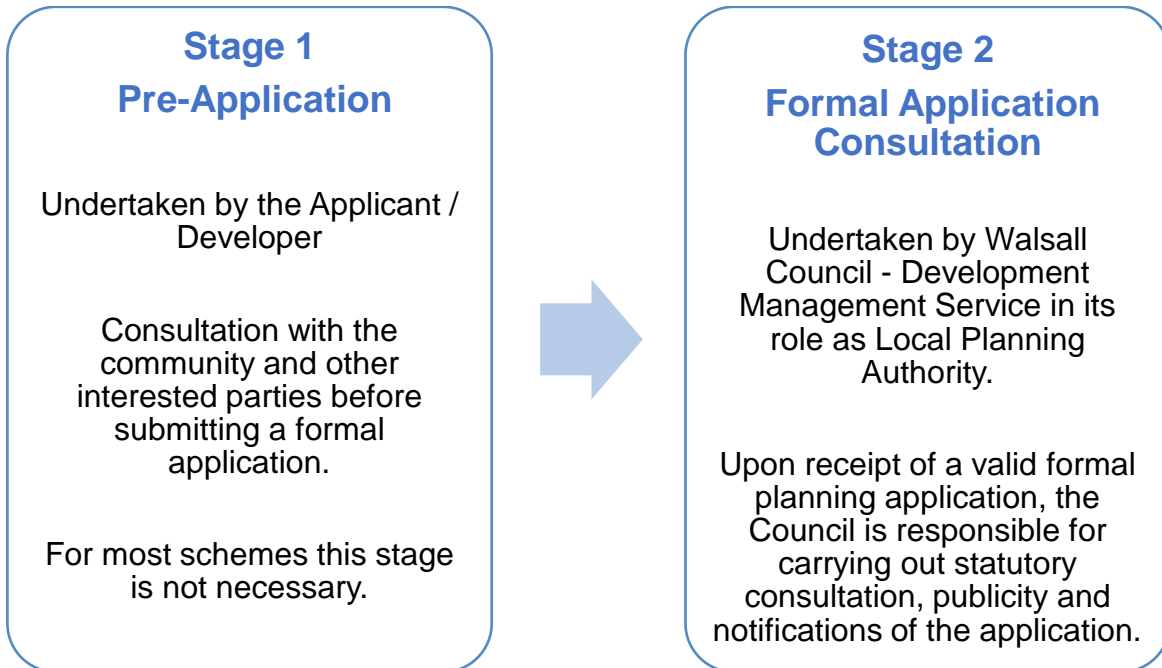
- 8.7. It is important to note that the level of support that the Council may be able to provide will be depended on resources and staffing levels. If you are interested in developing a Neighbourhood Plan in Walsall we would encourage you to get in contact with the Planning Policy team to discuss further the level of support you would require and the scope of the plan at early in the process as possible. This may involve a need to consult early with other partners such as English Heritage or Natural England to inform the scope of the plan and the evidence needed.
- 8.8. At the time of writing this version of the SCI some funding available to provide support and grants for communities looking to set up Neighbourhood Plans. For more information on this see: [www.locality.org.uk/](http://www.locality.org.uk/)

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<sup>19</sup> The Neighbourhood Planning Regulations 2012 as amended can be viewed at: <http://www.legislation.gov.uk/ukxi/2012/637/contents/made>

## Chapter 9 - Involvement in Planning Applications

- 7.1. The aim of the Council's **Development Management Service** is to make sure that development and changes in land use take place in suitable locations and that they are sustainable. The planning system must also provide protection from inappropriate development. Development Management is the process through which decisions are made on applications for planning permission. There is a wide range of matters that the Council has to take account of when determining planning applications. These matters, which are known as "*material considerations*", include the development plan, supplementary planning documents and national policy, as well as issues that are raised by consultees and the public.
- 7.2. There are **2 distinct stages** for community involvement in planning applications: **Pre-application** and **Formal Application consultation**.



### ***Pre-Application***

- 7.3. The Council encourages applicants / developers to discuss their proposals with residents and other interested parties prior to submitting a formal application. As set out in the NPPF the Government also encourages this approach.
- 7.4. Experience shows that early consultation or discussion by an applicant or developer with neighbours and other interested parties often brings to light

issues that can be discussed and solutions found, which should reduce conflict and potential delays during the formal planning application process.

- 7.5. The Council will publish advice via its website to assist in identifying potential designations and or any potential issues that may need to be addressed in the application, and also in identifying possible interested parties.
- 7.6. The Council operates a 'Development Team' for applicants / developers proposing to submit a major planning application. Discussions with Council officers and, where appropriate, statutory consultees such as Highways England or the Environment Agency, may be had on a 'without prejudice' basis. Due to the Council's statutory role in determining the application, any comments of officers or elected members of the Council will not be able to prejudice the outcome of any subsequent planning application. We ensure that at this stage of the process, specific development proposals will remain confidential as far as legislation allows and the wider community would not be involved, unless otherwise agreed with the applicant.
- 7.7. We encourage applicants when carrying out pre-application involvement with the community to ensure that:
  - the involvement approach conforms to the principles and approaches contained within this SCI including that set out in **Figure 10**;
  - any supporting information is factually correct and addresses all planning implications of the proposal;
  - the results of any community involvement exercises are included within the submitted application as part of any supporting material.

