



Meeting Agenda

**Council,
Lowther Pavilion, Lytham,
Monday 26 September 2011,
7.00pm**



COUNCIL MEETING

LOWTHER PAVILION, LYTHAM
on
MONDAY 26 SEPTEMBER 2011 at 7:00pm

The Mayor – Councillor H. Henshaw, A.D.K (Malaysia)
Deputy Mayor – Councillor R. K. Eastham

Councillors

B.M. Ackers
B. Aitken
C. E. Akeroyd
F.R. Andrews
T. Armit
T. Ashton
S. Ashton
K. Beckett
J. Brickles
K. Buckley
D.M. Chedd
M. Chew
A. Clayton
P. Collins
S. Cox
F.Craig-Wilson
S. Cunningham
J.R Davies
L. Davies
D. Donaldson
C.Duffy
D. Eaves JP
S.M Fazackerley
Dr T.J Fiddler
T. Ford JP

Councillors

G. Goodman JP
N. Goodrich
P. Hardy
K. Harper
P.J Hayhurst
K. Henshaw JP
P. Hodgson
K. Hopwood
A. Jacques
C. Little
J.K Mulholland
E.J Nash
L.J Nulty
E.A. Oades
A.G. Pounder
D.S Prestwich
R. Redcliffe
L. Rigby
E.M Silverwood
J.R Singleton JP
H.A Speak
T. Threlfall
V. Willder
P. Wood

Philip Woodward – Chief Executive

Contact: Annie Womack (01253) 658423 Email: anniew@fylde.gov.uk



Our Vision

Fylde Borough Council will work with partners to provide and maintain a welcoming, inclusive place with flourishing communities.

Our Corporate Objectives

- To Promote the Enhancement of the Natural & Built Environment
 - To Promote Cohesive Communities
 - To Promote a Thriving Economy
- To meet the Expectations of our Customers

The Principles we will adopt in delivering our objectives are:

- To ensure our services provide value for money
- To work in partnership and develop joint working

| PROCEDURAL ITEMS | |
|---|-------------|
| 1. CONFIRMATION OF MINUTES | 3 |
| INFORMATION ITEMS | |
| 2. MAYOR'S ANNOUNCEMENTS | 3 |
| 3. CHIEF EXECUTIVE'S COMMUNICATIONS | 3 |
| REPRESENTATIONS | |
| 4. QUESTIONS FROM MEMBERS OF THE COUNCIL | 3 |
| 5. QUESTIONS FROM MEMBERS OF THE PUBLIC | 3 |
| ITEMS FOR DECISION | |
| 6. NOTICE OF MOTION | 8 - 9 |
| 7. CONSTITUTION | 10 - 13 |
| 8. UPDATED STATEMENT OF COMMUNITY INVOLVEMENT | 14 - 121 |
| 9. EXCLUSION OF THE PUBLIC | 122 |
| 10. APPOINTMENT OF CHIEF EXECUTIVE | EXEMPT ITEM |

Personal interests

8.—(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body—
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

- (i) any employment or business carried on by you;
 - (ii) any person or body who employs or has appointed you;
 - (iii) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
 - (iv) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
 - (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
 - (vi) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
 - (vii) any land in your authority's area in which you have a beneficial interest;
 - (viii) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
 - (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision;

(2) In sub-paragraph (1)(b), a relevant person is—

- (a) a member of your family or any person with whom you have a close association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

- 9.—(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

- (5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000(d).

Prejudicial interest generally

- 10.—**(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business—
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
 - (c) relates to the functions of your authority in respect of—
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

- 11.—** You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

- 12.—**(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
 - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;
 unless you have obtained a dispensation from your authority's standards committee;
 - (b) you must not exercise executive functions in relation to that business; and
 - (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

1. CONFIRMATION OF MINUTES

To confirm as a correct record the minutes of the Council meetings held on 25 July 2011.
(Appended at the back of the agenda)

2. MAYOR'S ANNOUNCEMENTS

3. CHIEF EXECUTIVE'S COMMUNICATIONS

The Chief Executive to report receipt of any relevant communications that have been received subsequent to sending out this agenda.

4. QUESTIONS FROM MEMBERS OF THE COUNCIL

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

REPORT



| REPORT OF | MEETING | DATE | ITEM NO |
|-----------------------------|---------|-------------------|---------|
| GOVERNANCE AND PARTNERSHIPS | COUNCIL | 26 SEPTEMBER 2011 | 6 |

NOTICE OF MOTION

Public item

This item is for consideration in the public part of the meeting.

Summary

The council is requested to consider the Notice of motion received on 30 August 2011.

Recommendation

To consider the Notice of Motion.

Report

The Motion

1. The following notice of motion has been received:

"Would this Council agree that the Government's Draft Planning Policy Framework for Growth is abhorrent in its approach to future housing development and the impact it will have on our open countryside and will the Council agree to write to the Government voicing its strong concern about this Policy?"

2. Councillor Oades has proposed the motion and Councillor Nulty seconds it.

Standing Orders

3. An extract from the Council Procedure Rules on Notices of Motion include the following (summarised) provisions:

11.1.3 At the Council Meeting

11.1.3.1 A motion under this rule must be formally moved and seconded at the council meeting. It will then stand referred without discussion to the cabinet or the relevant committee(s) of the Council for consideration unless, while moving the motion, its proposer asks the council to consider it immediately.

11.1.3.2 If the proposer asks the council to consider the motion immediately, the council must, without discussion, vote on whether or not to do so.

Continued....

11.1.3.3 *If the council votes to consider the motion immediately, it will be dealt with at the council meeting under the normal rules for debate and voting. If the council votes not to consider the motion immediately, it will stand referred as set out below.*

Referred motions

11.1.3.4 *It is up to the Cabinet or committee concerned to programme discussion of any motion referred to it.*

| IMPLICATIONS | |
|-------------------------------------|---|
| Finance | None arising directly from the report. |
| Legal | There are no direct legal implications arising from this report. |
| Community Safety | None arising directly from the report. |
| Human Rights and Equalities | There are no direct human rights and equalities implications arising from this report. |
| Sustainability and Environmental | There are no direct sustainability implications arising from this report. |
| Health & Safety and Risk Management | There are no direct health & safety and/or risk management implications arising from this report. |

| Report Author | Tel | Date | Doc ID |
|-----------------|----------------|-------------|--------|
| Governance Team | (01253) 658423 | August 2011 | |

| List of Background Papers | | |
|---------------------------|-------------|---|
| Name of document | Date | Where available for inspection |
| Notice of motion | August 2011 | Town Hall or www.fylde.gov.uk |

REPORT



| REPORT OF | MEETING | DATE | ITEM NO |
|-----------------------------|---------|--------------|---------|
| GOVERNANCE AND PARTNERSHIPS | COUNCIL | 26 SEPT 2011 | 7 |

CONSTITUTION

Public/Exempt item

This item is for consideration in the public part of the meeting.

Summary

The council's constitution needs to be re-adopted by the council each year. The report to the Council in July this year contained some proposed amendments to the constitution that had not been considered by the Audit Committee. The Council referred some of those proposals to the Audit Committee. The Audit Committee has now considered those proposals. The Audit Committee has also considered some further proposed changes.

This report sets out the proposed changes and invites the Council make the appropriate changes to the constitution.

Recommendation/s

1. Agree to such of the changes to the constitution set out in the report as have been endorsed by the Audit Committee.

Cabinet portfolio

The item falls within the following cabinet portfolio: Corporate resources and finance (Councillor Karen Buckley).

Report

Changes referred back by the Council

1. Article 14 of the council's constitution requires the Monitoring Officer to submit a fully up-to-date text of the Constitution every year to the meeting following the Annual Meeting of the Council, with a view to its formal approval and re-adoption by the Council for the ensuing Municipal Year, with any amendments or alterations then considered appropriate or necessary by the Council.
2. The constitution, with some proposed changes, was considered by the Audit Committee at its meeting on June 23. Those changes were approved by the Council at its meeting on July 25. The report to Council also included other proposed changes that had not been considered by the Audit Committee because it had not been possible to compile them in time to be reported to the committee. The Council referred two of those proposed changes back to be considered by the Audit Committee.
3. The Audit Committee considered these referred proposals at its meeting on September 22. The Audit Committee's recommendations on the proposals will be reported verbally to the Council. The Council will be invited to amend the constitution by making such of the proposed changes as have been endorsed by the Audit Committee. The changes are set out in paragraphs 4 and 5 below.
4. The powers delegated to the Director of Strategic Development Services would now include an express power to agree the terms of section 106 agreements (also called planning obligations) on behalf of the council as local planning authority as well as the power to agree to requests to vary or modify agreements. The change inserts the following as delegations to the Director of Strategic Development Services:

5.28 Approving the terms of planning obligations under section 106 of the Town and Country Planning Act 1990

5.29 Agreeing the modification or discharge of planning obligations under section 106A of the Town and Country Planning Act 1990

5. These changes have been proposed by the section 151 officer:

Include the underlined additional words in financial regulation 18.7:

18.7 All directors must ensure that payments (including stage payments) are made only against contractors' certificates and only where the director is satisfied that payment has become due. The Council must issue an authenticated receipt to the contractor within a period of three months. All variations must be agreed in advance by the Monitoring Officer.

Proposed changes: Delegations to Chief Finance Officer

6. The Audit Committee also considered some changes to the delegated powers of the Chief Finance Officer (Section 151 Officer), to bring them in line with the Financial Procedure Rules for completeness. Again, the Council will be invited to amend the constitution by making such of the proposed changes as have been endorsed by the Audit Committee. The changes are set out below.

Include the underlined additional words in delegations 8.4 and 8.5:

8.4 Agreeing virements up to £25,000 (capital and revenue) in the absence of the relevant director.

8.5 Agreeing virements (capital & revenue) of between £25,000 and £50,000

Delete delegation 8.6, which is now delegated to the Head of the Revenues and Benefits Shared Service:

8.6 Recovering rates and council tax.

Delete delegation 8.12, which duplicates delegation 8.8:

8.12 Approving funded budget increases up to £50,000 from additional expenditure which is fully funded from additional external resources and does not place any residual liability on the council, in consultation with the executive member for finance and resources.

Insert the following delegations:

Approving and reflecting the slippage and/or accelerated spend of approved revenue and capital budgets at outturn in future years budgets.

Determining applications for discretionary rate relief and hardship relief.

Renumber the delegations as appropriate.

| IMPLICATIONS | |
|-------------------------------------|---|
| Finance | None |
| Legal | The new delegate power to the Director of Strategic Development Services will remove any residual doubt about the matter concerned. |
| Community Safety | None. |
| Human Rights and Equalities | None |
| Sustainability | None |
| Health & Safety and Risk Management | None |

| REPORT AUTHOR | TEL | DATE | DOC ID |
|---------------|----------------|------------------|--------|
| Ian Curtis | (01253) 658506 | 5 September 2011 | |

| |
|---------------------------|
| LIST OF BACKGROUND PAPERS |
|---------------------------|

| NAME OF DOCUMENT | DATE | WHERE AVAILABLE FOR INSPECTION |
|----------------------|-----------|--|
| Council constitution | July 2010 | Town Hall, St Annes, or www.fylde.gov.uk |

REPORT



| REPORT OF | MEETING | DATE | ITEM NO |
|--------------------------------------|---------|---------------------------------------|---------|
| STRATEGIC DEVELOPMENT SERVICES | COUNCIL | 26 TH SEPTEMBER 2011 | 8 |

UPDATED STATEMENT OF COMMUNITY INVOLVEMENT

Public item

This item is for consideration in the public part of the meeting.

Summary

Fylde Borough Council's Statement of Community Involvement (SCI) was adopted by the Council in July 2007. The SCI is out of date because there have been changes to Planning Legislation in particular The Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008 and 2009. These altered the consultation arrangements set out in the Town and Country Planning (Local Development) (England) Regulations 2004. The July 2007 SCI sets out how the Council will meet the requirements of the 2004 Regulations, it is therefore out of date.

The SCI is also being amended to meet the Government's emerging localism agenda.

A scoping consultation has already been carried out. On 7th October 2010 a letter was sent to the 985 members of the public and bodies on the Register of Consultees asking them what should be included in an updated SCI. 27 responses were received and these along with comments from the Development Management section have been used to draft an updated SCI.

A draft updated SCI consultation has also been carried out. On 21st April 2011 a letter was sent to the 1117 members of the public and bodies on the Register of Consultees asking them to comment on the final draft before it is finalised and adopted by the Council. 16 responses were received and these have been used to finalise the updated SCI.

The document was endorsed by the Local Development Framework Steering Group at its meeting on 1st August 2011. The Portfolio Holder, on the 18th August 2011 endorsed the document for adoption by Full Council and approved, to prepare in due course, a more user friendly summary of the updated SCI to assist people at the individual consultation events.

Continued....

Recommendations

1. To adopt the Updated Statement of Community Involvement as per the Constitution agreed by the Council on 26th September 2011.
2. Note the intention to prepare in due course, of a more user friendly summary of the Updated Statement of Community Involvement 2011 to assist people at the individual consultation events.

Cabinet Portfolio

The item falls within the following Cabinet portfolio:

Planning and Development Councillor Dr Trevor Fiddler

Report

Updated Statement of Community Involvement

1. Fylde Borough Council's Statement of Community Involvement (SCI) was adopted by the Council in July 2007.
2. The SCI is one of a suite of documents that make up the Local Development Framework. For most Local Planning Authorities it was the first document they produced because it set out how they were going to consult on the other documents that would make up the Local Development Framework.
3. The SCI describes the new planning system of Local Development Frameworks, the purpose of SCIs, the Register of Consultees, methods of consultation that will be used, how consultees will be reported back to, weight to be given to representations and the resource implications. For Development Management it sets out consultation methods, weight to be given to representations, reporting back mechanisms, the scheme of delegation, the workings of Development Management Committee and Resource Implications. The purpose of the SCI is to set out clearly what people can expect to happen when they engage with the Local Planning Authority.
4. The SCI is out of date because there have been changes to Planning Legislation in particular The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 and 2009. These altered the consultation arrangements set out in the Town and Country Planning (Local Development) (England) Regulations 2004. The July 2007 SCI sets out how the Council will meet the requirements of the 2004 Regulations, it is therefore out of date.
5. For example in the 2004 Regulations there were three consultation stages Regulations 25, 26 and 28. The 2008 Regulations have reduced the consultation stages to two which are now Regulation 25 and 27. This must be clearly set out in an updated SCI otherwise consultees would be misinformed.
6. There have also been changes to Development Control since the SCI was adopted. The July 2007 SCI does not reflect the change to a Development Management approach.

7. The SCI has also been amended to reflect the Government's emerging localism agenda.
8. The Council has undertaken a scoping consultation and met the requirements of Regulation 26 of the 2008 Regulations. The comments received along with comments from Development Management section have been used to draft an updated SCI.
9. The Council has undertaken a further consultation on the draft updated SCI in accordance with good practice to allow people and bodies on the Register of Consultees to view how the scoping consultation comments have fed into the draft updated SCI. This process has also helped to address the requirements of Regulation 26 and reinforces the principles of the emerging localism agenda.
10. The comments from the draft updated SCI consultation have been used to finalise the updated SCI which is proposed for adoption. The updated SCI, is available in appendix A. The schedule of changes made to the draft document, following the draft document consultation is available in appendix B. The statement of consultation is available in appendix C. The appendices can be accessed at:
<http://www.fylde.gov.uk/meetings/details/930/>
11. The SCI is no longer subject to independent examination.

Risk Assessment

There is a risk that the government will issue new regulations which change the procedures for producing the Local Development Framework as part of the emerging localism agenda.

Conclusion

The July 2007 SCI is out of date with respect to planning regulations, the move to Development Management and the emerging localism agenda. An updated version of the SCI has been produced following two rounds of public consultation. The updated SCI is needed to progress consultation on the Core Strategy. Adoption of the updated SCI is the next stage. The Core Strategy could be found unsound if the updated SCI is not adopted.

| IMPLICATIONS | |
|---|--|
| Finance | There are no financial implications. |
| Legal | Production of a SCI is a legal requirement. |
| Community Safety | None. |
| Human Rights and Equalities | The SCI protects peoples Human Rights by setting out what they can expect from the consultation process. |
| Sustainability and Environmental Impact | None. |

| | |
|-------------------------------------|---|
| Health & Safety and Risk Management | There is a risk that the Core Strategy could be found unsound if we proceeded to formal consultation on options without updating the SCI. |
|-------------------------------------|---|

| Report Author | Tel | Date | Doc ID |
|---------------|----------------|----------------|--------|
| Fiona Riley | (01253) 658419 | September 2011 | |

| List of Background Papers | | |
|------------------------------------|-----------|--|
| Name of document | Date | Where available for inspection |
| Statement of Community Involvement | July 2007 | Planning Policy Office www.fylde.gov.uk/involvement/ |



FYLDE BOROUGH COUNCIL



Appendix A

Getting Involved with Planning: Draft Updated Statement of Community Involvement Subject to Adoption

September 2011

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Preface

The Updated Statement of Community Involvement forms part of the Local Development Framework.