### ***Formal Application Consultation by the Local Planning Authority (the Council)***

- 7.8. The minimum publicity requirements for planning applications are laid out in legislation, in particular The Town and Country Planning (Development Management Procedure) (England) Order 2015 as amended (the DMPO). The Order lists the Statutory Bodies (statutory consultees) that must be notified of particular types of application, for example the Highways England and the Environment Agency, as well as the requirements in some cases for site and press notices, and / or notification to individual occupiers. **See Appendix B** for current list of Statutory bodies.
- 7.9. A summary of our approach to consultation on applications is set out below in **Figure 10**.



7.10. The Council works to continually improve its consultation practices. Reference should therefore be made to the Council's website for the most up to date information concerning consultation procedures on all applications.

## **Figure 10: Consultation on Planning Applications**

### **Non-major Developments**

#### **Pre-Application**

Recommended consultation by Applicant / Developer:

- Discussions with immediate neighbours / land owners
- Seek pre-application advice with the Council, details of which are provided on the Council's website

#### **Formal Application**

Consultation to be carried out by Development Management Service following receipt of application:

- Publish the application documents online and make available the application file at the Council offices.
- Provide an online weekly list of new applications received by the Council.
- Publish 'Press Notices' in a local newspaper (where required by the DMPO).
- Display a 'Site Notice' on or near the site where required by the DMPO).
- Formally notify and invite to comment any statutory bodies as required by the DMPO.
- Inform and invite to comment any non-statutory consultees recognised by the Local Planning Authority. Please refer to the Council's website for a list of non-statutory consultees.
- Inform any properties that directly adjoin the red line plan (location plan) or face the application site (example notification below) and may be extended wider on a site by site basis to inform the occupiers and owners about the application, how to view the submitted documents and inviting them to comment on the application.

#### **Example Notification**



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Major Developments

### Pre-Application

Recommended consultation by Applicant / Developer:

- Discussions with immediate neighbours / land owners
- Engage with Walsall Council's Development Team;
- Undertake local presentation event with the community

### Formal Application

Consultation to be carried out by Development Management Service following receipt of application:

- Publish the application documents online and make available the application file at the Council offices.
- Provide an online weekly list of new applications received by the Council.
- Publish 'Press Notices' in a local newspaper where required by the Development Management Procedure Order 2015 (as amended).
- Display a 'Site Notice' on or near the site where required by the Development Management Procedure Order 2015 (as amended).
- Formally notify and invite to comment any statutory bodies as required by the Development Management Procedure Order 2015 (as amended).
- Inform and invite to comment any non-statutory consultees recognised by the Local Planning Authority. Please refer to the Council's website for a list of non-statutory consultees.
- Inform any properties that directly adjoin the red line plan (location plan) or face the application site and may be extended wider on a site by site basis

to inform the occupiers and owners about the application, how to view the submitted documents and inviting them to comment on the application.

### ***Commenting on Planning Applications***

- 7.11. The Council requires all comments on planning applications to be made in writing or by e-mail. This is to ensure that comments are fully and properly recorded as they will be used in the decision making process and will also be public documents and open to public inspection. The Council does not acknowledge receipt of comments made on applications.
- 7.12. If you do not provide your name and address your comments will be treated as anonymous and given little weight during the decision making process. Further information on how to comment and matters that can be considered is published on the Council's website.
- 7.13. Where applications are to be determined by the Planning Committee, interested parties, including applicants are also able to speak at the Committee. Further details of the procedure for speaking at the Committee are included on the Council's website.

### ***General Data Protection Regulations and Access to Information***

- 7.14. All comments submitted to the Council regarding an application including any personal details will form part of the planning application file and will only be used in the planning decision making process. Documentation and information from the planning file may be released as part of a request under the Freedom of Information Act. The planning file is a public document and will be made available for inspection at the Council offices to whoever wishes to see it.

### ***Planning Appeals***

- 7.15. If an applicant makes an appeal against the decision on an application, the Council will notify all those neighbours who were informed of the original application, and any other parties who submitted comments.
- 7.16. In the event of an appeal against the Council's decision on a Householder application only, comments made at the application stage are those that will be taken forward and provided to the Planning Inspectorate and there will be no further opportunity to comment on the application during the appeal process.
- 7.17. For all other types of application you will be invited to submit any further

comments you may have on the application that you have not already included within your letter to the Council during the formal planning application stage.

## Chapter 10 – Conservation Area Character Appraisals

### ***Introduction to the Conservation Area Character Appraisals***

- 10.1. Conservation Area Character Appraisals (CACAs) identify the important characteristics of **Conservation Areas**. They also give guidance to residents and owners on what improvements can be made to the area and even advise whether revisions of or extensions to the Conservation Area can be justified.
- 10.2. Historic England suggest that local communities can add “*depth and a new perspective to the local authority view*” and that they can support the process with survey work, which could help to inform the appraisal<sup>20</sup>. Consultation is therefore a key element of CACAs.
- 10.3. The requirements for producing and consulting on CACAs are set out under Sections 70 and 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990<sup>21</sup>.

### ***Consultation on CACAs***

- 10.4. When undertaking consultation on CACAs the Council will;
- Consult on the draft CACA for a minimum of **3 weeks**
  - Notify all the properties within the Conservation Area subject to the CACA
  - Place a notice in the local press
  - Publicise the consultation on the Council’s website and social media
  - Include the relevant document in the nearby library and/or community centre along with the central library and planning reception
  - Engage with other relevant interested parties, including Historic England, the Canal and River Trust and Local History Societies
  - Host a public meeting in the area to discuss the CACA
- 10.5. Comments received from the consultation process will be taken into consideration in finalising the CACA. The Council will produce a comments matrix to demonstrate how the consultation has influenced the CACA and those who have actively participated in the consultation will be notified when

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<sup>20</sup> See Historic England’s Conservation Area Designation, Appraisal and Management document at: <https://content.historicengland.org.uk/images-books/publications/conservation-area-designation-appraisal-management-advice-note-1/heag040-conservation-area-designation-appraisal-and-management.pdf/>

<sup>21</sup> the Planning (Listed Buildings and Conservation Areas) Act 1990 can be viewed at: <https://www.legislation.gov.uk/ukpga/1990/9/contents>

the CACA is adopted.

## Chapter 11 – Article 4 Directions

### *Introduction to Article 4 Directions*

- 11.1. Article 4 Directions are where permitted development rights are withdrawn under Article 4 of the General Permitted Development Order<sup>22</sup>. The reason for making an Article 4 Direction is that planning permission will be needed for work which normally does not require it, and the Council therefore maintains an increased degree of control over development in sensitive areas.
- 11.2. Article 4 Directions are made when the character of an area of acknowledged importance would be threatened, or where it is necessary to protect local amenity of an area. They are common in conservation areas, where even small-scale domestic alterations can have a disproportionate and cumulative adverse impact on the amenity of the historic environment.
- 11.3. An Article 4 direction can:
- Cover an area of any geographic size, from a specific site to a local authority-wide area.
  - Remove specified permitted development rights related to operational development or change of use.
  - Remove permitted development rights with temporary or permanent effect.
- 11.4. An Article 4 Direction will not prevent the carrying out of work or development by a statutory undertaker.
- 11.5. The procedures for making an Article 4 Direction are set out in Schedule 3 of the General Permitted Development Order.
- 11.6. When producing an Article 4 Directive the Council will:
- Undertake consultation for a minimum of **3 weeks**.
  - Make all the relevant documents available on the website, in the main library and at the planning reception.
  - Place a notice in the local press.
  - Display at least 2 site notices within the area the direction would apply for a minimum of **6 weeks**.
  - Where reasonable notify all owners and occupiers within the area the direction would apply to.
  - Clearly set out when the Article 4 Direction will come into force.

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<sup>22</sup> The General Permitted Development Order can be viewed at:  
<http://www.legislation.gov.uk/ukxi/2015/596/contents/made>





## Chapter 12 – Local Development Order

### *Introduction to the Local Development Order (LDO)*

12.1. **Local Development Orders** (LDOs) provide planning permission for specific classes of **development** within a defined area, subject to certain conditions and limitations, but without the need for a planning application. The purpose of a LDO is to simplify the planning process and provide certainty for potential investors, developers and businesses. This means that certain works, operations and changes of use can be carried out without the need for planning permission. This can be at either a borough wide level or within a particular area of the borough<sup>23</sup>. Neighbourhood Development Orders, associated with Neighbourhood Plans (see **Chapter 8** of this SCI) have a similar effect to LDOs.