This and other Local Development Framework (LDF) documents will be made available on request in large copy print, audiocassette, Braille or languages other than English. All requests for LDF documents in different formats should be made in the first instance to the Planning Policy Team. The Council will meet the cost of any reasonable request for providing LDF documents in different formats. Please contact the Planning Policy Team:

Address: Fylde Borough Council
Planning Policy
Town Hall
The Promenade
St Annes
FY8 1LW

Telephone: 01253 658658

E-mail: planningpolicy@fylde.gov.uk

Question or comment?

If you have a further question or comment regarding the Updated Statement of Community Involvement or other Local Development Framework documents, please contact the Planning Policy Team:

Address: Fylde Borough Council
Planning Policy
Town Hall
The Promenade
St Annes
FY8 1LW

Telephone: 01253 658418

Email: planningpolicy@fylde.gov.uk

Website: <http://www.fylde.gov.uk/planning-and-building-control/local-plan/>

Content

| | | Page No |
|------|--|---------|
| | Summary | 1 |
| 1.0 | Introduction Community Involvement in Planning | 3 |
| | <u>Part One</u> <u>Local Development Framework</u> | |
| 2.0 | Introduction - The New Planning System | 7 |
| 3.0 | Purpose of the SCI within the new LDF System | 11 |
| 4.0 | Register of Consultees | 13 |
| 5.0 | Reaching all the Community – Hard to Reach Groups | 14 |
| 6.0 | LDF Consultation Proposals | 15 |
| 7.0 | Co-ordination and Alignment of Strategy Production | 22 |
| 8.0 | Reporting Back | 24 |
| 9.0 | Weight to be given to Community Representations | 25 |
| 10.0 | Equality | 26 |
| 11.0 | Resource Implications | 26 |
| | <u>Part Two</u> <u>Development Management</u> | |
| 12.0 | Introduction – What is ‘development management’ | 28 |
| 13.0 | Pre-application planning discussions | 28 |
| 14.0 | Planning applications | 30 |
| 15.0 | Processing planning applications | 32 |
| 16.0 | Community involvement in planning obligations | 35 |
| 17.0 | Determining applications | 35 |
| 18.0 | Planning appeals | 36 |
| 19.0 | Reporting back | 37 |
| 20.0 | Resource implications | 38 |
| | <u>Part Three</u> <u>Update</u> | |
| 21.0 | Update of the Statement of Community Involvement | 39 |
| | Glossary | 40 |

| | |
|---------------------|---|
| References | 45 |
| Further Information | 47 |
| Appendices | |
| Appendix 1 | Register of Consultees form 48 |
| Appendix 2 | Consultation and Equality Monitoring form 49 |
| Appendix 3 | Development Management Questionnaire 52 |
| Appendix 4 | Statutory Consultation as set out in Schedule 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2010 54 |
| Appendix 5 | Revised Scheme of Delegation, September 2011 59 |
| Appendix 6 | Development Management Committee Leaflet 63 |

Summary

The Statement of Community Involvement sets out a clear public statement indicating how and when people will be involved in the planning process of plan preparation and review and determining planning applications.

This summary document sets out the Council's basic approach to community involvement and engagement in planning. For detailed guidance, please refer to the relevant sections in the document.

Involvement in plan preparation and review

The Council is working on producing a Local Development Framework. This consists of a portfolio of documents, some of which are statutory, called Development Plan Documents and some which are not, called Supplementary Planning Documents.

Development Plan Documents

Development Plan Documents provide the strategy and main policies which will guide development in Fylde.

We (hereinafter 'we' refers to The Council) will provide opportunities for community engagement in the early stages to identify issues derived from the evidence base. ► See paragraph [6.2](#)

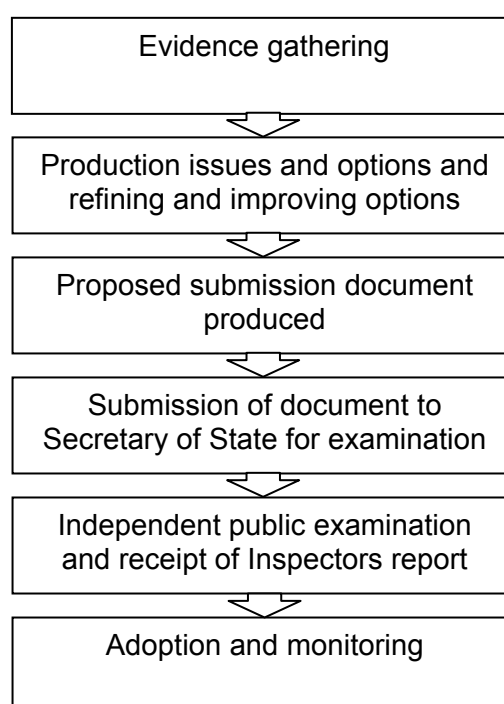
We will provide opportunities for continuous consultation and engagement throughout the process to refine and improve options. ► See paragraph [6.3](#)

We will provide consultation opportunities before submission of a Development Plan Document to the Secretary of State, with a view to making the Development Plan Document 'sound'. ► See paragraph [6.8](#)

We anticipate undertaking written consultation with those individuals and organisations on our Register of Consultees, inviting public representation through press advertisements, press releases and a prominent invitation on the Council's website, carrying out presentations to the Local Strategic Partnership and to Councillors and holding workshops, public meetings, exhibitions and drop in events. ► See paragraph [6.4](#)

Development Plan Documents being produced by the Council include:

- Core Strategy;
- Land Allocations; and
- Development Management Policies



Development Plan Document production process

Supplementary Planning Documents

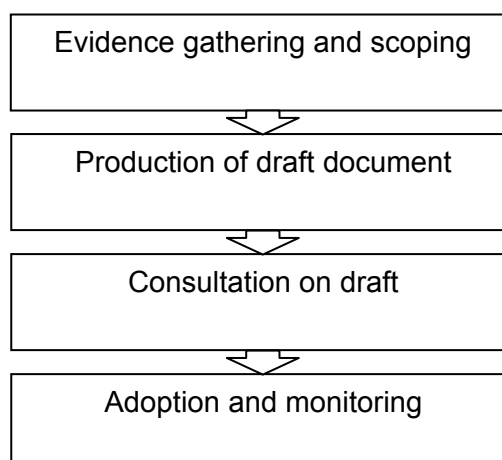
Supplementary Planning Documents explain and provide further detailed guidance on policies and proposals in the Development Plan Document.

We will provide an informal stage prior to the preparation of the draft document to identify the issues and focus of policy. ► See paragraph [6.10](#)

We anticipate engagement with relevant local communities and stakeholders to discuss particular issues proposed to be contained in the draft document.

A formal consultation on the draft Supplementary Planning Document will be undertaken.

We anticipate undertaking written consultation with our Register of Consultees, inviting public representation through press advertisements, press releases and a prominent invitation on the Council's website and carrying out presentations to the Local Strategic Partnership and to Councillors.



Supplementary Planning Document production process

Involvement in Planning Applications

The Council receives a range of planning applications, from minor residential works with local importance through to major schemes which have district wide significance. As such, the approach taken to community involvement will vary and will be proportionate to the scale and nature of the issues involved. The table below shows the typical consultation methods.

| Planning Application Type | Neighbour notification | Site Notice | Press notice | Weekly list | Website |
|--|-------------------------------|--------------------|---------------------|--------------------|----------------|
| <i>This does not include all types of planning permission. It summarises typical consultation methods which may vary in some circumstances</i> | | | | | |
| Householder application | ● | | | ● | ● |
| Conservation area consent | ● | ● | ● | ● | ● |
| Listed building consent | ● | ● | ● | ● | ● |
| Full permission | ● | ● | | ● | ● |
| Major | ● | ● | ● | ● | ● |
| Advertisement consent | ● | | | ● | ● |

How your views will shape decision making

Any representation received will be considered as part of the decision making process. For plan preparation and review, your views will help to inform the process of development, refining policies and improving alternative options. For planning applications' views that relate to material planning issues, will be considered in the officer's report which will state how the issues have been addressed in reaching the final recommendation.

1.0 Introduction - community involvement in planning

What is the Statement of Community Involvement?

- 1.1 The Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to produce a Statement of Community Involvement which sets out a clear public statement indicating how and when people will be involved in the planning process.
- 1.2 The Statement of Community Involvement relates both to the Council's responsibilities for the preparation and review of planning policies through the Local Development Framework and the determination of planning applications, through Development Management (*formerly known as Development Control*). Once adopted, the production of all other development plan documents must be in line with the commitments set out in the Statement of Community Involvement.

Who is the community?

- 1.3 In this Statement of Community Involvement, the term community refers to people who are interested in or affected by the planning service of Fylde Borough Council. This includes people who live or work in the area, businesses with interests in the borough, and organisations and agencies that are active in the area. ► See figure [2](#) for a detailed list of consultees that the Council will consult.

Why consult?

- 1.4 Planning shapes the places where people live and work. It is therefore right that people should be encouraged, enabled and empowered to take an active part in the process. Community involvement is important to planning and historically the planning system has provided opportunities for local people to participate in key decisions about their area.
- 1.5 Under the Labour Government, The Planning and Compulsory Purchase Act 2004 introduced a major programme to reform the planning system in England by making it more flexible and responsive to the needs of the community. Strengthening community involvement in the planning process was a key part of that programme.
- 1.6 The 'Open Source Planning' green paper published in February 2010 by the Conservative party, increased the importance of community involvement further, developing the concept of Localism. This has an enhanced commitment to community involvement, shifting power and decisions to the local level and placing community involvement at the heart of encouraging sustainable development. The shift of power creates a local voice to influence decisions and local services which reflect local need.
- 1.7 'The Coalition: Our Programme for Government' published May 2010 by the coalition Government reinforces the principles set out in the 'Open Source Planning' green paper to give neighbourhoods the ability to determine the shape of the place in which they live.
- 1.8 The 'Draft Structural Reform Plan' for the Department for Communities and Local Government (DCLG) was produced in July 2010. Structural Reform Plans make government departments accountable for the implementation of the reforms set out in the Coalition Agreement. There are five priorities in the Draft Structural Reform Plan

for the DCLG, and these focus on making Localism and the Big Society part of everyday life.

- 1.9 The Secretary of State has announced his intention to abolish the Regional Strategies. This will return decision making powers on housing and planning to local councils. Local planning authorities, along with the community, will be responsible for developing their own policies without the framework of regional plans.
- 1.10 The draft Localism Bill published December 2010 provides the legislative foundations for decentralisation to local communities and for the abolition of the Regional Strategies. It seeks to change the process of examining Development Plans by removing the binding Inspectors Report and introduces the ability for communities to produce Neighbourhood Development Orders and Plans. The bill also introduces a compulsory pre application consultation with the community for developments of a certain type and scale and makes alterations to remove the potential to run a retrospective planning application alongside an enforcement notice appeal.
- 1.11 The Council is fully committed to building on the existing arrangements for community engagement and consultation by extending the scope and opportunities for engagement in the planning process. The Council considers that an accessible and transparent planning system in the borough, which provides continuing opportunities for local people to participate, is essential to delivering its objective of creating inclusive, accessible, safe and sustainable communities.

Who was involved in producing the updated Statement of Community Involvement?

- 1.12 The Updated Statement of Community Involvement (SCI) has been produced following two rounds of public consultation and in accordance with statutory procedures included in Town and Country Planning (Local Development) (England) Regulations 2004 (as amended 2008 and 2009). It should be noted that the amendment regulations have removed the requirement to submit the SCI to the Secretary of State under a formal examination process.
- 1.13 In brief, the SCI production process has involved three distinct stages:

| | |
|-----------------------|---|
| Pre Production | <p>Before preparation of the updated SCI, consultation with 'specific', 'general' and 'other' consultation bodies, including individuals and organisations on our Register of Consultees who have expressed a wish to be consulted was undertaken so that they could make representations about what the contents of the statement might be. (In accordance with Regulation 26).</p> <p>The Council also considered that it was appropriate to invite views from persons who are resident or carrying on business in the borough.</p> <p>The 4 week consultation stage (scoping) was undertaken in October – November 2010. (In accordance with Regulation 26).</p> |
| Production | <p>Representations made at the first consultation stage were used to produce the draft updated SCI, where appropriate. (In accordance with Regulation 26).</p> <p>A six week consultation period to seek representations in</p> |

| | |
|-----------------|--|
| | <p>relation to the draft updated SCI was undertaken. This stage involved a second round of consultation with ‘specific’, ‘general’ and ‘other’ consultation bodies, including individuals and organisations on our Register of Consultees who have expressed a wish to be consulted. The Council also considered that it was appropriate to invite views from persons who live or carry out business in the borough.</p> <p>This consultation stage was undertaken in April-June 2011.</p> <p>Taking account of any representations made at the second consultation stage where appropriate, the finalised updated SCI was produced.</p> |
| Adoption | <p>The Council will then adopt and publish the updated SCI.</p> <p>Details of the arrangements for updating the SCI are included in part three.</p> |

Why update the Statement of Community Involvement?

- 1.14 The Statement of Community Involvement (SCI) was adopted by the Council in July 2007, in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004. Following adoption, the regulations were subsequently amended by the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 and 2009. This was supported by the revised Planning Policy Statement 12, which sets out government policy on Local Development Frameworks production, including the Statement of Community Involvement.
- 1.15 The changes to the regulations are designed to streamline the Local Development Framework process. Three key changes include:
- The Core Strategy is the only Development Plan Document that councils are required to produce;
 - The number of formal consultation stages is reduced, giving councils greater freedom to decide who to consult and how; and
 - A full “sound” plan is to be published for consultation prior to submission.
- 1.16 In 2010, the coalition Government set out the localism agenda, which promotes decentralisation and democratic engagement and gives more powers to local councils, communities, neighbourhoods and individuals. This has put a greater onus on councils to seek the views of the community when producing plans and strategies that impact upon them.
- 1.17 The Council has decided to update the SCI in response to the localism agenda and the amendments to the 2004 planning regulations in 2008 and 2009.

What should the SCI include?

- 1.18 Planning Policy Statement 12 sets out that an SCI should:

- Explain clearly the process and methods for community involvement for different types of local development documents and for the different stages of plan preparation. This needs to include details of how the diverse sections of the community are engaged, in particular those groups which have been under represented in previous consultation exercises;
- Identify which umbrella organisations and community groups need to be involved at different stages of the planning process, with special consideration given to those groups not normally involved;
- Explain the process and appropriate methods for effective community involvement in the determination of planning applications and where appropriate refer to Planning Performance Agreements;
- Include details of the local planning authorities approach to pre-application discussions;
- Include the local planning authorities approach to community involvement in planning obligations (S106 agreements);
- Include information on how the SCI will be monitored, evaluated and scrutinised at the local level;
- Include details of where community groups can get more information on the planning process, for example, from Planning Aid and other voluntary organisations; and
- Identify how landowner and developer interests will be engaged.

How to use the Statement of Community Involvement

- 1.19 Consultation arrangements in respect of the preparation of the Local Development Framework are indicated in part one of the document. Arrangements in respect of Development Management are shown in part two. Arrangements for the Statement of Community Involvement update are described in part three.

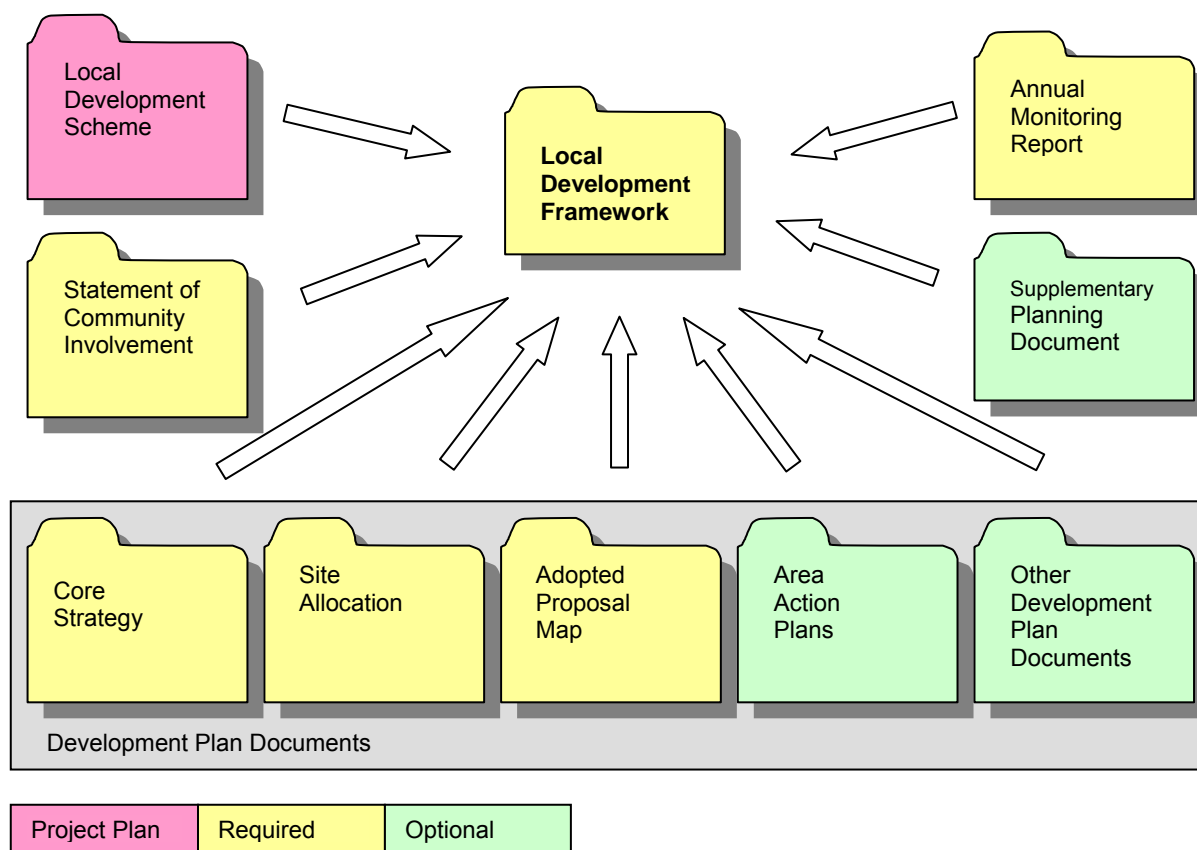
Part One: Local Development Framework

2.0 Introduction - The new planning system

What is the Local Development Framework?