### *The production of LDOs*

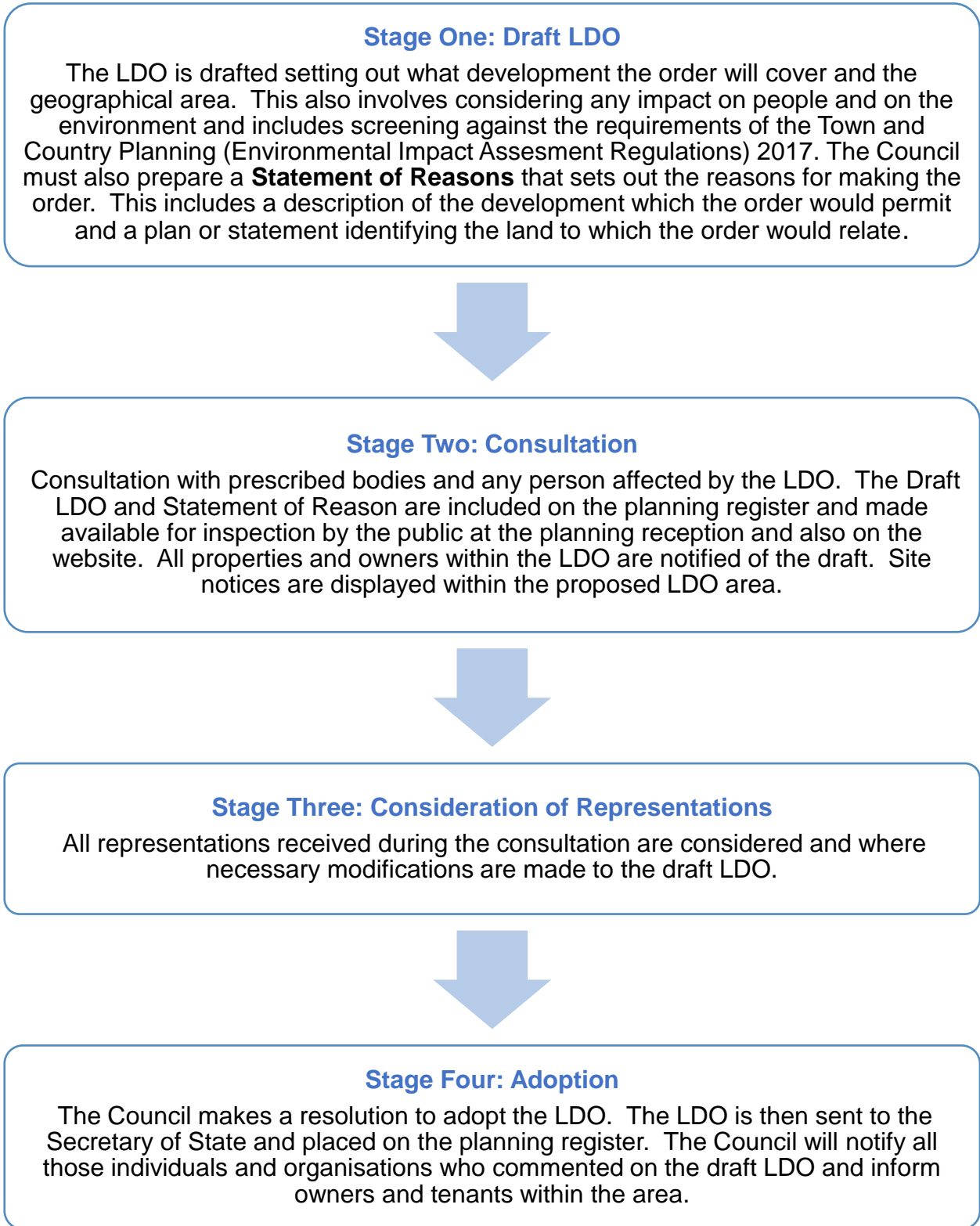
12.2. The process involved in making an LDO is regulated by The Town and Country Planning (Development Management Procedure) (England) Order 2015<sup>24</sup>. **Figure 11** (on the following page) provides a summary of the different stages of production.

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<sup>23</sup> At present Walsall has one LDO in place - Darlaston LDO which forms part of the Black Country Enterprise Zone (EZ). The Council adopted a Local Development Order (LDO) in April 2012 and revised in March 2015. More information of the LDO can be found at: [www.walsall.gov.uk/ldo](http://www.walsall.gov.uk/ldo)

<sup>24</sup>The Town and Country Planning (Development Management Procedure) (England) Order 2015 can be viewed at: <https://www.legislation.gov.uk/uksi/2015/595/contents/made>

**Figure 11: The LDO Production Process**



## **Consultation on LDOs**

- 12.3. When undertaking consultation on LDOs the Council will consult for a minimum period of **4 weeks**. Different approaches may be needed depending on whether the LDO would cover the whole borough or a specific geographical area of the borough.
- 12.4. The Council will use the following methods to consult on the draft:
- Publicising the LDO consultation on our website, within our reception areas, at our main libraries and through social media
  - Publicising the LDO in the local press
  - Where practical, presenting the LDO at community group meetings and forums
  - Make available to view at least one site notice advertising the LDO consultation.
- 12.5. In addition to general publicity the Council must notify:
- All our Duty-to-Cooperate partners (see **Appendix B**)
  - Statutory Consultees (see **Appendix B**)
  - Relevant contacts on the Local Plan Consultation Database
  - Every person whom the authority knows to be the owner or tenant of any part of the site whose name and address is known to the authority. (including sending a copy of the LDO and Statement of Reasons)
  - Any person with whom they would have been required to consult on an application for planning permission for the development proposed to be permitted by the order.
- 12.6. Following the consultation the Council will need to take account of all representations received by them during the period specified. A comments matrix will be produced to show how the comments have been taken into consideration (see **Appendix D**).
- 12.7. After the adoption of an LDO, we are required to notify the Secretary of State.
- 12.8. Once an LDO is adopted the Council will set out clearly how any proposals within the LDO area will be assessed, including arrangements for consulting the relevant statutory agencies and stakeholders.