- 2.1 Part 2 of the Planning and Compulsory Purchase Act (The Act) came into operation in September 2004. This required Local Planning Authorities to produce a Local Development Framework. This is a portfolio of Local Development Documents, some of which are statutory (Development Plan Documents) and some which are not (Supplementary Planning Documents).

Figure 1: Local Development Framework Structure



- 2.2 As the various components of the Local Development Framework are produced, these will replace the policies of the older system of Local Plans and Structure Plans. Where relevant, all planning applications will be determined against the Development Plan unless other material considerations indicate otherwise. (► See paragraphs [15.14](#) and [15.15](#) for information on material planning considerations).
- 2.3 Part 2, section 38 of the Act defines the Development Plan (outside Greater London) as comprising of the Regional Strategy and the Development Plan Documents (taken as a whole). The Secretary of State has confirmed his intention to abolish Regional Strategies and it is expected that these will shortly no longer form part of the Development Plan.

- 2.4 The Localism Bill is expected to be enacted in November 2011. This will introduce Neighbourhood Development Orders and Plans produced by the community with assistance from the Local Authority which must be in general conformity with the Core Strategy (a Development Plan Document) and other relevant policy, guidance and legislation. A Neighbourhood Development Plan will set out a community's policies for the development and use of land in their area and will be approved if it receives 50% of the vote in a local referendum. Neighbourhood Development Orders will set out what types of full or outline planning permission will be granted and these will either be site specific or relate to properties in or across a neighbourhood area.
- 2.5 Therefore, the Development Plan in Fylde currently consists of Regional Strategies (until abolished via the Localism Bill), adopted Development Plan Documents including Minerals and Waste DPD (produced by Lancashire County Council), saved Local Plan and Structure Plan policies and any old style Local Plans that have not lapsed. Once adopted, Neighbourhood Development Orders and Plans will also form part of the Development Plan.
- 2.6 Part 2, section 17 of the Act requires councils to prepare Local Development Documents which must be in conformity with the National Planning Policy Statements and Guidance document.
- 2.7 Part 2 of the Act sets out the various stages of producing the Local Development Framework, including public participation stages

What is a Development Plan Document (DPD)?

- 2.8 Development Plan Documents (DPDs) have the status of statutory development plans and include the following types of document:
- Core Strategy: This sets out key elements of the planning framework including a spatial strategy and core policies for the borough. The Core Strategy will reflect the wider policy context provided in the National Planning Policy Statements and Guidance;
 - Site Specific Allocations of Land: Where land is allocated for specific uses (including mixed uses) it this will be contained in this DPD. This type of DPD may also contain non-strategic policies relating to the delivery of Site Specific Allocations;
 - Area Action Plans: Where needed (this type of plan is optional), Area Action Plans will provide the planning framework for areas where significant change or conservation is envisaged;
 - Proposals Map: This will illustrate the spatial extent of the application of policies contained in other types of DPDs. The Proposals Map will be continually updated to coincide with other Development Plan Document production (where relevant); and
 - Generic Development Management Policies: These are likely to be either contained in an individual DPD or in the Core Strategy.
- 2.9 DPDs are all subject to an independent examination by a Planning Inspector, at the end of which, a report produced by the Inspector is binding on the Council. This means the Council have to accept the Inspector's decision. The draft Localism Bill proposes to

amend the examination process, such that the Inspector will only have the power to determine if the plan is 'sound'. The Council will not have to accept changes to the document, unless these are required to make it 'sound'. The DPD process involves four distinct stages. These are set out below:

| | |
|-----------------------|--|
| Pre Production | Survey and evidence gathering leading to a decision to include a DPD in the Local Development Scheme. |
| Production | <p>Production of scope, issues and objectives document for public consultation, with a view to developing, refining and improving alternative options. (In accordance with Regulation 25)</p> <p>Consultation on the options. (In accordance with Regulation 25)</p> <p>Preparation of proposed submission document, in light of representation on the issues and alternative options documents</p> <p>Public consultation on proposed submission document before submission to the Secretary of State. (In accordance with Regulation 27 and 28).</p> |
| Examination | An independent public examination into the soundness of the plan. (In accordance with Regulation 34). |
| Adoption | The Inspectors report is received and published. The DPD is adopted and published. (In accordance with Regulation 35 and 36). |

What is a Supplementary Planning Document (SPD) ?

- 2.10 Supplementary Planning Documents (SPDs) do not form part of the statutory Development Plan. They cannot be used to change development plan policies but are intended to elaborate upon existing policies and proposals in the Development Plan Documents. SPDs may take the form of design guides, area development briefs, master plans or issue based policy documents which supplement existing policies in a Development Plan Document.
- 2.11 SPDs are not subject to independent examination. Nevertheless, the preparation process leading to adoption must involve significant consultation and community engagement and have regard to the results of that engagement. For further information on the consultation process, ► See paragraph [6.10](#)

What is a Sustainability Appraisal (SA) ?

- 2.12 As part of the process of writing DPDs and some SPDs, the Council must undertake a continuous process of appraisal to identify the social, environmental and economic effects of plans and policies. This is to guide their preparation in such a way as to ensure that they accord with the principles of sustainable development.
- 2.13 The Sustainability Appraisal (SA) process involves five stages which are undertaken at various points within the preparation process of each individual Development Plan Document. These are:

| | |
|----------------|---|
| Stage A | <p>Setting the context, establishing the baseline and deciding on the scope of the SA process;</p> <p>The first stage in the production involves collecting existing baseline information covering social, economic and environmental data relating to the plan area.</p> <p>(Stage A is undertaken in the DPD pre-production evidence gathering stage).</p> |
| Stage B | <p>Developing and refining DPD options and assessing effects of these options on sustainability issues.</p> <p>Developing options and policies are appraised against the baseline information to see whether they would have a positive, neutral or negative effect on the social, economic and environmental situation of the area.</p> <p>(Stage B is undertaken in the DPD production stage).</p> |
| Stage C | <p>Preparing the SA report.</p> <p>The SA report is prepared, appraising the preferred options.</p> <p>(Stage C is undertaken in the DPD production stage).</p> |
| Stage D | <p>Consulting on the DPD and sustainability appraisal report.</p> <p>The SA report is put out for consultation with the preferred options document DPD</p> <p>(Stage D is undertaken in the DPD production stage).</p> |
| Stage E | <p>Monitoring the significant sustainability effects of implementing the plan.</p> <p>The adopted DPD is monitored in accordance to the arrangements set out in the SA report.</p> |

- 2.14 As detailed under the 2008 amendments to the Town and Country Planning Regulations, SPDs do not require an individual SA, as it is expected that the SPD will expand upon existing policies in higher level plans (such as the Core Strategy) which have previously undergone the SA process. However, an SA will be required where an SPD gives rise to significant effects which have not been formally assessed within the context of a higher planning document.
- 2.15 Section 6.0 defines who will be consulted and how consultation will be undertaken on each type of Local Development Document (LDD). Consultation at various stages in the LDD preparation process will also, at the same time, involve consultation on the relevant stage of the SA process.

- 2.16 There may be circumstances where people making representations to a plan are proposing alternative sites for development, or are proposing changes to sites, after the plan has been submitted to the Secretary of State. In such circumstances, such representations must indicate how the proposal complies with the tests of soundness and how the SA process has been, or is to be carried out prior to consideration by the Inspector at examination. The Inspector will not consider development proposals which have not been subject to a formal SA.

3.0 Purpose of the SCI within the LDF system

Government's principles for community involvement in the planning process

- 3.1 Guidance in respect of the Local Development Framework is contained in Planning Policy Statement 12 "Local Spatial Planning" (2008). This sets out the principles for community involvement. These are:
- Community involvement that is appropriate to the level of planning. Arrangements need to be built on a clear understanding of the needs of the community and be fit for purpose;
 - 'Front loading' of involvement. There should be opportunities for early community involvement and a sense of ownership of local policy decisions;
 - Clearly articulated opportunities for continuing involvement as part of a continuous programme, not a one off event;
 - Transparent and accessible, using methods of involvement which are relevant to the communities concerned; and
 - Planning for involvement. Community involvement should be planned into the process for the preparation and revision of Local Development Documents.

Why people should get involved?

- 3.2 The principal benefit of consultation is to ensure that a wide range of people and organisations are involved in the planning process from the beginning in order to improve the process of planning policy making within the borough.
- 3.3 The benefits of including a wider range of people and organisations in decision making include:
- Greater public ownership resulting from the ability to influence the decision making process;
 - A sense of contributing to the community;
 - A better understanding of the way services and the borough work;
 - Broader sharing of responsibilities;
 - More contribution to problem solving;

- Greater potential for effective and efficient use of resources;
- Helping to identify problems early on, enabling matters to be put right at an early stage before they escalate and result in lengthy examinations.

Council's consultation philosophy for the Local Development Framework

3.4 In principle, the consultation philosophy of the Council in relation to the Local Development Framework is to:

- Try to engage with the widest section of the community, including 'hard to reach' groups and to make special efforts to engage those parts of the community who have not previously been involved in the planning process;
- Avoid wasting resources by focussing consultation on those groups and individuals who want to take part in the process and focussing resources on trying to engage with the wider section of the community, including 'hard to reach' groups;
- Make best use of the internet and associated electronic methods of making available information and receiving representations; (the availability and penetration of this form of communication in the community continues to expand very significantly);
- Make use of and integrate with the activities and consultation framework of the Local Strategic Partnership (LSP) where appropriate; and
- Put in place a transparent and effective mechanism for considering representations made within the consultation/participation process and reporting back to people the outcome in relation to their representations.

3.5 The Council has produced a Community Engagement Strategy, which builds upon the belief that citizens should be at the heart of the Council's decision-making processes and that all sections of the community have an opportunity to get involved at a level and in a way that suits them. We will ensure that the techniques to involve the community as set out in this SCI, take account of the principles of the Community Engagement Strategy.

3.6 The Council has also produced a toolkit for Council staff to use when undertaking consultation activity. This contains specific advice with regard to holding exhibitions, making presentations, holding meetings, and using other consultation techniques, in order to make these techniques more effective and inclusive. We will take into account the tools set out in this document when undertaking the consultation activities as set out in section [6.0](#) of this SCI.

3.7 The Local Strategic Partnership, are also preparing a Community Engagement Strategy. The Local Planning Authority and Local Strategic Partnership will work together to ensure conformity where relevant.

4.0 Register of Consultees

- 4.1 The Council wishes to involve the widest possible range of persons and stakeholders, including those groups of people who do not normally engage with the Local Planning Authority (i.e. hard to reach groups ► see section 5.0 for further information). If a wider range of people are able to make a positive contribution to the development of planning policies, this will help to ensure that the process is as inclusive as possible and that policies are ultimately more acceptable, effective and sustainable.
- 4.2 The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 sets out three classifications of consultation bodies. The first classification relates to those bodies that must be consulted in respect of the preparation of a Development Plan Document (DPD). These are referred to as 'Specific Consultation Bodies' (SCB).

Figure 2: Specific, General and Other Consultees in the context of Fylde Borough Council in accordance with The Town and Country Planning (Local Development) (England) Regulation 2008 (as amended).

| Specific Consultation Bodies | General Consultation Bodies |
|---|---|
| Preston City Council Blackpool Council Wyre Borough Council South Ribble Borough Council Lancashire County Council All parish councils within and adjoining the boundary of Fylde Borough Lancashire Constabulary The Coal Authority The Environment Agency English Heritage Natural England The Secretary of State for Transport Electronic Communications Operators Telephone Operators Electricity Operators Cumbria and Lancashire Primary Care Trust Gas Undertaker Sewage Undertaker Water Undertaker The Homes and Communities Agency | Voluntary Bodies Ethnic/Racial/National Groups Religious Groups and Churches Disabled Groups Local Businesses Business Support Agencies |
| | Other Consultees |
| | Health Agencies Learning Agencies Schools Transport Bodies and Groups Sports Clubs/Bodies Recreation Bodies Infrastructure and Service Providers Design/Townscape/Urban Conservation Bodies Nature Conservation/ Countryside Bodies Environmental Groups Planning Consultants and Agents The Development Industry Other miscellaneous bodies |

Please note that the list of consultees in this SCI is not exhaustive and also relates to successor bodies where re-organisations occur. Changes in Government guidance mean that some organisations may change their name or disappear. Fylde Borough Council reserves the right to update this list without updating the whole SCI.

- 4.3 The second classification is termed 'General Consultation Bodies'. These include bodies who represent the different racial, ethnic and religious groups and those that represent the interests of business and disabled persons. The Council must consult those general consultees as it considers appropriate.

- 4.4 The third classification is termed ‘other Consultees’. These are groups which the Council should consult on a discretionary basis i.e. if the consultation group is relevant to the DPD in hand.
- 4.5 The Council maintains a register of persons and stakeholders who are consulted, where appropriate, on matters relating to the Local Development Framework. The ‘Register of Consultees’ contains contact details of all the above types of groups and also includes a list of those private individuals and organisations who have expressed a wish to be consulted. The Council will add or delete individuals and organisations to the register at any time if this is requested (► see Appendix [1](#)).
- 4.6 It will be important to keep the ‘Register of Consultees’ up-to date. The Council will do this by:
- Making the appropriate alterations as soon as a change of details is supplied by an individual party;
 - Providing a prominent and permanent invitation on the Council’s website to be included in the register;
 - Undertaking periodic checks to ensure that contact information is up-to-date, by use of the internet and other information sources; and
 - Taking steps to identify alternative addresses if post is returned.

5.0 Reaching all the community – Hard to reach groups

- 5.1 Experience has shown that there are many groups and individuals within the borough that are prepared to get involved in the process of preparing and reviewing planning policy. Very often these groups have a particular pre-defined agenda to advance, or argument to make and they can be very effective in getting their message across. There is a danger, therefore, that the voice of the less well organised or the silent majority will not be registered during the consultation process.
- 5.2 Access and inclusion is one of the principles of community engagement endorsed by the Council in its Community Engagement Strategy. This strategy states that in all community engagement activities, the Council will involve hard to reach communities and will take into account the needs and difficulties of participants.
- 5.3 The following techniques will be employed by the Council within the framework of the consultation philosophy, in order to reduce the barriers which some people are faced with thus making the consultation process more inclusive:
- One-to-one meetings will be arranged for an individual who cannot read or who has communication difficulties;
 - Large print versions of documents or part documents will be made available for the partially sighted (► see paragraph [5.4](#) for further information);
 - Documents will be made available electronically for the blind and partially sighted. (This will allow software packages to ‘speak’ the text of the document on a computer);

- Translation facilities will be provided for people for whom English is not their first language;
- Information will be placed in a prominent position on the Council's website so that documents and information can be accessed from home within and outside normal office hours;
- Public meetings will be held at appropriate times of the day to ensure that as many people as possible have a chance to attend;
- Posters will be used to advertise public consultation events in schools, libraries, supermarkets and in other public places;
- The contact details of Planning Aid will be given to those individuals and communities who require further independent information and professional advice but cannot afford to pay professional fees or feel that they may need assistance in expressing their views within the consultation process. Further information on the services offered by Planning Aid can be found online:
<http://www.rtpi.org.uk/planningaid/>
- Documents will be written as simply as possible and will avoid unnecessary jargon;
- The Local Strategic Partnership will be consulted on the best ways of involving hard-to-reach groups; and
- The Council will make every effort to meet the requirements of the Disability Discrimination Act 1995 (and 2005 amendment) and the Race Relations Act 2000 and any subsequent amendments.

5.4 This and other Local Development Framework Documents will be made available on request in large print copy, audio cassette, Braille or languages other than English. If you require the document in one of these formats please contact: Sally Thompson, Planning Policy, Town Hall, The Promenade, St Annes FY8 1LW Tel 01253 658686 E-mail: sallyt@fylde.gov.uk.

6.0 LDF consultation proposals

6.1 We will seek to engage with all sections of the community on all aspects of the LDF using a variety of consultation techniques.

Early engagement

6.2 We will involve the community from the outset in the preparation of DPDs and SPDs, in accordance with PPS12. Therefore, opportunities will be provided for community involvement in the scoping and pre-production stages of plan preparation, in addition to the subsequent stages. This will enable communities to influence plans and will give communities a sense of ownership of local policy decisions. It will also help people to shape where they live, creating greater local pride and a greater sense of empowerment in decisions that are made.

Continuous engagement

- 6.3 Community engagement will be ongoing, with opportunities being provided for community involvement throughout the process. Rather than being mainly document focussed, there will be a range of different activities for the community to get involved in as plans are prepared. Continuous engagement will provide the community with a much greater opportunity to influence the content of plans, thus creating a sense of community empowerment. This will also help the community to build trust and confidence in the plan preparation process.

Methods of community engagement

- 6.4 A list of different consultation techniques is provided below. The list indicates some of the benefits and disadvantages of each technique, the suitability and the level of resources required. It should be noted that the techniques listed will not be used for every consultation that the Council undertakes for DPDs and SPDs, nor are they written in order of preference.

| Engagement Technique | Overview | Purpose | Resource Analysis |
|--|---|--|---|
| Formal | | | |
| Press notices | Good geographical coverage | All document types | Medium Cost |
| | Not all households take local papers | Can publicise specific events and opportunities for consultation | Press notices are relatively expensive |
| | Not all readers view public notices | Used to advertise statutory stages | |
| | Formal style is unappealing to some groups | | |
| Targeted consultation (documents on internet) | Consultation is easy to achieve by email | All document types | Low Cost |
| | Large documents are put on the web and do not have to be dispatched | All stages | Email is cheap |
| | Effective with specific/general bodies who are familiar with email/ web based communication | | |
| | Not an effective means of consulting widely with the public | | |
| Targeted consultation (documents sent in post) | Consultation is easy to achieve by letter | All document types | Medium Cost |
| | Effective with specific/general bodies who are familiar with hard copy communication | All stages | Staff time, printing and postage costs high when large documents are dispatched |
| | Not an effective means of consulting widely with the public | | |
| | | | |
| Informal | | | |
| Citizen's panel | Consultation easy to arrange | Suitable for general | Relatively |

| | | | |
|---|--|--|---|
| | <p>once a panel is in existence</p> <p>Responses should be representative</p> <p>Dialogue is not dynamic. There is no opportunity for discussion or to ask/answer questions</p> | <p>propositions and matters in principle</p> <p>More suitable for issues stages</p> | High Cost |
| Telephone surveys | <p>Consultation easy to arrange</p> <p>Responses should be representative</p> <p>Dialogue is not dynamic. There is no opportunity for discussion or to ask/answer questions</p> | <p>Suitable for general propositions and matters in principle</p> <p>More suitable for issues stages</p> | Relatively High Cost |
| One-to-one meetings (for those who have communication difficulties) | <p>Consultation can be undertaken in depth with two way flow of information</p> <p>Can only be achieved with a limited amount of people</p> | <p>All document types</p> <p>All stages</p> | <p>Medium Cost</p> <p>(High Cost in officer time. High cost per response)</p> |
| Focus groups | <p>Interactive method which could involve presentations, workshops and discussions</p> <p>Could be used to consult on range of issues</p> <p>People may not turn up to events or could be dominated by a few individuals.</p> | <p>All document types</p> <p>All stages</p> | High Cost |
| Public Meetings (Presentation followed by question time) | <p>Easy to arrange but requires effective publicity</p> <p>Allows questions/ discussion and can be very successful in keeping people informed</p> <p>Sometimes poor turn-out, notwithstanding publicity given</p> <p>Attendees are more likely to be objectors than supporters or interested parties</p> <p>Potential hi-jacking of meeting by a vociferous minority</p> <p>Formal presentation can create an 'us and them' feeling</p> <p>Outcomes can be difficult to record and may be unrepresentative</p> | <p>All document types</p> <p>All stages</p> | Medium Cost |
| Exhibitions /Road shows | Staffed exhibitions give opportunity for one-to-one | Documents which include specific | Medium Cost |

| | | | |
|--|--|---|--|
| | discussions Beneficial for identifying proposals in a local area Can reach a relatively wide audience within a limited local area e.g. small town or village Views received are not necessarily representative | proposals, designs, land allocations Main consultation stages | |
| Features/ editorial in press and radio | Can reach a wide audience There is no guarantee that press will be willing to run articles In addition, there is no control as to how the information is presented | All document types All stages | Low Cost |
| Features in 'Fylde in Focus' | Can reach a wide potential audience (every household in the borough) Content can be controlled Publication only twice a year, thus may not be available when required | All document types All stages | Low Cost |
| Posters | Effective to advertise public meetings etc over very local areas e.g. villages or to target specific groups e.g. schools Cannot communicate large amounts of information Restricted places where posters can be displayed | Mainly documents relating to a local area Main consultation stages | Medium Cost |
| Mail drop/leaflets in newspaper | Can reach a wide audience Reply sections can be included to obtain views Expensive when cover wide area | All document types All stages | High Cost (if distributed widely) |
| Planning for real | Works best for local design and physical planning proposals. Direct participation offers opportunities for real discussion Only suitable for area specific or design matters Hard to reach groups can be less vocal in group environment | Area Action Plans All stages | Medium Cost |
| Interactive workshops | Two-way in-depth consideration and discussion of issues Used to consider conceptual and abstract ideas particularly at | All document types All stages | Medium/High Cost |

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|--|--|--|----------|
| | initial scoping stages | | |
| | To be done well, it needs to be undertaken by professional facilitators Hard to reach groups can be less vocal in group environment | | |
| Online forums/ Social networking site | <p>Consultation is easy to achieve by posting a message</p> <p>Allows questions and discussion and is good for keeping people informed</p> <p>Effective with certain hard to reach groups which regularly use online communication</p> <p>Content difficult to control as well as quality of response</p> <p>Not suitable to communicate substantial amounts of information.</p> <p>Views not representative</p> | <p>All document types</p> <p>Can publicise specific events and opportunities for consultation</p> <p>Can be used to advertise statutory plan stages</p> <p>Perhaps more suitable for issues stages</p> | Low Cost |

6.5 In accord with the Council's Community Engagement Strategy, the Council will be open and honest about the purpose, aims and expectations of community engagement activities. It will also have clear processes to provide feedback on community engagement activity and will ensure that participants know how the information received will be used (► see section [8.0](#)).

6.6 The sections below detail the specific consultation methods that the Council will use when preparing Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). The approach taken will be appropriate to the document and to the scale and nature of the proposals that are contained within it. Consultation will also be proportionate to the resources that are available.

Development Plan Documents (DPDs): How and when will we consult ?

6.7 We will provide opportunities for community engagement in the early stages of Development Plan Document (DPD) preparation, (► see paragraph [6.2](#)). The feedback from this engagement will inform the development of the DPD.

6.8 Regulations 25 and 27 of the Town and Country Planning (Local Development) (Amendment) Regulations 2008 set out the specific consultation requirements for the Council when preparing DPDs. It is anticipated that the process set out below will be undertaken for a DPD under these regulations, taking account of the principles set out in this SCI:

Regulation 25: Public participation in the preparation of a Development Plan Document

We will consult and engage with the community from the outset when preparing a DPD and associated SA. The views of the community will support the Council in identifying issues and in developing, refining and improving alternative options as well as addressing issues deriving from the preparation of the evidence base, in line with the requirements of Planning Policy Statement (PPS) 12: Local Spatial Planning. The community will be able to contribute ideas during this process.

It is anticipated that the following process will be undertaken at this stage:

- Written consultations with the ‘specific’, ‘general’ and ‘other’ consultation bodies, including where relevant, individuals and organisations who have expressed a wish to be consulted;
- Presentation to and discussion of the document with Councillors and the relevant LSP Theme Groups;
- Making the consultation document available on the Council’s website and hard copies available at the Council offices, public libraries and other appropriate deposit points;
- Inviting public representation on the document through press advertisements, press releases and a prominent invitation on the Council’s website;
- Invitations to meet with any individual who cannot read, or who has communication difficulties, if they feel that their concerns cannot adequately be conveyed in writing;
- The holding of workshops/public meetings led by professional facilitators if this is considered by any party to be more helpful. This consultation method may be particularly useful in relation to the preparation of Site Allocation or Area Action Plans where public interest in the DPD is high; and
- The holding of exhibitions/drop-in events to promote a wider awareness of the DPD, as appropriate. This method of consultation will also provide an opportunity to engage with some of the hard to reach groups.

A consultation period lasting a minimum of four weeks will apply to this stage.

Regulation 27: Publication of a Development Plan Document

The proposed submission DPDs and associated SAs, informed by public participation under regulation 25, will be consulted upon with a view to being made sound in line with the requirements of PPS12. The consultation will determine if any changes need to be made to the Development Plan Document for it to be considered ‘sound’, before submission to the Secretary of State.

It is anticipated that the following process will be undertaken at this stage:

- Written consultations with the ‘specific’, ‘general’ and ‘other’ consultation bodies, including where relevant, individuals and organisations who have expressed a wish to be consulted;
- Presentation to and discussion of the soundness of the document with Councillors and the LSP Theme Groups;
- Making the consultation document available on the Council’s website and hard copies available at the Council offices, public libraries and other appropriate deposit points;

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| <ul style="list-style-type: none"> • Inviting public representation on the soundness of the document through press advertisements, press releases and a prominent invitation on the Council's website; and • Invitations to meet with any individual who cannot read or who has communication difficulties, to discuss issues regarding soundness, if they feel that their concerns cannot adequately be conveyed in writing. |
| A consultation period of a minimum of six weeks will apply to this stage. |

- 6.9 Such an approach may require the undertaking of some joint consultation exercises. This will be considered at a later stage.

Supplementary Planning Documents (SPDs): How and when will we consult ?

- 6.10 There will be two rounds of public consultation and participation to be undertaken during the preparation of Supplementary Planning Documents (SPDs). The first stage is an informal stage during the preparation of the draft document. The second is the formal (Regulation 17) stage consultation on the published draft SPD. Consultation and engagement will be undertaken from the outset in order to assist the Council with identifying the issues and to enable the community to influence the content and focus of policies at an early stage.
- 6.11 Regulation 17 of the Town and Country Planning (Local Development) Regulations 2004 sets out the specific consultation requirements of the Council when preparing SPDs. It is anticipated that the process set out below will be undertaken for an SPD under Regulation 17, taking account of the principles set out in this SCI:

| Informal stage |
|--|
| This is an informal (not required under the regulations) consultation stage during the preparation of the draft document and for the Sustainability Appraisal of the draft SPD, (depending on whether a Sustainability Appraisal is relevant to the preparation of the particular SPD, ► see paragraph 2.12 for further information). The community will have opportunities to contribute ideas during this process. |
| It is anticipated that the following process will be undertaken at this stage: <ul style="list-style-type: none"> • Engagement with relevant local communities and stakeholders to discuss the particular issues proposed to be contained in the draft document and the development of policies. |
| A consultation period lasting a minimum of four weeks will apply to this stage. |
| Regulation 17: Public participation |
| This is the formal consultation on the published draft SPD and on the Sustainability Appraisal of the draft SPD, (depending on whether a Sustainability Appraisal is relevant to the preparation of the particular SPD). |
| It is anticipated that the following process will be undertaken at this stage: <ul style="list-style-type: none"> • Written consultations with the 'specific', 'general' and 'other' consultation bodies, to the extent that the Council thinks that the proposed subject matter of the SPD is |

relevant to the body, including where relevant, individuals and organisations who have expressed a wish to be consulted ;

- Invitations to meet with any individual who cannot read, or who has communication difficulties, to discuss particular issues of the draft document;
- Presentation to and discussion of the draft document with Councillors and the LSP Theme Groups;
- The draft SPD is put on the Council's website. Hard copies are made available at the Council offices, public libraries and other appropriate deposit points;
- Inviting public representation on the draft SPD through press advertisements, press releases and a prominent invitation on the Council's website.

A consultation period of a minimum of four weeks and a maximum of 6 weeks will apply to this stage.

Consultation evaluation

- 6.12 The Council will seek to improve the way in which it consults and engages with the community. When a consultation response is received by the Council, we will aim to acknowledge its receipt in writing within ten working days. After each consultation, the planning officers involved will discuss how it could have been improved, taking account of feedback received. Identified improvements will be implemented in future consultations, in accordance with the resources available. The consultation evaluation will be provided as part of the consultation statement (► see section [8.0](#) for further information).

7.0 Co-ordination and alignment of strategy production

Council's Corporate Plan and Sustainable Community Strategy

- 7.1 The Council's Corporate Plan outlines the key priorities and actions the Council will take to improve the quality of life in the Fylde community. The Corporate Plan is linked to the aims and objectives contained in the Sustainable Community Strategy (SCS) for the borough. The link between the SCS and the Corporate Plan is an essential means of ensuring the Council delivers the priority actions that will make a positive contribution to the SCS.
- 7.2 The SCS contains a vision for Fylde and sets out the improvements that are needed in order to achieve the vision. The Fylde Local Strategic Partnership (LSP) is responsible for producing and reviewing the SCS. The next review is expected in 2012. The LSP also brings together public, private, voluntary and community sector organisations – such as those in local government, health, education, crime reduction, businesses and local community groups – to collectively achieve the vision for Fylde contained within the SCS.
- 7.3 The SCS objectives inform the actions agreed in the Corporate Plan. These links are part of the 'Golden Thread' that the Council uses to ensure that what the authority delivers 'on the ground' contributes to the wider community aims and objectives of the SCS.
- 7.4 PPS12 states that spatial planning objectives should be aligned with the shared local priorities set out in the SCS, where these are consistent with national policy. To achieve this, the Council will work closely with the LSP throughout the plan

preparation process. Such close working will also help to ensure that the Core Strategy contributes towards achieving the objectives of the Corporate Plan.

Councillors

- 7.5 Councillors will be involved in the preparation of DPDs and SPDs throughout the plan preparation process. The Council will arrange presentations for Councillors at key stages in order to keep them informed and to provide opportunities for discussion. Meetings can also be arranged with planning officers on request. Councillors have an extensive knowledge of local issues and therefore have an important role in contributing toward the development of the LDF. In addition, they are able to advise on effective consultation arrangements and to identify appropriate groups to engage with during the plan preparation process. Their contribution to the LDF process will enable them to deliver the needs of the local people both borough wide and in the areas they represent.

Town and parish councils

- 7.6 The Council will work with the town and parish councils to address the needs and concerns of local communities. For example, the Council hosts and participates in District-Parish Liaison Meetings with the town and parish councils in order to discuss corporate aims and objectives. The Council seeks the participation of town and parish councils on the SCS, along with other plans, policies and strategies that affect the parishes.
- 7.7 The Council will also ensure that town and parish councils are given full opportunities to participate in the preparation of the Local Development Framework and such opportunities will be created throughout the plan preparation process. Town and parish councils have knowledge of the views of their local communities and this knowledge should inform the preparation of the LDF. Where possible, links will be strengthened and extended with the town and parish councils as the LDF is progressed.

Co-ordination of strategy production

- 7.8 There are many strategies, assessments and plans that the Council is required to prepare. Many of these documents are also prepared by neighbouring local authorities. Before preparing such documents, the Council will consider whether it is feasible to work jointly with a neighbouring authority in preparing and producing such documents. Doing so will also enable the Council to work in a more co-ordinated manner and to achieve shared objectives, as well as making considerable savings in officer time and other resources.
- 7.9 Wherever possible, the Council will co-ordinate the preparation of the various components of the LDF and its evidence base, with other strategies that are prepared within the Council. This will lead to more joined-up and complementary strategies and may allow consultation to be undertaken jointly on different strategies, if there is clear synergy between them. Again, this will make considerable savings in officer time and other resources and will reduce the demands placed on the community and other stakeholders in consultation, which can often lead to “consultation fatigue”.
- 7.10 The Planning Policy team within the Council will work closely with the LSP, as it prepares the LDF. A member of the Planning Policy team will normally be in attendance at relevant LSP Executive meetings, in order to keep up to date with the

key issues of Fylde and to be aware of the objectives and priorities of the LSP. The Council will engage with the LSP when preparing the various components of the LDF and also when preparing evidence base documents, such as the Infrastructure Delivery Plan.

Co-ordination of community engagement activities

- 7.11 In accordance with the Council's Community Engagement Strategy, the Council will co-ordinate community engagement activities wherever possible. This will again enable the Council to work in a more co-ordinated manner and will save resources in officer time and cost. It will also avoid duplication and "consultation fatigue", as a result of over consultation.

8.0 Reporting back

- 8.1 Any representation made to the Council, in response to consultations on DPDs or SPDs, must be put in writing in order for the representation to be considered. The Council will acknowledge receipt of all written representations made in response to consultations on DPDs and SPDs.
- 8.2 There needs to be a robust approach to evaluating representations received, to ensure that the views of the community will influence the development of the DPD or SPD. This information will be reported back to the community, in order for them to see that their representations have been considered and how the Council has responded. This will also help the Council to build trust in the community.
- 8.3 Therefore, after each statutory consultation, all written representations will be summarised, with the Council setting out its response. A consultation statement will also be produced. This will set out:
- Who was consulted and who has replied;
 - The consultation methods used and method of response;
 - The number and substance of the representations; and
 - A consultation evaluation.
- 8.4 The statement may also contain a 'schedule of changes'. This will set out how the consultation document has been amended following representations received. This may not be feasible in all cases, however, where suggested alterations have been rejected by the Council, persons will be able to pursue these through the examination process with an independent Inspector (in the case of a Development Plan Document).
- 8.5 A summary of the responses and the consultation statement will be made available on the Council's website upon completion and all who responded to the consultation will be informed of where these can be viewed.
- 8.6 The Council will also trial the use of a consultation monitoring form to seek customer feedback on the way the consultation events were provided. The form will be optional, but we will actively encourage its completion to enable the consultation event to be evaluated. The information provided will be collated, analysed and

presented as part of the consultation statement. An example of the form is provided in Appendix [2](#).