Any development proposal that is considered to be outside the scope of the LDO will not be authorised and the applicant will be required to submit a formal planning application in the normal manner to allow all relevant issues to be assessed<sup>25</sup>.

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<sup>25</sup> Where development is authorised by an LDO a planning application can still be used for such development if this is so wished by the proposer.

## **Chapter 13 - Resources and Monitoring**

### ***Resources***

- 13.1. Our approach emphasises the need to work with our partners and co-ordinate consultation. We will utilise contacts and networks within the Council and where appropriate outside along with building on previous consultations undertaken. This will ensure that we are able to share resources, in particular costs and human resources. The Council will ensure however that contact details are not shared outside of the Council unless permission has been sought from the individuals beforehand.
- 13.2. We will work, where appropriate, with other Council departments when producing the Local Plan. For instance in producing the Affordable Housing SPD we developed a working partnership with the Council's Housing Department who took the lead in producing the document.
- 13.3. We are looking to take advantage of new opportunities being developed for reaching out to communities including the use of social media sites such as Twitter. We will work closer with the Council's communication team to ensure we utilise new opportunities to engage with communities.
- 13.4. However, we recognise that we need to ensure that our partners understand both the planning process and their roles. We are therefore committed to updating our key partners, developing their understanding and ability to get involved; ensuring they are informed and involved in the process through information giving sessions, continuing the work we have already started prior to the reviewing of the SCI.
- 13.5. Our key partners provide valuable experience, not only in community involvement but also in other areas such as understanding diversity and cultural awareness. We would welcome any opportunities for our officers to share any 'good practice' in these important areas to benefit their ability to work with communities.

### ***Monitoring***

- 13.6. Monitoring and assessing the tasks we have identified in the SCI are important in showing how successful we have been. One of the most useful ways of doing this is to ask people who have been involved in making comments on any plan/policy or planning application to complete an evaluation question that asks their opinion of their experiences of the

process and any suggestions for making improvements. A model evaluation form is included in **Appendix E**.

- 13.7. We also need to assess whether targeted communities are being reached. Therefore when appropriate we monitor participants through voluntary questions in terms of diversity strands as set out in the Equality Act 2010<sup>26</sup>. The information collected may change in order to ensure it is relevant to the consultation being undertaken but this can include for example age, gender, ethnicity or disability. This information is then used to review our approach to targeting if appropriate. Any personal data collected will be in accordance with the Data Protection requirements as set out in **Chapter 2** and other related legislation.
- 13.8 The success of involvement techniques championed by this SCI will need to be measured to see whether they have contributed towards achieving the aim of community involvement as set out in **Chapter 2**. A set of **8 criteria** (identified below) can be used to monitor the success of the SCI.
1. **Comprehensive - ensuring that consultation is undertaken on all relevant aspects.**
  2. **Inclusive - ensuring all relevant groups are reached and addressing any gaps in involvement if identified through the monitoring process.**
  3. **Focused - having clear understanding in advance of options and how consultation might influence them.**
  4. **Effective - demonstrating that results can influence policy.**
  5. **Technically competent - ensuring fitness for purpose in techniques selected.**
  6. **Cost effective - demonstrating that consultation cost were proportionate to the objectives.**
  7. **Communicated - demonstrated how results have been used.**

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<sup>26</sup> The Equality Act 2010 can be viewed at: <https://www.legislation.gov.uk/ukpga/2010/15/contents>

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

- 13.9 The adoption and operation of this document will be the responsibility of a nominated officer of Walsall Council who will oversee community involvement in planning documents. This will include developing and maintaining linkages and dialogue with our key partners. They will support the community involvement related to the emerging plans and policies that are going to be produced over the next few years and ensure that it complies with this SCI.
- 13.10 However, it will rest with individual officers to ensure that community involvement in their plans and policies or planning applications complies with this document. Officers will be required to make reference to how the plans have been produced in accordance with the SCI in the Consultation Statements produced to support their approach to consultation.

## Appendix A

### *Jargon Buster*

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

**Article 4 Direction** – Restricts the scope of permitted development rights either in relation to a particular area or site, or a particular type of development anywhere in the authority's area.

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

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

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

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

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

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

**Local Development Order (LDO)** – Give a grant of planning permission to specific types of development within a defined area, without the need for planning applications.

**Local Development Scheme (LDS)** – The document that sets out the Local Planning Authority's intended programme for the production of Local Development

Documents (LDDs) over the next 3 years. Progress against this programme should be reported each year in the Annual Monitoring Report.