9.0 Weight to be given to community representations

- 9.1 The coalition Government is moving towards decentralisation and democratic engagement by giving new powers to local councils, communities, neighbourhoods and individuals. In line with this, the government has advised councils that their LDFs should reflect local people's aspirations and decisions on important issues such as climate change, housing and economic development.
- 9.2 The government has also advised that the soundness requirements under current legislation still apply and this means that DPDs and SPDs must be founded on a robust evidence base, in line with PPS12, in order to be considered 'sound.' Information received from the public through consultation and engagement activities is an important element of the evidence base, as is evidence of the background facts. PPS12, paragraph 4.56 states that various studies (such as housing market assessments, flood risk assessments, etc) are necessary for the proper preparation of Core Strategies. In addition, to be considered 'sound', plans must also be consistent with national policy.
- 9.3 Therefore, the Council needs to take account of community representations in the context of the background facts and national policy. Any person can challenge the soundness of the evidence that has been used to inform a plan. The Council will publish a DPD when it considers the DPD to be 'sound' in accord with PPS12. Any representations relating to the soundness of the DPD can be made during the consultation on the published version under regulation 27. At this stage, representations might be received that cause the Council to question whether the DPD is 'sound.' In this situation, the Council will need to address such issues and the examination process may be delayed. In the worst case scenario, the DPD may need to be withdrawn.
- 9.4 Where there is public opposition to proposals within a DPD or SPD, but the Council continues to put forward such proposals, the public may consider that the preparation process for the DPD or SPD is undemocratic. In such cases, it is likely that the evidence base for the document will show that such opposition is unfounded or that mitigation or other measures can be put in place that will address the concerns. Therefore, it is essential that the evidence base for a DPD or SPD is robust.
- 9.5 Government advice to local authorities makes it clear that Inspectors will test evidence put forward by local authorities and others who make representations. As part of the examination process into a DPD, individuals and organisations will have the opportunity to raise their concerns directly with the Inspector where they feel their views have not been adequately considered or that the mitigation or methods to address their concerns are inadequate. This process does not apply for SPDs which do not undergo an examination process.
- 9.6 Whilst the government's objectives are to increase the input into planning from the community, quite often diverse views will emanate from within the community such that it is not possible to satisfy all parties.

10.0 Equality

- 10.1 Equality and diversity is about building a safe, just and tolerant society for everyone in the UK, regardless of their race, religion, gender, gender identity, sexual orientation, disability or age. The terms underlined represent the various dimensions of the national equality agenda referred to as 'equality strands'.
- 10.2 From October 1st 2010 all pre-existing equality legislation, which has gradually built up over 40 years, including, for example, the Equal Pay Act, Race Relations and Disability Discrimination Acts and Amendment, are abolished. The protections they contained are all transferred to the new Equality Act 2010.
- 10.3 The Equality Act 2010 now defines the equality strands as 'protected characteristics' comprising: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 10.4 Promoting equality and diversity is a duty that the government takes very seriously and is a responsibility shared by all government departments and local authorities, including Fylde.

Equality Impact Assessment

- 10.5 Within the Council, one of the major activities that is carried out in every service area and on every policy is an Equality Impact Assessment. This is a simple assessment based on set criteria that will determine whether a service or policy is liable to have any discrimination along any of the major equality lines i.e. race, disability, gender etc. If any issues are raised in the impact assessment, an action plan is produced so that these can be addressed.

Consultation

- 10.6 When the Council is consulting on Local Development Documents, best practice will be followed and methods will be used that do not exclude people or groups (► see section [5.0](#) for more information).
- 10.7 The Council will trial the use of an Equality Monitoring Form with each consultation letter. This form would be optional, requesting information on matters such as age, race and sexual orientation. Any information provided would be used anonymously and would enable the Council to monitor protected characteristics of its customers to develop a profile of respondents. This could be used to research, as far as possible, whether the Council's attempts to involve the 'hard to reach' groups were successful. The process would inform the Council, in broad terms, as to whether further action is needed, in order that certain 'hard to reach' groups are more effectively included in future consultations. An example of the proposed form is available in appendix [2](#).

11.0 Resource implications

- 11.1 The process of community involvement will use significant resources in terms of staff time and officer costs. This statement sets out effective community involvement that can be achieved within the staff and financial resources available. The approach taken will be proportionate to the document and the scale and nature of the issues involved. As stated previously, the Council will aim to work with the LSP,

neighbouring local authorities and departments within the Council in order to ensure a co-ordinated approach to the production of the LDF, which will contribute towards minimising the resources used as the LDF is prepared (► see section [7.0](#) for more information).

- 11.2 Whilst in general the consultation process as outlined in this statement should be capable of being implemented within the staffing and financial constraints currently available, if the need arises for one-off special consultation events e.g. professionally run ‘workshops’, this may require additional resources not currently included in the budget.
- 11.3 The Council has purchased consultation software for organising and handling representations on the LDF. This will help to administer the community involvement process more efficiently and it is envisaged that this will be live before the first consultation phase on the Core Strategy.
- 11.4 The financial costs of community engagement will be monitored and during the annual budget allocation process, the appropriate resources will be made available in order to meet the requirements of community participation as set out in this statement.

Part Two: Development Management

12.0 Introduction - What is development management?

- 12.1 Development Management is the process by which the Council shapes, considers, determines and delivers proposals for development, so that the right development happens in the right places. It is a positive and proactive process in which the Council works closely with those proposing developments and other stakeholders, in order to achieve high quality, sustainable development.

From ‘development control’ to ‘development management’

- 12.2 The previous ‘development control’ approach was often a reactive process which focussed on the processing of planning applications and enforcing contraventions. Development Management, on the other hand, is a proactive process which facilitates development opportunities.
- 12.3 The Development Management process should aim to deliver the vision of the Sustainable Community Strategy (SCS) and the Development Plan. To help achieve the vision, planners should work collaboratively with the applicant, elected members, the community and statutory consultees throughout the process. Such an approach should also provide greater transparency. It should be noted that the Development Management process should be proportionate to the impact that the proposal is likely to have on a community.
- 12.4 Development Management is a longer and more engaging process than development control, with planners engaging with the applicant throughout the process. If there are significant obstacles to development, but such development would contribute towards achieving the vision of the SCS and the Development Plan, planners should be proactive in seeking ways to overcome such obstacles.
- 12.5 Development Management, therefore, has a key role in improving the quality of life for residents and the prosperity of businesses. More information on Development Management can be found at www.pas.gov.uk

13.0 Pre-application planning discussions

Pre-application planning advice

- 13.1 Open and constructive pre-application discussions are an opportunity for local planning authorities and developers to work together in order to achieve high quality, sustainable development. These discussions can give both the applicant and the local planning authority greater clarity and reassurance about the application.
- 13.2 The Local Planning Authority will charge for both written advice and for meetings relating to major developments. The Local Planning Authority will not charge for written or verbal pre-application advice in respect of other developments including minor residential or commercial developments or householder applications. Officers will provide formal written responses and will, where necessary, involve other relevant consultees e.g. the Highways Authority, when formulating responses. The Local Planning Authority will charge for written confirmation for householders wanting to know if works to their home will need planning permission. Further information on

pre application advice and permitted development can be obtained from www.fylde.gov.uk

Member Review Panel

- 13.3 Following initial discussions with Officers, applicants may elect to obtain further input from Elected Members via a Member Review Panel. This panel will consist of a number of Councillors who will seek to identify potential issues and provide constructive representations in regard to the proposal. The Local Planning Authority will charge for the meeting, in accordance with the 'Pre application advice on major development schemes' document.

Community involvement in preparing planning applications

- 13.4 The Localism Bill will make community involvement in preparing planning applications a mandatory requirement for developments of a certain type or scale. However, all applicants are advised to involve the community at an early stage in the development of a scheme, as effective community involvement when developing a scheme can:
- Address problems before an application is submitted, and this may reduce the chance of refusal of planning permission;
 - Prevent abortive work, as refinements to the proposal can be made at an early stage;
 - Provide an opportunity to explain proposals to the community, reducing the potential for misconceived objections; and
 - Reduce the time and cost in obtaining a decision.
- 13.5 It is for the applicant to determine the extent and methods used for consultation, as it would depend on the scale and nature of the proposal. In accord with the Council's Community Engagement Strategy, developers should ensure that those most directly affected by plans are aware of opportunities for involvement and should consider the 'hard to reach groups'. It is expected that the consultation should follow the basic process of: explaining the proposal to the community affected; requesting the community's views; and where appropriate, amending the proposals to take account of their views.
- 13.6 For schemes that constitute "major development," the Council expects more formal consultation (► see paragraph [14.2](#)). Such consultation methods could include (the list is not exhaustive):
- Public exhibitions, workshops or meetings with the community or with particular groups in the community;
 - Making detailed proposals available for public view at the site or other suitable location;
 - Circulation of letters or leaflets to the community that would be affected by the proposals, including plans or diagrams;

- Press releases and adverts in the local newspaper; and
- Encouraging developers to consider the 'hard to reach' groups when involving the community on a proposed development, in accord with the Council's Community Engagement Strategy.

Case Study: New Fylde Housing – Redevelopment of Pilling Avenue and Grassington Road with construction of 111 new affordable dwellings.

The applicant undertook a range of pre-application consultation methods with the local community and revisited the design to take residents concerns into consideration. These included: the formation of a steering group, comprising Heyhouse Residents, Fylde Borough Council Housing, the Local Planning Authority and New Fylde Housing Association; inviting local residents to one-to-one discussions and a group consultation event; use of questionnaire and response forms for local residents.

- 13.7 The Localism Bill will make it a requirement for applicants to submit a statement detailing how they have consulted the community where developments are of a certain type or scale. The Council will encourage all applicants for major schemes to submit a consultation statement with their planning application. This should include: a description of the methods employed to gain the views of the community and other stakeholders including correspondence, public notices, a record of persons attending the event and minutes from any meetings; a summary of all responses received; a list of the main issues raised; the developers response to the representations and amendments to the scheme resulting from the consultation.

14.0 Planning applications

Types and categories of planning application

- 14.1 When the applicant believes that a satisfactory proposal has been drawn-up, a planning application should be submitted. Below are the main types of planning application:

Full planning permission

Seeks planning approval for all matters of an application. e.g. New dwelling(s), change of use of land or building(s), alterations to a commercial property.

Outline planning permission

Seeks approval for the principal of the development and some matters (appearance, means of access, landscaping, layout and scale). The remaining matters would have to be dealt with under a second application, referred to as 'reserved matters'.

Reserved matters application

To obtain permission for any matters not dealt with by the outline application.

Householder application

For works carried out to a private residential dwelling which do not have deemed consent under the general permitted development order.

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| <p>Listed Building consent</p> <p>Required to alter or demolish a Listed Building. Listed building consent may be required in association with another form of planning approval, such as a householder application.</p> |
| <p>Conservation Area consent</p> <p>Demolition or substantial demolition of a building within a Conservation Area. To alter any structure in a Conservation Area where an Article 4 Direction exists (Article 4 Direction removes some or all permitted development rights). Conservation Area consent may be required in association with another form of planning approval, such as a householder application.</p> |
| <p>Advertisement consent</p> <p>Required for advertisement hoardings, shop signs, banners, etc which do not have deemed consent.</p> |
| <p>Consent to carry out works to preserved trees</p> <p>For carrying out works to, or felling of a tree that is the subject of a Tree Preservation Order, or a tree over a certain size in a Conservation Area.</p> |

- 14.2 There are three categories of planning application: major; minor and other. Definitions of these are provided in the table below. The Council aims to determine planning applications within the current Government targets, currently 13 weeks for major applications and 8 weeks for minor or other planning applications, however a proportion of applications will take longer to resolve. Major planning applications which the officer recommends for approval automatically go to Development Management Committee. Minor or other planning applications may go to Development Management Committee where the Director of Strategic Development Services does not have delegated powers.

| Category | Definition |
|----------|--|
| Major | <ul style="list-style-type: none"> 10 or more dwellings or the site area for residential development is 0.5 hectares or more For all other uses - 1,000 sq m floorspace or more, or the site area is more than 1 hectare |
| Minor | <ul style="list-style-type: none"> Less than 10 dwellings or the site area for residential development is less than 0.5 hectares For all other uses - less than 1,000 sq m, or the site area is less than 1 hectare |
| Other | <ul style="list-style-type: none"> Changes of use, householder development, adverts, listed building consents, conservation area consents, lawful development certificates, agricultural notifications, telecommunications, etc |

15.0 Processing planning applications

- 15.1 When planning applications are submitted to the Council, the formal requirements relating to publicity are set out in a number of legislative documents (► see references: [legislation](#), page 45), which provide details of the minimum consultation requirements in certain circumstances.
- 15.2 The Council, however, is committed to ensuring that any group or individual that may be interested or affected by a proposed development has the opportunity to make a representation on the planning application. Accordingly, in addition to undertaking the minimum consultation requirements set out in legislation, the Council will carry out further consultations in order to ensure that the views of the wider community are considered in determining a planning application.

Who will be directly consulted?

- 15.3 You do not need to have been directly consulted to make a representation on a planning application.
- 15.4 However, we will directly consult via a notification letter with neighbouring properties sharing a common boundary and will consult with the appropriate town or parish council and each statutory consultee, as set out in The Town and Country Planning (General Development Procedure Order) (1995) as amended (► See Appendix 4).
- 15.5 The Council will be launching a new service in 2011. This will allow users via the Council website to receive notification when a planning application is submitted in their local area.

How and when we will consult

- 15.6 The Council will continue to publicise applications in various ways to meet its objective of involving the community in the planning application decision-making process. These are as follows:

| | |
|------------------------|---|
| Neighbour notification | <ul style="list-style-type: none"> We will usually write a letter to the occupiers of any property that shares a common boundary with the application site or property, which could be directly affected by the proposal, informing them of what the application is for and inviting them to view the plans. |
| Site Notice | <ul style="list-style-type: none"> Major development (10 or more dwellings or development creating 1000 square metres of floor space or more) Application subject to Environmental Impact Assessment Applications, which if approved, would be a departure from the development plan Applications affecting public rights of way Development affecting Listed Buildings, or their setting Development affecting the setting of a Conservation Area If the proposal is likely to affect people in a larger area than just neighbouring properties Where there is open land, such as agricultural land, next to the |

| | |
|------------------------------|--|
| | application site |
| Advertisement in Local Press | <ul style="list-style-type: none"> • Major development (10 or more dwellings or development creating 1000 square metres of floor space or more) • Application subject to Environmental Impact Assessment • Applications, which if approved, would be a departure from the development plan • Applications affecting public rights of way • Development affecting Listed Buildings, or their setting • Development affecting Conservation Areas |
| Weekly Lists | <ul style="list-style-type: none"> • A weekly list of applications received is available • A weekly list will be sent to local interest groups who have expressed an interest in receiving details • A weekly list will be sent to local libraries, Council Offices and other public facilities for display in those premises • A weekly list will be available on the Council's website |

How to view a planning application

- 15.7 Copies of planning applications awaiting a decision will be made available to view at the Fylde Direct office. An appointment to view these plans will not be necessary. The Fylde Direct office is located at: Clifton Drive North, St Annes, FY8 1LH (opposite Wood Street), Telephone 01253 658658.
- 15.8 Alternatively, details of all planning applications, including submitted plans and supporting documents will be made available through the Council's website.
<http://www.fylde.gov.uk/planning/>

How to respond

- 15.9 If you are interested in a planning application made by another party and you wish to support, comment or oppose it, you have a right to do this by writing to the Council. You will normally have 21 days to submit representations, however, the Local Planning Authority will usually extend the statutory requirement for town and parish councils to 28 days to allow for their monthly meetings. Representations can be submitted via letter or email. Please quote the application number and the exact address of the application site in any correspondence.
- 15.10 If there are significant alterations to the submitted scheme, you may be re-consulted and given a reasonable time that is proportionate to the alteration, to submit representations. There is no statutory requirement for the Local Planning Authority to re-consult, but we consider it important to provide a fair opportunity for input in the planning application process.
- 15.11 All representations received are open to public view and cannot be treated in confidence. This is because planning operates through a Statutory Public Register and the Council's dealings in these matters must be open and transparent.