**Local Plan** – The plan for the future development of Walsall, drawn up by the Local Planning Authority in consultation with the community.

**National Planning Policy Framework (NPPF)** – A document that sets out the Government's planning policies for England and how these are expected to be applied.

**Neighbourhood Plans** – Local communities can choose to set planning policies through a neighbourhood plan that is used in determining planning applications.

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

**Preferred Options** – The stage in the preparation of a Local Plan where the Local Planning Authority sets out which one of a range of alternative proposals it feels is the most appropriate to take forward.

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

**Section 106 (S106)** – Planning obligations (Section 106 Agreements and Unilateral Undertakings) are legally binding documents that include certain obligations that the developer must meet and usually include financial contributions towards mitigating the impact of development on the local community.

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

**Statement of Community Involvement (SCI)** – A document which sets out how stakeholders and communities will be involved in the process of producing Local Development Documents and planning applications.

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

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



**Supplementary Planning Documents (SPD)** – Local Development Documents that supplement the policies and proposals in the Local Plan and explains how relevant policies will be applied.

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

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

**Unitary Development Plan (UDP)** – An “old style” development plan that contained both the overall strategy for the Council’s area and detailed policies for individual sites. Most of the strategy and policies in Walsall’s UDP will remain in effect (the “saved” policies) until they are replaced by the documents in the Local Plan.

## Appendix B

### Consultees

**Duty to Cooperate:** The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on Local Planning Authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

As far as Walsall Council is concerned Duty to Cooperate bodies<sup>27</sup> are considered to comprise the following.

Duty to Cooperate Bodies identified in the legislation<sup>28</sup>:

- Civil Aviation Authority
- Clinical Commissioning Group (i.e. Walsall Clinical Commissioning Group)Environment Agency
- Highway authority (Walsall Council Highways)
- The Highways Agency
- Historic England
- Homes and Communities Agency
- Integrated Transport Authority (now Transport for West Midlands, part of West Midlands Combined Authority)
- National Health Service Commissioning Board
- Natural England
- Office of Road and Rail

Local Enterprise Partnerships (the Black Country LEP) and Local Nature Partnerships (the Black Country LNP) are not subject to the requirements of the duty. However, local planning authorities and the public bodies that are subject to the duty must cooperate with them when we are preparing Local Plans.

Other Local Planning Authorities

- Birmingham City Council
- Cannock Chase District Council
- Dudley Metropolitan Borough Council
- Lichfield District Council
- Sandwell Metropolitan Borough Council

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<sup>27</sup> More details on Duty to Cooperate Town and Country Planning (Local Planning) (England) Regulations 2012 as amended can be found at:

[www.legislation.gov.uk/uksi/2012/767/pdfs/ukxi\\_20120767\\_en.pdf](http://www.legislation.gov.uk/uksi/2012/767/pdfs/ukxi_20120767_en.pdf)

<sup>28</sup> The legislation also identifies the Marine Management Organisation, the Mayor of London and Transport for London. However, so far the Council has not identified issues where it is necessary for Walsall to cooperate with those bodies.

- Staffordshire County Council
- South Staffordshire District Council
- Wolverhampton City Council

Besides adjoining authorities, strategic issues might arise with authorities farther afield, for example with the distribution of development across a Housing Market Area or in relation to flows of waste or minerals between authorities' areas.

**Specific Consultees for Local Plans:** (set out in Part 1 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)), besides various bodies that are also Duty to Cooperate bodies these also include:

- The Coal Authority
- Network Rail
- Walsall Healthcare NHS Trust
- The Homes and Communities Agency
- Utilities Companies (communication, power, water etc.)
- Parish Councils (including for parishes that adjoin the authority).

**General Consultees for Local Plans:** (set out in Part 1 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)). These include groups that represent:

- Voluntary Bodies (One Walsall, Walsall Partnership, Resident Allocations etc.)
- Interest Groups who represent different racial, ethnic or national groups in the area (National Federation of Gypsy Liaison Groups, Afro Caribbean Community Association, etc.)
- Religious groups in the area (The Rock Church, Aisha Mosque and Islamic Centre, Walsall Hindu Forum etc.)
- Disability Groups (Walsall Deaf Centre, W'EYES)
- Business Groups (Chamber of Commerce, developers, Town Centre Partnerships, etc.)

**Consultation on Planning Applications:** Planning Law prescribes circumstances where consultation must take place between a Local Planning Authority and certain organisations, prior to a decision being made on an application.