How your representations will be used

- 15.12 When an application is determined, any representations received from interested parties will be summarised in the officer's report. The officer's report will clearly state how the issues that have been raised have been addressed in reaching the final recommendation.
- 15.13 Once a decision is made on a planning application, we will publish details of the decision on the Council's website and notify the relevant town and parish councils and statutory consultees.
- 15.14 Your representations can only be taken into account when determining the planning application if they relate to planning matters. This is because the Council has a statutory duty when considering planning applications to consider the Development Plan and any other material considerations. While this list of material considerations is not exhaustive, the most common include:
- Proposed policies in the Development Plan;
 - National policies;
 - Loss of outlook (but not loss of a view);
 - Loss of privacy/overlooking;
 - Loss of daylight or sunlight/overshadowing;
 - Highways issues: highways safety, vehicular access, increased traffic generation from the proposed use;
 - Noise or light pollution resulting from the proposed use;
 - Visual appearance, design and quality of materials;
 - Effect on character of a Listed Building/Conservation Area;
 - Archaeology;
 - Nature conservation; and
 - Potential flood risk.
- 15.15 Issues which are not classified as material considerations and are not valid reasons for refusing planning permission, so cannot normally be taken into account include:
- Issues not controlled by planning law e.g. fire protection controlled by Building Regulations;
 - Loss of property value;
 - Loss of view;
 - Private right of way/boundary disputes (Civil matters); and

- Character of the applicant/previous disputes with the applicant.

16.0 Community involvement in planning obligations

- 16.1 Planning obligations are used to make a scheme acceptable in planning terms where it would normally result in refusal. Planning obligations are a legally binding agreement made between the Local Planning Authority and the applicant, carried out under section 106 of the Town and Country Planning Act 1990 (as amended) and are therefore often referred to as 'Section 106 agreements'. Entering into a Section 106 agreement may require the applicant to submit further information, restrict the future development of the site or provide a financial contribution.

How can the community get involved in planning obligations?

- 16.2 Whilst it is not generally possible for the community to enter into talks with the Local Planning Authority and the applicant when negotiating the section 106 agreement, it is possible for the community to get involved in the process.
- 16.3 Often, material planning considerations raised by the community as part of the public consultation aspect of the planning application process may raise issues which a section 106 agreement can be used to mitigate against. For example, financial contributions towards highway improvements could help to mitigate against any potential highways safety concerns of the community, which may be attributed to the potential development.
- 16.4 The Council also operates an Interim Housing Policy (adopted 2008). This was developed following two rounds of public consultation and sets out three Fylde specific contributions requirements:
- Affordable housing;
 - Open Space; and
 - Declared Town Centre or public realm improvement works.
- 16.5 The Council has also formally adopted its Regeneration Framework. In connection to the Interim Housing Policy, the Regeneration Framework sets out the Council's declared town centre and public realm improvement schemes. The Regeneration Framework provides an opportunity for the community to submit new schemes to the Council for consideration. If successful, the submitted scheme is formally adopted and added to the Regeneration Framework schedule of declared town centre and public realm improvement works.

17.0 Determining planning applications

Approved scheme of delegation

- 17.1 The Government encourages Local Planning Authorities to determine as many applications as possible under delegated powers, in line with the latest targets. This means that the application will not go before the Development Management Committee (local councillors).

- 17.2 As the majority of planning applications submitted to the Council are for relatively minor works or uncontroversial projects, these applications will normally be determined by the Director of Strategic Services under an Approved Scheme of Delegation. The Approved Scheme of Delegation, which sets out those applications that may be determined in this manner, is published on the Council's Website. Details of the scheme are provided in Appendix [5](#).

Development Management Committee

- 17.3 Applications for major or controversial development will normally be determined by the Development Management Committee, composed of a group of 16 elected local Councillors who usually meet once a month.

Right to speak – Speaking at the development management committee

- 17.4 Members of the public are able, at the discretion of the Chairman, to make a verbal presentation to the Development Management Committee to support, comment or oppose a planning application. Where oral objections are to be raised, the applicant has a right to respond. The applicant also has the right to address the Development Management Committee if Officers have recommended that their application should be refused. Councillors then consider these representations in determining the application.
- 17.5 In order to ensure the workload of the Development Management Committee can be expedited efficiently, speakers are limited to 3 minutes. Any presentations should be limited to material planning considerations (► see paragraphs [15.14](#) and [15.15](#)).
- 17.6 If you wish to speak at the Development Management Committee you must register with the Council before 12 Noon on the Monday before the Development Management Committee meets or by 4.30pm on Friday before if the Monday is a Bank Holiday. This can be done in writing or by completing the online form on the Council's website www.fylde.gov.uk. A leaflet is available with full details and forms to complete. Further details regarding your right to speak at the Development Management Committee can be found in a separate leaflet (► see Appendix [6](#)) and on the Council's website.

Notification of planning decisions

- 17.7 Following a decision on an application, a letter is sent to the applicant advising them of the decision that has been made, including details of conditions imposed. The Council's website has an "Applications On-line" service that allows the details of planning applications to be viewed, including planning decisions. If the decision is made by the Development Management Committee, then the decision is also published in the minutes on the Council's website, together with details of the decision.

18.0 Planning appeals

- 18.1 Applicants have the right to appeal to the Secretary of State against a number of planning decisions made by the Council, including:
- Refusal of planning permission;

- Imposition of condition(s);
 - Failure to determine an application within the time allowed;
 - The serving of an enforcement notice; and
 - Refusal to permit removal or works affecting trees covered by Tree Preservation Orders.
- 18.2 Details of how to appeal are sent with the decision notice. There is generally a six-month time limit from when the applicant receives the decision notice within which to appeal. For advertisement applications this is eight weeks.
- 18.3 If an appeal is submitted, the Council will notify any interested parties of the appeal, including those who made representations before the application was determined. These representations will be sent to the Planning Inspectorate and appellant and will be considered by the Inspector when determining the appeal.
- 18.4 Interested parties will also be informed that any further written representations should be sent to the Planning Inspectorate within 6 weeks of the start date of the appeal. It should be noted that interested persons will not have the opportunity to make representations on a householder appeal due to the 'fast track' appeal process. In this instance, representations received during the planning application consultation process will be considered by the Inspector.

How appeals are dealt with

- 18.5 Appeals are dealt with in three ways:
- Written representations – these are dealt with by an exchange of written statements and, where necessary, a site visit by an Inspector from the Planning Inspectorate;
 - Hearings – these are a discussion between the appellant and the Council about the merits of the case and are chaired by an Inspector from the Planning Inspectorate; and
 - Public inquiries – these are often used for major cases and are much more formal.
- 18.6 The Inspector will make a decision to dismiss or allow the appeal, or send a report to the Secretary of State. A copy of the decision notice will be sent to the appellant, the Council and any interested person who has requested a copy. It will also be available to view on the Planning Portal website at www.planningportal.gov.uk.

19.0 Reporting back

- 19.1 Representations made during public consultation (if relating to a material consideration) are considered when the Council is determining a planning application. Therefore, such representations are only part of the evidence base upon which a decision is taken. It should be noted that only material planning considerations are taken into account when a planning application is determined.

- 19.2 When an application is determined, any representations received will be summarised in the case officer's report. The report will also set out how the issues raised have been addressed in reaching the final recommendation.
- 19.3 When a planning application has been determined, details of the decision will also be published on the Council's website.
- 19.4 The Council seeks feedback from customers on the way the planning service is provided through:
- Organising seminars for town and parish councils;
 - The focus group for planning agents (architects, surveyors and others who regularly submit applications); and
 - Questionnaire surveys for applicants, agents and neighbouring properties.
- 19.5 The feedback is used as part of the regular monitoring and review of planning services.

20.0 Resource implications

- 20.1 The resources for the Council's publicity of planning applications will comprise of both officer and administration staff in the Development Management section, along with funds from the Council's budget. Publicity will be proportionate to the scale and nature of the proposed development. Developers will be expected to consult and engage with the community before they submit a planning application, as set out in section 13.0.
- 20.2 Planning applications can be viewed online on the Council's website and copies of applications awaiting determination are also available to view at the reception of Fylde Direct (the One Stop Shop). The progress of planning applications can also be tracked using these facilities. Representations on planning applications can be made by email or letter. Such online facilities have resulted in more effective community participation in the Development Management process.
- 20.3 The Development Management process, including the process of community involvement, incurs significant staff and financial resources. However, it is considered that the community involvement proposed throughout the Development Management process is achievable within the current planning budget.

Part Three: Update

21.0 Update of the Statement of Community Involvement

- 21.1 This Statement of Community Involvement has been prepared to identify the arrangements for consultation and community engagement in the preparation, alteration and continuing review of all Local Development Documents and planning applications. It is hoped that its provisions will guide these processes for a number of years.
- 21.2 Nevertheless, as a responsible Council seeking always to improve methods and standards, the Council will undertake the following actions to ensure that the SCI is kept up to date and is as relevant and effective as possible:
- It is not proposed to update the SCI at a pre-determined frequency (e.g. every three years). Rather, it will be updated only when significant changes have occurred in the types of groups which the Council wishes to engage, or different techniques for engagement are to be deployed. Self evidently, if changes in legislation or government advice are made, then this may lead to the need for an update;
 - Additionally, after the adoption of each Local Development Document, the Council proposes to contact each stakeholder and consultee involved in the process with a view to asking them whether the consultation arrangements were satisfactory, or if they could have been improved;
 - In relation to the Development Management process, the Council will raise the issue of consultations at its forums with town and parish councils and planning agents;
 - Where responses lead the Council to consider that arrangements need to be changed significantly, these will be incorporated in the SCI via an update;
 - If or when an update becomes necessary, the procedures followed will be identical to those undertaken for the preparation of the first statement; and
 - The Council's 'Register of Consultees' will be continuously up-dated, with an open invitation for people wishing to be included on the register placed in a prominent position on the Council's website.

Glossary

Annual Monitoring Report (AMR)

This report assesses the effectiveness of the policies and proposals of the Local Development Framework (LDF) and is submitted to the government every year. The coalition Government propose to remove the need to submit a Annual Monitoring Report to government each year, but the Local Planning Authority should continue to make the information available for the community.

Area Action Plans (AAPs)

This is an optional Development Plan Document (DPD) that sets out proposals and policies for a specific location or an area subject to conservation or significant change, such as a town centre.

Community Engagement Strategy

The aim of this strategy is to facilitate engagement with the people of Fylde. It includes the Council's community engagement principles and directs the way the Council carries out its community engagement activities.

Community Engagement Toolkit

This toolkit sets out a range of methods to assist Council staff in carrying out community engagement activities effectively and consistently.

Core Strategy

This is the principle Development Plan Document (DPD) contained within the Local Development Framework (LDF). It sets out the long term spatial vision for the local authority area and strategic policies and proposals to deliver that vision. The Core Strategy should act as the spatial expression of the Sustainable Community Strategy (SCS) and should therefore be aligned with the SCS. It will also reflect the wider policy context provided in the national planning framework.

Development Management *formerly known as Development Control*

This is a positive and proactive process which facilitates and manages sustainable development opportunities. It is a change from the former reactive process of assessing and determining planning applications and enforcing contravention through the Development Control process.

Development Management Policies

This Development Plan Document (DPD) is produced if there are important planning matters on which the Core Strategy cannot provide guidance. The Development Management DPD would support the Core Strategy by providing more detailed policies for the management of development and will assist in delivering the objectives of the Core Strategy.

Development Plan

This sets out the planning policies and proposals for the development and use of land in the borough. It consists of adopted Development Plan Documents (DPDs), saved local plan policies and any old styled local plans that have not lapsed.

Development Plan Documents (DPDs)

These documents will together form the Development Plan for the Borough. DPDs must include a Core Strategy and Proposals Map, but may also include other documents such as Area Action Plans (AAPs).

Equality Impact Assessment

A simple assessment with set criteria that will determine whether a service or policy is liable to have any discrimination along any of the major equality lines i.e. race, disability, gender etc. If any issues are raised in the impact assessment, an action plan is produced so that these issues can be addressed.

Examination in Public (EiP)

An independent public examination into the soundness of a plan.

General Consultation Bodies

The Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) set out five types of bodies which comprise the General Consultation bodies:

- voluntary bodies some or all of whose activities benefit any part of the Council's area
- bodies which represent the interests of:
 - different ethnic or national groups in the local authority's area
 - different religious groups in the local authority's area
 - disabled people in the local authority's area
 - people carrying on business in the local authority's area.

The Local Planning Authority must consult those General Consultation bodies it considers appropriate when preparing a Development Plan Document.

Local Development Documents (LDDs)

The collective term for Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs) and the Statement of Community Involvement (SCI).

Local Development Framework (LDF)

This is a folder of documents containing the Local Authority's Local Development Documents (LDDs), Local Development Scheme (LDS) and the Annual Monitoring Reports (AMRs). Together, these documents will provide the framework for delivering the spatial planning strategy for the Local Authority area.

Local Development Scheme (LDS)

This sets out the Local Authority's programme for the production of Local Development Documents (LDDs).

Local Strategic Partnership (LSP)

Fylde LSP brings together public, private, voluntary and community sector organisations - such as those in local government, health, education, crime reduction, businesses and local community groups - to collectively achieve the vision for the area, contained in the Sustainable Community Strategy. Fylde LSP is responsible for producing and reviewing the Sustainable Community Strategy for Fylde.

Material Planning Considerations

When determining a planning application, the Local Planning Authority has to take into consideration the adopted Development Plan and any other material considerations. Material considerations are important matters which relate to planning legislation. While this list of material considerations is not exhaustive, the most common include:

- Loss of outlook (but not loss of a view);
- Loss of privacy/overlooking;
- Loss of daylight or sunlight/overshadowing;
- Highways issues: highways safety, vehicular access, increased traffic generation from the proposed use;
- Noise or light pollution resulting from the proposed use;

- Visual appearance, design and quality of materials;
- Effect on character of a Listed Building/Conservation Area;
- Archaeology;
- Nature conservation; and
- Potential flood risk.

Issues which are not classified as material considerations and are not valid reasons for refusing planning permission, so cannot normally be taken into account include:

- Issues not controlled by planning law e.g. fire protection controlled by Building Regulations;
- Loss of property value;
- Loss of view;
- Right of way/boundary disputes (Civil matters);
- Potential issues arising during the construction works e.g. noise, construction vehicles, damage to property; and
- Character of the applicant/previous disputes with the applicant.

Other Consultation Bodies

In addition to the Specific and General agencies and organisations, the Local Planning Authority must consult with others it considers appropriate when preparing its Development Plan Document. These agencies and organisations are referred to as other consultation bodies.

Planning and Compulsory Purchase Act 2004

A UK statutory instrument that reformed the town planning and compulsory purchase framework in the UK.

Planning Obligation (of Section 106 agreements)

In association with a planning application, planning obligations are often negotiated between the Council and the applicant as a means to secure developer contributions towards the provision of services and infrastructure to mitigate against potential reasons for refusal of the application. The Council will seek contributions towards affordable housing, open space and public realm and Lancashire County Council may also seek contributions towards infrastructure, such as highways or education.

Planning obligations are often referred to as Section 106 agreements, stemming from the legislative basis of section 106 of the Town and County Planning Act 1990 (As amended).

Planning Policy

Planning policy provides the framework to guide and manage the development of land and buildings within Fylde and sets out future proposals for the area.

The main responsibilities of the planning policy team are to produce a robust evidence base to assist in the preparation of statutory and informal spatial planning policies and to provide planning policy advice on land use planning.

Planning Policy Statement/Guidance Notes (PPSs/PPGs)

Planning Policy Guidance Notes (PPGs) and their replacements Planning Policy Statements (PPSs) are produced by the government to explain statutory provisions and provide guidance to Local Planning Authorities and others on planning policy and the operation of the planning system.

Local Planning Authorities must take the content of PPGs and PPSs into account when preparing a Development Plan and the guidance may also be relevant to decisions on individual planning applications and appeals.

Proposals Map

This illustrates in map form the policies and proposals of any Development Plan Document or saved Development Plan.

Regional Spatial Strategy (RSS)

The North West of England Plan - Regional Spatial Strategy to 2021 - provides the regional context for planning policy. The Secretary of State (SoS) for Communities and Local Government has confirmed his intention to abolish Regional Strategies. This will return decision making to local councils, with local planning authorities now being responsible for establishing the right level of local development in their area.

Site Specific Allocations

These are allocations of sites for specific or mixed uses or development to be contained in Development Plan Documents (DPDs). Policies will identify any specific requirements for individual purposes.

Specific Consultation Bodies

The Specific Consultation Bodies are listed in The Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) and relate to organisations who have responsibilities for infrastructure, utilities and services. The Local Planning Authority must consult Specific Consultation Bodies when preparing their Development Plan Document.

Statement of Community Involvement (SCI)

This sets out how and when the community will be consulted and involved in the preparation of the LDF, as well as the Council's procedures and arrangements for involving the community when considering planning applications.

Supplementary Planning Documents (SPDs)

These are optional and provide supplementary information about the policies in Development Plan Documents (DPDs), or a saved policy in an existing Development Plan. They are not subject to independent examination and do not form part of the Development Plan.

Sustainability Appraisal (SA)

The Sustainability Appraisal is a process for assessing the social, economic and environmental impacts of a plan and aims to ensure that sustainable development is at the heart of the plan-making process.

Sustainable Community Strategy (SCS)

This is prepared by the Local Strategic Partnership (LSP) with the aim of improving the social, environmental and economic well-being of the Local Authority area and should inform the Local Development Framework (LDF). It is a statutory requirement to produce an SCS.

Town and Country Planning Act 1990

This is an act of the British Parliament that sets the framework for regulating the development of land in England and Wales.

Town and Country Planning Regulations

The Town and Country Planning (Local Development) (England) Regulations 2004 is a statutory instrument that implements the policy behind the local planning system. The regulations were amended by the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 and 2009.

References

Legislation:

- Planning and Compulsory Purchase Act 2004
<http://www.legislation.gov.uk/ukpga/2004/5/notes/contents?type=en>
- The Town and Country Planning (Local Development) (England) Regulations 2004
<http://www.legislation.gov.uk/uksi/2004/2204/contents/made>
- The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008
<http://www.legislation.gov.uk/uksi/2008/1371/contents/made>
- The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009
<http://www.legislation.gov.uk/uksi/2009/401/contents/made>
- The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2008
<http://www.legislation.gov.uk/uksi/2008/550/contents/made>
- Town and Country Planning Act 1990
<http://www.legislation.gov.uk/ukpga/1990/8/contents>
- The Town and Country Planning (Development Management Procedure) (England) Order 2010
<http://www.legislation.gov.uk/uksi/2010/2184/contents/made>
- The Town and Country Planning Environmental Impact Assessment Regulations 1999, as amended
<http://www.legislation.gov.uk/uksi/2006/3295/contents/made> (for 2006 amendment)
<http://www.legislation.gov.uk/uksi/2008/2093/contents/made> (for 2008 amendment)
- The Town and Country Planning (Major Infrastructure Project Inquiries Procedure) (England) Rules 2005
<http://www.legislation.gov.uk/uksi/2005/2115/contents/made>
- Equality Act 2010
<http://www.legislation.gov.uk/ukpga/2010/15/contents>
- Localism Bill (draft)
<http://services.parliament.uk/bills/2010-11/localism.html>

Guidance:

- Circular 15/92: Publicity for Planning Applications
<http://www.communities.gov.uk/publications/planningandbuilding/circularpublicity>
- Planning Policy Statement 12: Local Spatial Planning www.communities.gov.uk

- Planning Advisory Service: Community Engagement in plan making (October 2010)
www.pas.gov.uk
- Open Source Planning
<http://www.conservatives.com/~media/Files/Green%20Papers/planning-green-paper.ashx>
- The Coalition: Our Programme for Government
http://www.cabinetoffice.gov.uk/media/409088/pfg_coalition.pdf
- Draft Structural Reform Plan
<http://www.communities.gov.uk/documents/corporate/pdf/16359212.pdf>

Fylde Borough Council:

- Community Engagement Strategy and Community Engagement Toolkit
- Do I need planning permission? <http://www.fylde.gov.uk/permission>
- Pre application advice on major development schemes
<http://www.fylde.gov.uk/planning-and-building-control/planning/advice/major-development/>
- Corporate Plan
<http://www.fylde.gov.uk/council-and-democracy/performance/corporate-plan-and-sustainable-strategy/>
- Sustainable Community Strategy
<http://www.fylde.gov.uk/council-and-democracy/performance/corporate-plan-and-sustainable-strategy/>
- Regeneration Framework
<http://www.fylde.gov.uk/environment/regeneration-and-urban-design/regeneration-framework/>
- Interim Housing Policy
<http://www.fylde.gov.uk/planning-and-building-control/local-plan/interim-housing-policy/>

Further information

More information on the planning process can be found on the following websites:

- **Fylde Borough Council**– (<http://www.fylde.gov.uk/planning-and-building-control/>) advice on the Council’s website on planning applications and planning policy
- **Planning Portal** (www.planningportal.gov.uk) – learn about planning (including a guide to the LDF) and apply for planning permission
- **Planning Aid** (www.rtpi.org.uk/planningaid/) – provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees
- **Planning Inspectorate** (www.planning-inspectorate.gov.uk) – information on the process of planning and enforcement appeals
- **Constitution of the Council, 26th July 2010** (<http://www.fylde.gov.uk/council-and-democracy/constitution/>)

Appendix 1 - Register of Consultees Form

The Council maintains a consultation database which includes persons and organisations interested in matters relating to plan making who wish to be notified of future consultations and events.

To be added to the consultation database, please complete the following form and return to:

Email: planningpolicy@fylde.gov.uk
Post: Planning Policy, Fylde Borough Council, Town Hall, Lytham St Annes,
Lancashire, FY8 1LW
Telephone: 01253 658418

| | | | | |
|--------------------------------|--------|---------|-----------|--|
| Name: | | | | |
| Organisation: (if relevant) | | | | |
| Address: | | | Postcode: | |
| Telephone: | | Mobile: | | |
| Email address: | | | | |
| Fax: | | | | |
| Preferred contact method: | Email: | | Letter: | |

This and other Local Development Framework (LDF) documents will be made available on request in large copy print, audiocassette, Braille or languages other than English. All requests for LDF documents in different formats should be made in the first instance to the Planning Policy Team. The Council will meet the cost of any reasonable request for providing LDF documents in different formats.

Appendix 2 –Consultation and Equality Monitoring Form

CONSULTATION MONITORING FORM

The Council is committed to promoting public consultation and community engagement. This commitment is based on a belief that successfully promoting the social, economic and environmental wellbeing of the community depends upon everyone having a stake in the future of the Borough.

The completion of this form will help us to evaluate the consultation event (i.e. identify unsuccessful consultation methods) in order to improve future events.

Please note: The completion of this form is **optional**. The Council will not draw any conclusion from a non completed form. The Consultation Monitoring Form will be separated from your consultation response and will not be traced back to an individual. Any information provided will be kept confidential. At the end of the consultation, the Consultation Monitoring Forms will be collated and the overall findings (e.g percentage of respondents who found out about the consultation by newspaper advert/notice) will be analysed and presented as part of a Consultation Statement, which will be published on the Council's website.

| How did you find out about this consultation? Please tick all that apply | | | | | |
|--|--------------------------|-------------------------|--------------------------|-----------------------------|--------------------------|
| Newspaper advert / notice | <input type="checkbox"/> | Town/ Parish Council | <input type="checkbox"/> | Letter / email from Council | <input type="checkbox"/> |
| Newspaper leaflet | <input type="checkbox"/> | Council website | <input type="checkbox"/> | Employment event | <input type="checkbox"/> |
| Council poster | <input type="checkbox"/> | Councillors | <input type="checkbox"/> | School event | <input type="checkbox"/> |
| Council exhibition/event | <input type="checkbox"/> | Radio | <input type="checkbox"/> | Word of mouth | <input type="checkbox"/> |
| Library | <input type="checkbox"/> | Other (please specify): | | | |

| Further comments on the current consultation |
|--|
| |

Thank you for taking time to fill in this form - responses will be treated confidential

| Please indicate below if you wish to be kept on the Planning Policy consultation database. You will be informed about other plan making consultations and events. | | | |
|--|--------------------------|--------------------------|----------------------------------|
| Yes - <i>complete contact details below</i> | <input type="checkbox"/> | No | <input type="checkbox"/> |
| Name: | | | |
| Organisation: | | | |
| Address: | | | Postcode: |
| Telephone: | | Mobile: | |
| Email Address: | | | |
| Fax: | | | |
| Preferred contact method: | Email: | <input type="checkbox"/> | Letter: <input type="checkbox"/> |

EQUALITY MONITORING FORM

The Council is committed to valuing diversity and promoting and implementing equality of opportunity in all its activities. This commitment is based on a belief that successfully promoting the social, economic and environmental wellbeing of the community depends upon everyone having a stake in the future of the Borough.

The completion of this form will help us to reduce the disadvantages experienced by many people by making our activities more responsive to the different and various individual and community needs evident throughout Fylde. The Council values the diversity of the population of the Borough and wants its activities to be accessible, relevant and meaningful to everyone.

Please note: The completion of this form is **optional**. The Council will not draw any conclusion from a non completed form or from a response which selects prefer not to say. The Equality Monitoring Form will be separated from your consultation response and will not be traced back to an individual. Any information provided will be kept confidential. At the end of the consultation, the Equality Forms will be collated and the overall findings (e.g. percentage of respondents who were “male”) will be analysed and presented as part of a Consultation Statement, which will be published on the Council’s website.

| Gender | | Age | | Sexual Orientation | | Marital/Civic Partnership | |
|-------------------|--------------------------|-------------------|--------------------------|-------------------------|--------------------------|---------------------------|--------------------------|
| Male | <input type="checkbox"/> | 0-14 | <input type="checkbox"/> | Bisexual | <input type="checkbox"/> | Single (never married) | <input type="checkbox"/> |
| Female | <input type="checkbox"/> | 15-24 | <input type="checkbox"/> | Gay man | <input type="checkbox"/> | Married | <input type="checkbox"/> |
| Transgender | <input type="checkbox"/> | 25-44 | <input type="checkbox"/> | Gay woman/lesbian | <input type="checkbox"/> | Civil Partnership | <input type="checkbox"/> |
| Prefer not to say | <input type="checkbox"/> | 45-64 | <input type="checkbox"/> | Heterosexual (straight) | <input type="checkbox"/> | Separated | <input type="checkbox"/> |
| | | 65+ | <input type="checkbox"/> | Other | <input type="checkbox"/> | Divorced | <input type="checkbox"/> |
| | | Prefer not to say | <input type="checkbox"/> | Prefer not to say | <input type="checkbox"/> | Widowed | <input type="checkbox"/> |
| | | | | | | Prefer not to say | <input type="checkbox"/> |

| Ethnicity | | | | | | | | | |
|-------------|--------------------------|------------------------|--------------------------|---------------------------|--------------------------|------------------------|--------------------------|-------------------|--------------------------|
| White | | Black or Black British | | Mixed | | Asian or Asian British | | Other | |
| British | <input type="checkbox"/> | Black Caribbean | <input type="checkbox"/> | White and Black Caribbean | <input type="checkbox"/> | Indian | <input type="checkbox"/> | Chinese | <input type="checkbox"/> |
| Irish | <input type="checkbox"/> | Black African | <input type="checkbox"/> | White and Black African | <input type="checkbox"/> | Pakistani | <input type="checkbox"/> | Other | <input type="checkbox"/> |
| Other White | <input type="checkbox"/> | Other Black | <input type="checkbox"/> | White and Asian | <input type="checkbox"/> | Bangladeshi | <input type="checkbox"/> | Prefer not to say | <input type="checkbox"/> |
| | | | | Other Mixed | <input type="checkbox"/> | Other Asian | <input type="checkbox"/> | | |

| Religion or Belief | | | | | |
|--------------------|--------------------------|--------|--------------------------|-----------------------|--------------------------|
| Christian | <input type="checkbox"/> | Jewish | <input type="checkbox"/> | Other | <input type="checkbox"/> |
| Buddhist | <input type="checkbox"/> | Muslim | <input type="checkbox"/> | No religion or belief | <input type="checkbox"/> |
| Hindu | <input type="checkbox"/> | Sikh | <input type="checkbox"/> | Prefer not to say | <input type="checkbox"/> |

| Disability | | | | | |
|---|--------------------------|----|--------------------------|-------------------|--------------------------|
| <p>The Equality Act 2010 considers a person disabled if: <i>You have a physical or mental impairment and the impairment has a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities.</i></p> <p>Do you consider yourself to be disabled as set out under the Equality Act 2010?</p> | | | | | |
| Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | Prefer not to say | <input type="checkbox"/> |

Thank you for taking time to fill in this form – responses will be treated as confidential

Appendix 3 – Development Management Questionnaire



CUSTOMER SERVICE - PLANNING QUESTIONNAIRE

We aim to provide the best service possible. You can help us to achieve this by filling in one of our customer feedback questionnaires.

What was your application number?

How well informed were you kept about the progress of your application?

Very Good / Good / Adequate / Poor / Very Poor

Did you make any inquiries as to the progress of your application yourself?

YES ☐ NO ☐

How polite would you rate the behaviour/manner of the officer you had contact with about your application?

Very Good / Good / Adequate / Poor / Very Poor

Did you engage in pre application discussion with an officer on your application?

YES ☐ NO ☐

If yes to the above question, do you feel this was helpful?

YES ☐ NO ☐

Please make any additional Comments below

How would you rate our planning service overall?

Very Good / Good / Adequate / Poor / Very Poor

Are there any suggestions you would like to make to improve our service or comments you wish to make on the way your application was dealt with, or on the councils planning applications service as a whole?

Please return this form to the Town Hall, Lytham St. Annes, Lancashire, FY8 1LW

You can also download this form from www.fylde.gov.uk and reply to planning@fylde.gov.uk

YOU DO NOT HAVE TO PROVIDE THE FOLLOWING INFORMATION, BUT IF YOU DO IT WILL HELP THE MONITORING OF OUR QUALITY OF WORK

Name: _____

Address: _____

_____ Post Code: _____

Telephone Number _____ E-Mail: _____

SECTION 1: PERSONAL DETAILS

1. Are you Male or Female? Male ☐ Female ☐

2. What is your age? (please tick the appropriate box)

| 16-29 | 30-39 | 40-49 | 50-59 | 60-69 | 70-79 | 80 or over |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

2. What ethnic origin do you consider yourself to be? (please tick the appropriate box)

(a) White

☐

British

☐

Irish

☐

Any other white background

(b) Mixed

☐

White & Black Caribbean

☐

White & Black African

☐

White & Asian

☐

Any other mixed background

(c) Asian or British Asian

☐

Indian

☐

Pakistani

☐

Bangladeshi

☐

Any other Asian background

(d) Black or Black British

☐

Caribbean

☐

African

☐

Any other black background

(e) Chinese or ethnic group

☐

Chinese

☐

Any other ethnic group

Appendix 4 - Statutory Consultations as set out in Schedule 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2010

| Agency | Statutory Consultations (Schedule 5) |
|---|---|
| Regional Development Agency (NWDA) | <p>Development which—</p> <ul style="list-style-type: none"> • involves or is likely to affect the provision of an existing or proposed strategic infrastructure project of which notification has been given to the local planning authority and which is likely to have a significant impact upon a policy in the regional development agency's strategy; or • is within an area of which notification has been given to the local planning authority for the purpose of this provision and is likely to affect the implementation of a strategic regional investment or employment policy in the regional development agency's strategy |
| County Planning Authority (Lancashire County Council) | Development likely to affect land in a non-metropolitan county other than land in a National Park |
| The Health & Safety Executive (HSE) | <p>Development within an area which has been notified to the local planning authority by the Health and Safety Executive for the purpose of this provision because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances and which involves the provision of—</p> <ul style="list-style-type: none"> • Residential accommodation; • More than 250 square metres of retail floor space; • More than 500 square metres of office floor space; or • More than 750 square metres of floor space to be used for an industrial process <p>Or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area</p> <p>Development –</p> <ul style="list-style-type: none"> • involving the siting of new establishments; • Consisting of modifications to existing establishments which could have significant repercussions on major-accident hazards; or • including transport links, locations frequented by the public and residential areas in the vicinity of existing establishments, where the siting or development is such as to increase the risk or consequences of a major accident |
| The Secretary of State for Transport | Development likely to result in a material increase in the volume or a material change in the character of traffic— |

| | |
|---|--|
| | <ul style="list-style-type: none"> • Entering or leaving a trunk road; or • using a level crossing over a railway |
| The operator of the network which includes or consists of the railway in question | <p>Development likely to result in a material increase in the volume or a material change in the character of traffic—</p> <ul style="list-style-type: none"> • using a level crossing over a railway |
| Local Highway Authority (Lancashire County Council) | <p>Development likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a classified road or proposed highway</p> <p>Development likely to prejudice the improvement or construction of a classified road or proposed highway</p> <p>Development involving—</p> <ul style="list-style-type: none"> • the formation, laying out or alteration of any means of access to a highway (other than a trunk road); or • the construction of a highway or private means of access to premises affording access to a road in relation to which a toll order is in force <p>Development which consists of or includes the laying out or construction of a new street</p> |
| In the case of a road subject to a concession, the concessionaire | <p>Development involving—</p> <ul style="list-style-type: none"> • the formation, laying out or alteration of any means of access to a highway (other than a trunk road); or • the construction of a highway or private means of access to premises affording access to a road in relation to which a toll order is in force |
| Environment Agency | <p>Development involving or including mining operations</p> <p>Development involving—</p> <ul style="list-style-type: none"> • the carrying out of works or operations in the bed of, or within 20 metres of the top of a bank of, a main river which has been notified to the local planning authority by the Environment Agency as a main river for the purposes of this provision; or • the culverting or control of flow of any river or stream <p>Development for the purpose of refining or storing mineral oils and their derivatives</p> <p>Development involving the use of land for the deposit of refuse</p> |