- Adjoining landowners and Occupiers
- Canal and River Trust
- Coal Authority
- Control of major-accident hazards competent authority (COMAH)
- Crown Estates Commissioners
- Department of Energy and Climate Change
- Environment Agency
- Forestry Commission
- Garden History Society
- Health and Safety Executive

- Highway Authority
- Highways England
- Historic England
- Natural England
- Parish Councils
- Rail Infrastructure Managers
- Rail Network Operators
- Sport England
- Theatres Trust
- Water and sewage undertakers

Also there are Non-statutory Consultees – identified in national planning policy and guidance including:

- Emergency Services and Multi-Agency Emergency Planning
- Ministry of Defence
- Office of Nuclear Regulation
- Police and Crime Commission

## Appendix C

### *Review of Involvement Techniques*

| <b>Technique</b>                                | <b>Benefits</b>   | <b>Resources</b>   | <b>Possible Limitations</b>   |
|---|---|--|---|
| <b>Internet/<br/>Website</b>                    | Reach increasingly wide audience, interactive and can include links to other partners. Excellent way of establishing two way dialogue and feedback.   | Low cost-corporate website already exists. Requires regular update and management (staff time).  | Information is not necessarily read and hard to monitor how many people the information reaches. Not all residents have access to a computer or the internet.   |
| <b>Local Newspaper and Community Newspapers</b> | Reach borough wide audience. Potential to use adverts and features.   | Costs associated with producing information and advertisement costs.   | Information is not necessarily read and hard to monitor how many people the information reaches. Less people access information in this form now since the growth of the internet.  |
| <b>Specific Newsletter/<br/>E-Bulletin</b>      | Provides a format to keep interested parties regularly updates on progress with the plans and evidence. Encourages continuous engagement.   | Some costs connected with setting up the template for the newsletter. Cost effective if just an e-bulletin and electronic newsletter rather than being produced in paper form. Regular staff resources needed to produce the contents. | This method would only reach contacts who provided email address or who accessed the website so would not necessary reach new audiences.  |
| <b>Mail Out/<br/>Leaflet Drop</b>               | Reach all households across borough, or can be focused on households directly affected by a proposal  | Costs associated with producing and distribution.  | Limited amount of information can be sent in this format. Costs can be very high if all areas of the borough. Information is not always read but it is not possible to monitor.   |
| <b>Libraries</b>                                | Reach wider communities, although limited coverage in some areas of borough. Could link to internet access at sites. Also suitable venue for planning surgeries – a good way of explaining issues and obtaining feedback face to face in the areas most | Medium resource cost (staff time) requires officer presence or staff training to provide information and advice.   | Audience will have to be already using Council services and as such the method may reach a limited audience. First Stop Express bus no longer operates and libraries in Local Centres have been closed so possible venues has been decreased over recent years. If there is not a |

| <b>Technique</b>                  | <b>Benefits</b>  | <b>Resources</b>   | <b>Possible Limitations</b>   |
|-----------------------------------|--|--|---|
|                                   | effected.  |  | contentious issue in an area it can be difficult to get people along to talk to staff.  |
| <b>SMS text messaging</b>         | Reach wide audience and a good way of engaging young people and provides opportunities for quick feedback – e.g. through voting.   | Cost/resources involved in establishing/updating database. More recent developments in Council systems makes this increasingly efficient in terms of resources | May isolate some groups so should always be used in conjunction with other methods. Limited amount of information can fit into a text message. Would require collation of database, people need to be willing to provide Council with contact details.  |
| <b>Plasma Screens</b>             | Can be eye-catching and very visual way of displaying information e.g. plans, fly-throughs, images etc   | Free through Council systems. Resources involved in providing/updating information   | No opportunity for community to feedback. Audience will have to be already using Council services and as such the method may reach a limited audience   |
| <b>Consultation Bus</b>           | Reach communities where they are at, especially outreaching to areas not covered by libraries/centres. Could link to internet access at sites. Also suitable venue for planning surgeries-good way of explaining issues and obtaining feedback face to face. | Dependent on successful funding bid or existing budgets. Resource intensive in terms of cost and staff time.   | Unless linked with other events or consultations it may be difficult to attract people onto the consultation bus and be actively engaged.   |
| <b>Questionnaires</b>             | Can target communities and send directly to homes, schools, businesses etc. Provides clear opportunity for feedback, listening to people's views.  | Resource intensive in designing and distributing, analysing results.   | Unless the individual is interested in the topic it may be difficult to get them to complete the questionnaire, results may therefore not be representative of the wider community. Too many questionnaires/surveys can result in consultation fatigue. |
| <b>Focus Groups and Workshops</b> | Allow consideration of issues and options in greater depth. Useful way of enabling   | Staff time to facilitate and present information. Possible costs of employing  | Hard to ensure all interest groups are equally represented. Relies on people being willing to   |

| <b>Technique</b>                  | <b>Benefits</b>  | <b>Resources</b>   | <b>Possible Limitations</b>  |
|-----------------------------------|--|--|--|
|                                   | relationships to develop between communities and other key partners.   | consultant/external facilitator, costs of potential translator/crèche/venue and materials.   | give up their free time to participate. May be difficult to ensure all members of the focus group or workshops views are heard.  |
| <b>Visioning</b>                  | Useful start to looking at issues and options, interactive and fun. Useful to use with young people.   | Staff time to facilitate and present information. Possible costs of employing consultant/external facilitator, costs of potential translator/crèche/venue.           | May raise expectations and be difficult to agree on a final vision.  |
| <b>Public Meetings</b>            | Opportunity to outreach communities, present proposals and discuss/generate debate over issues and options with communities and other key partners.  | Staff time to present and prepare information and displays. Possible costs of employing consultant/external facilitator, costs of potential translator/crèche/venue. | Difficult to find a time and locations that suits all of the community, most effective if a number of different interest groups attend and all views are able to be heard equally. Dependent on people being interested enough to come to an event so may not reach all groups. If there is not a contentious issue in an area it can be difficult to get people along to talk to staff. |
| <b>Exhibitions and Road Shows</b> | Opportunity to outreach communities, present proposals in an interactive and visual way. Potential to link into existing community events and consultations. Allows community groups to be targeted by location. | Staff time to prepare information and displays and be present. Costs of venues.  | Difficult to find a time and locations that suits all of the community. Dependent on high footfall in the area to reach a wider audience which can be difficult at times unless there is another event going on. Some venues and events are not suitable for large amounts of information being displayed so can be more about raising awareness rather than gaining feedback.           |
| <b>Interactive displays</b>       | Interactive method of obtaining ideas and suggestions on   | Staff time to prepare information and displays. Possible costs   | Difficult to find a time and locations that suits all of the community.  |

| <b>Technique</b>   | <b>Benefits</b>  | <b>Resources</b>  | <b>Possible Limitations</b>  |
|--|--|---|--|
|  | proposals/plans. Useful where language or written skills may be limited - potential to engage hard to reach communities especially BME and young people.   | of employing consultant/external facilitator, costs of translator.                  |  |
| <b>Modelling-virtual or physical models of proposals</b> | Visual method of displaying proposals, overcomes language issues. Virtual method may create opportunity for comments to be made. Opportunities to work with young people in schools and colleges.  | High costs in producing models. Staff time in explaining models. Costs of venues.   | May raise expectations and be difficult to agree on a final vision. May be difficult to incorporate into written policies.   |
| <b>Local radio</b>                                       | Non visual way of reaching groups such as young people and people who are visually impaired. Opportunities to use community radio with different community languages.  | Staff time in preparing material. Possible costs involved.                          | Limited audience and difficult to get across detailed information.   |
| <b>Social Media e.g. Facebook and Twitter</b>            | Engagement with new audiences especially younger groups, ease and speed of ability to respond. Provides a snapshot of the public's interest through the number of viewings. Can provide a direct link to website where people can have their say so provides a good route to the consultation. | Free but staff need access to such medias and will need monitoring due open format. | Open for all to make comments so may result in a negative image being created and may be difficult to monitor. May exclude members of the community without access to social media, so should be used in conjunction with other methods. |
| <b>Videos</b>  | Breaks down detailed topics into a more accessible format that is more engaging. Gives a human face to planning. Works well with social media and websites. Useful for   | High costs involved in the production.  | Need to be short to be effective so can be difficult to get across all the information. Not a direct way for feedback from interested parties.   |



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| <b>Technique</b> | <b>Benefits</b>  | <b>Resources</b> | <b>Possible Limitations</b> |
|------------------|--|------------------|-----------------------------|
|                  | events and meetings.<br>Provides a snapshot of the public's interest through the number of viewings. |                  |                             |

## Appendix D

### *Example of Comments Matrix*

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

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

## Appendix E

### ***Model Evaluation Form***

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

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

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

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

Very much so  To some extent  Not at all

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

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

Very much so  To some extent  Not at all

If no, what could we have been done differently?

---

---

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

Yes fully  Yes partly  No not at all

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

Very little  Something New  A Great Deal

6. Are you aware of:

|  |     |                          |    |                          |
|--|-----|--------------------------|----|--------------------------|
| What will happen to your comments?                     | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| What happens next to the (insert plan/proposal/event)? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| Further opportunities to be involved?                  | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

7. Any other comments

## **Appendix F:**

### ***Further Information and Advice***

#### **Planning Aid**

Planning Aid England provides a range of services to support communities engage with the planning process. They provide advice and guidance on the planning system including support with commenting on planning proposals and applying for planning permission along with getting involved in consultation on the Local Plan or support with the preparation of neighbourhood plans.

More details can be found on their website at: <http://www.rtpi.org.uk/planning-aid/>

#### **The Royal Institute of Chartered Surveyors**

The Royal Institute of Chartered Surveyors consumer helpline offers free advice on boundary disputes, party walls and compulsory purchase. Further information is available on their at: <http://www.rics.org/uk/footer/contact-us/rics-consumer-helplines/>

#### **Planning Portal**

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

The website can be viewed at [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

## **Contact Information**

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