| | |
|-----------------|---|
| | <p>or waste</p> <p>Development relating to the retention, treatment or disposal of sewage, trade-waste, slurry or sludge (other than the laying of sewers, the construction of pumphouses in a line of sewers, the construction of septic tanks and cesspools serving single dwellinghouses or single caravans or single buildings in which not more than 10 people will normally reside, work or congregate, and works ancillary to those matters)</p> <p>Development relating to the use of land as a cemetery</p> <p>Development within 250 metres of land which—</p> <ul style="list-style-type: none"> • is or has, at any time in the 30 years before the relevant application, been used for the deposit of refuse or waste; and • has been notified to the local planning authority by the Environment Agency for the purposes of this provision <p>Development for the purposes of fish farming</p> <p>Development –</p> <ul style="list-style-type: none"> • involving the siting of new establishments; • Consisting of modifications to existing establishments which could have significant repercussions on major-accident hazards; or • including transport links, locations frequented by the public and residential areas in the vicinity of existing establishments, where the siting or development is such as to increase the risk or consequences of a major accident <p>Development, other than minor development, which is to be carried out on land—</p> <ul style="list-style-type: none"> • in an area within Flood Zone 2 or Flood Zone 3; or • in an area within Flood Zone 1 which has critical drainage problems and which has been notified for the purpose of this provision to the local planning authority by the Environment Agency <p>Any development of land of 1 hectare or more</p> |
| Natural England | <p>Development—</p> <ul style="list-style-type: none"> • in or likely to affect a site of special scientific interest; or within an area which has been notified to the local planning authority by Natural England and which is |

| | |
|--|--|
| | <p>within 2 kilometres of a site of special scientific interest, of which notification has been given, or has effect as if given, to the local planning authority by Natural England, in accordance with section 28 of the Wildlife and Countryside Act 1981 (sites of special scientific interest)(3)</p> <p>Where it appears to the LPA that an area of particular natural sensitivity or interest may be affected,</p> <p>Development –</p> <ul style="list-style-type: none"> • involving the siting of new establishments; • Consisting of modifications to existing establishments which could have significant repercussions on major-accident hazards; or • including transport links, locations frequented by the public and residential areas in the vicinity of existing establishments, where the siting or development is such as to increase the risk or consequences of a major accident |
| The Historic Buildings and Monuments Commission for England (English Heritage) | <p>Development likely to affect the site of a scheduled monument</p> <p>Development likely to affect any garden or park of special historic interest which is registered in accordance with section 8C of the Historic Buildings and Ancient Monuments Act 1953 (register of gardens) and which is classified as Grade I or Grade II*</p> |
| Theatres Trust | Development involving any land on which there is a theatre |
| The Secretary of State for the Environment, Food and Rural Affairs | <p>Development which is not for agricultural purposes and is not in accordance with the provisions of a development plan and involves—</p> <ul style="list-style-type: none"> • the loss of not less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes; or • the loss of less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes, in circumstances in which the development is likely to lead to a further loss of agricultural land amounting cumulatively to 20 hectares or more |
| The Coal Authority | Development which involves the provision of a building or pipeline in an area of coal working notified by the Coal Authority to the local planning authority |
| | |

| | |
|---|--|
| Sports England | <p>Development which—</p> <ul style="list-style-type: none"> • is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field; or • is on land which has been— <ul style="list-style-type: none"> (i) Used as a playing field at any time in the 5 years before the making of the relevant application and which remains undeveloped; or (ii) allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement; or • involves the replacement of the grass surface of a playing pitch on a playing field with an artificial, man-made or composite surface |
| The British Waterways Board (BWB) | <p>Development likely to affect—</p> <ul style="list-style-type: none"> • any inland waterway (whether natural or artificial) or reservoir owned or managed by the British Waterways Board; or • any canal feeder channel, watercourse, let off or culvert, <p>Which is within an area which has been notified for the purposes of this provision to the local planning authority by the British Waterways Board</p> |
| Town or Parish Council | Development, in relation to which an application for planning permission has been made to the Secretary of State under section 293A of the 1990 Act (urgent Crown development application)(1), where that development is likely to affect land in the area of a parish council. |
| Agency | Under Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 |
| National Air Traffic Control Service (NATS) | Development within designated safety zone Any development for wind turbines |
| Blackpool Airport | Development within designated safety zone |
| BAe Warton | Development within designated safety zone |
| Ministry of Defence | Development within designated safety zone |
| Agency | Non statutory consultee |
| Caravan Site Licensing Authority | Any application for the use of land as a caravan site. |

Appendix 5 - Revised scheme of delegation July 2011,

(taken from Constitution of the Council, 26th September 2011)

5. DIRECTOR OF STRATEGIC DEVELOPMENT SERVICES¹

5.1

Making decisions within the following scheme of delegation:

Introduction

The objective of the scheme of delegation is to speed up the decision making process by allowing key officers to determine the majority of planning and related applications. Only those that are considered major applications will be presented to Development Management committee and any which are referred to in the scheme below.

Delegated applications

1. Subject to paragraph 2, decisions on the following matters are delegated to the Director :
 - 1.1. Planning applications
 - 1.2. Applications for certificates of lawfulness
 - 1.3. Advertisement consent applications
 - 1.4. Conservation area consent applications
 - 1.5. Hazardous substance applications
 - 1.6. Listed Building applications
 - 1.7. Telecommunications applications and prior determinations
 - 1.8. Agricultural prior determinations
 - 1.9. any other application or matter of a similar nature to 1.1 to 1.8
2. Notwithstanding paragraph 1, the Director may not exercise delegated authority to take decisions on the following matters:
 - 2.1. Any application falling within 1.1 to 1.9 where a Ward Councillor has required that delegation be not exercised, provided that their request has been accompanied by adequate written reasons for the non-exercise of the delegation and has been made within the time scale stipulated in paragraph 12.²
 - 2.2. Any application falling within 1.1 to 1.9 where the chairman or vice-chairman of the Development Management committee has required that delegation be not exercised, provided that their request has been accompanied by adequate written reasons for the non-exercise of the delegation
 - 2.3. Any application falling within 1.1 to 1.9 that the Director proposes to approve and on which a parish or town council for the application site has submitted representations on justifiable planning grounds contrary to that proposed decision and has requested that the

¹ Designation changed following council meeting of 24 November 2008

² Paragraph reference changed following Development Control Committee meeting on 19 November 2008

decision be considered by the committee.³

- 2.4. Major Planning Applications, except those which are minor revisions of applications previously considered by the committee and where neither the Director, a parish or town council or any other consultee has objected to the proposed revision or where the Director proposes to refuse planning permission.⁴
- 2.5. Any application for total or partial demolition of a Listed Building, where the proposed demolition would amount to more than 55%⁵ of Listed Building.
- 2.6. Any application which is the same or substantially the same as a previous application that was refused by the Development Management committee and where the Director proposes to grant permission
- 2.7. Any application that the Director considers has significant, borough-wide importance or has been the subject of significant public interest.
- 2.8. Any application for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted where the previous planning permission was not granted by the Director exercising delegated powers.
3. For the purposes of paragraph 2.3, a representation will be taken to be on justifiable planning grounds unless the Director advises the parish or town council in writing that in his opinion the representation is unreasonable. In forming his opinion, the Director will take account of Department of the Environment circular 8/93 (award of costs in planning and other (including compulsory purchase) proceedings).
4. Notwithstanding paragraph 1, the Director may only exercise delegated authority to make decisions on any application where the council or a council employee is an applicant or an owner of the application site after consultation with the chairman and vice-chairman of the Development Management committee.⁶
5. Nothing in paragraph 2 or 4 above will prevent the Director exercising his delegated authority to take decisions in respect of applications under part 24 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 for determination as to whether prior approval is needed for the siting and appearance of development by or on behalf of an electronic communications code operator.⁷

Responses to consultations

6. The Director has delegated authority to respond to consultations from bodies such as neighbouring authorities and government agencies.

3 Wording changed following Development Control Committee meeting on 19 November 2008

4 Wording changed following Development Control Committee meeting on 19 November 2008

5 Percentage increased following Development Control Committee meeting on 19 November 2008

6 Wording changed following Development Control Committee meeting on 19 November 2008

7 Wording changed following Development Control Committee meeting on 19 November 2008

Environmental impact assessments

7. The Director has delegated authority to deal with all matters relating to scoping reports and screening opinions in connection with environmental impact Procedure

Interpretation

8. “Listed Building” has the same meaning as in the Planning (Listed Buildings and Conservation Areas) Act 1990
9. “Major Planning Application” has the same meaning as in paragraph 13 of Department of the Environment circular 15/92
10. “Ward Councillor” means a councillor representing a ward that includes the application site or any ward that abuts the application site.
11. “Director” means the Director of Strategic Development Services.

Procedure

12. All Councillors will be circulated with a weekly list of planning applications, published and dispatched on Friday of each week. Councillors will have 21 days from the date of dispatch of the list to require under 2.1 that the delegation to the director be not exercised.
13. A weekly list of all those applications where the Director has exercised his delegated decision-making power will be distributed to all councillors on Fridays
14. A rigorous scrutiny process will ensure that no application will be decided by its case officer and that only those applications that qualify for delegated decision-making go forward to be decided under delegated powers. The case officer will present a simple report to the area team leader, including a clear statement why the decision meets the criteria for delegation. The report will then go before the development control manager, who will sign off the report and determine the application on behalf of the Director. If the DC manager is the case officer, he will pass the report to the Director for decision. A pro forma completed by the case officer will assist with the scrutiny process.

5.2 Issuing notices under [Article 3\(2\) of the Town and Country Planning General Development Procedure Order 1995](#) specifying further information which is required before an outline planning application can be determined

5.3 Authorising entry onto land under section 196A of the Town and Country Planning Act 1990.

5.4 Deciding whether a particular appeal should be dealt with by public inquiry, informal hearing or written representations.

5.5 Determining applications for certificates of lawfulness of existing or proposed use or development under sections 191 and 192 of the Town & Country Planning Act 1990.

5.6 Serving planning contravention notices, enforcement notices, breach of condition notices and temporary stop notices.

5.7 Serving stop notices after consultation with the chairman and vice-chairman of the Development Management committee

- 5.8 Determining applications in accordance with any current Policy on the Licensing/Leasing of Leisure Concessions.
- 5.9 Seeking and awarding tenders for licensed tendered concessions in accordance with the Policy on the Licensing of Concessions.
- 5.10 Applying for funding that would enhance/add value to existing economic related strategies.
- 5.11 Instructing the District Valuer and Valuation Officer to act on the Council's behalf on negotiating and agreeing rents with leaseholders of the Council.
- 5.12 Taking, granting, and renewing leases for periods not exceeding seven years.
- 5.13 Granting permissions for persons/organisations to use Council owned property for activities that benefit the community in general subject to insurance requirements being met
- 5.14 Granting permissions for persons/organisations to use Council owned property for activities that benefit an individual/organisation, as deemed appropriate, subject to a charge being made in consultation with the Chief Finance Officer⁸ and the appropriate insurance requirement being met.
- 5.15 Exercising the functions of the council as a responsible authority under section 13(4)(d) of the Licensing Act 2003
- 5.16 Signing notices relating to the passing or refusal of plans submitted under building regulations.⁹
- 5.17 Determining applications for Building Regulations consent.¹⁰
- 5.18 Dealing with all matters relating to dangerous buildings and structures.¹¹
- 5.19 Following consultation with councillors for affected wards, commenting on behalf of the council on any proposed Traffic Regulation Order or general highway matter submitted for comments/observations by the Highway Authority.¹²
- 5.20 Following consultation with councillors for affected wards, commenting on proposals submitted by the Highway Authority to make an order or an amendment Order or agreement affecting a public right of way.¹³
- 5.21 Making representations or formal objections to Traffic Commissioners on applications for LGV or PSV operator's licences.¹⁴

8 Designation changed following council meeting on 27 July 2009

9 Transferred from Consumer Well-Being & Protection following council meeting of 24 November 2008

10 Transferred from Consumer Well-Being & Protection following council meeting of 24 November 2008

11 Transferred from Consumer Well-Being & Protection following council meeting of 24 November 2008

12 Transferred from Streetscene Services following council meeting on 24 November 2008

13 Transferred from Streetscene Services following council meeting on 24 November 2008

14 Transferred from Streetscene Services following council meeting on 24 November 2008

- 5.22 Dealing with the numbering/re-numbering of properties.¹⁵
- 5.23 Power to make orders under section 21 of the Town Police Clauses Act 1847 for preventing obstructions in the streets during public processions, etc.¹⁶
- 5.24 Exhibiting, promoting, publicising and implementing the services of the council for economic development in accordance with the economic development strategy.¹⁷
- 5.25 Applying for funding that would enhance/add value to existing economic related strategies.¹⁸
- 5.26 Serving notices under section 215 of the Town and Country Planning Act 1990 to remedy the condition of land adversely affecting amenity.¹⁹
- 5.27 Power to make footpath diversion orders under section 257 of the Town & Country Planning Act 1990 and to confirm such orders where no objections have been received²⁰.
- 5.28 Approving the terms of planning obligations under section 106 of the Town and Country Planning Act 1990.
- 5.29 Agreeing the modification or discharge of planning obligations under section 106A of the Town and Country Planning Act 1990

15 Transferred from Streetscene Services following council meeting on 24 November 2008

16 Transferred from Streetscene Services following council meeting on 24 November 2008

17 Transferred from Assistant Chief Executive following council meeting on 27 July 2009

18 ditto

19 Inserted following Development Control Committee meeting on 22 September 2010

20 Inserted following Development Control Committee meeting on 15 December 2010

Appendix 6 – Development Management Committee leaflet



Spokespersons should identify in writing on whose behalf they are speaking as part of the registration process.

For each application, the order of speaking will be as follows:-

- Introduction by the Planning Officer or Chairman
- Objectors
- Any other comments
- Supporters
- The applicant or his/her representative
- Presentation by the Planning Officer

This will be followed by the Committee's discussions and decision.

There will be no discussion or cross-examination of the speaker by Members or Officers and vice versa. The Chairman may ask questions of the speaker only in order to clarify the issues referred to. Other Committee Members will not speak until all presentations on a particular application have been made.

There will be no adjournment or deferment of an application should any registered speaker fail to attend or not be present at the time the application is dealt with. Any person who is registered to speak but has to leave the meeting early can, as an alternative, provide their views in writing to be presented to and read out by the Chairman.

Where an application is deferred, e.g. to allow the Committee to visit the site, anyone who has spoken on the application will not

be permitted to speak again unless the application has been significantly amended. Where there has been such an amendment, any further opportunity to speak shall be limited to the amended detail, and not to the application generally.

If you wish to obtain further information in regard to making representations to the Development Management Committee you can contact Planning Services at:

Strategic Development Services
Fylde Borough Council,
Town Hall,
Lytham, St. Annes,
Lancashire,
FY8 1LW

Tel: 01253 658658 Fax: 01253 713113
e-mail planning@fylde.gov.uk
or visit our website at www.fylde.gov.uk

Authorised by: **Mark Evans,**
Assistant Director: Planning Services

Public Speaking at the Development Management Committee





FYLDE BOROUGH COUNCIL



General Information and Registration

Members of the public are able to make a verbal presentation to the Development Management Committee to oppose, support or comment on any planning application. Where oral objections are to be raised, the applicant has a right to respond. The applicant also has the right to address the Committee if Officers have recommended that their application should be refused.

Any presentations should be limited to material planning considerations. Planning staff will be happy to give guidance in this respect.

If you wish to speak at the Committee you must register with Planning Services in writing or by e-mail before 12 Noon on the Monday before the Committee meets or by 4.30pm on Friday before if the Monday is a Bank Holiday. The Contact Details are:-

Strategic Development Services
Fylde Borough Council
Town Hall
Lytham St Annes
FY8 1LW

Fax: 01253 713113
e-mail: planning@fylde.gov.uk

Although we will endeavour to advise you when the application you wish to comment upon is to be considered by the Committee, it is the responsibility of the person wishing to speak to find out the date on which the Committee is to consider the application by



contacting the Committee Clerks. Late requests to speak at the Committee **will not** be considered.

You should also be aware that, as the Council has an "Approved Scheme of Delegation", not all applications will be considered by the Committee. You should contact Planning Services if you wish to find out whether a particular application will be considered by the Development Management Committee.

Any request to speak must include the person's name, address and contact telephone number, together with details of the application they wish to comment on and a brief summary of your views. You may also register to speak via the Council's Website.

As there is limited time available in which to make your presentation, you should not include any visual aids, neither should you submit any letters, photographs, plans etc at the time you register to speak, as these will not be circulated to Members of the Committee. Due to the cost and staffing implications it is not possible to provide photocopying facilities. If you provide supporting documents you should provide 25 copies and bear in mind that it is unreasonable to expect Members to absorb large amounts of written material whilst attempting to listen to any presentation. The production of lengthy handouts and other material is not, therefore, acceptable.

The Council will endeavour to advise applicants, or their agents, when a request to comment on their application has been received, or if Officers are recommending



that planning permission should be refused. However, the final responsibility to find out if such a request has been made rests with the applicant.

Planning Services can be contacted after 12.30 pm on the Monday before the Committee meets in order to find out this information.

Procedure on Committee Day

Meetings will commence at 10.00a.m., normally at the Town Hall, St Annes but you should confirm the venue for the meeting at which you wish to speak. Those applications to be the subject of public speaking will normally be taken at the beginning of the meeting, although the final decision on the order of the Agenda rests with the Chairman. The remainder of the Agenda will be considered once the above applications have been determined.

Persons who have notified their intention to speak will have to contact the Committee Clerk at least 15 minutes before the start of the meeting, to enable a list of the speakers present to be passed to the Chairman. Any latecomers who have not confirmed their intention to speak on the morning of the meeting will only be allowed to speak at the discretion of the Chairman.

All speakers will be limited to a maximum of 3 minutes. Whilst there will be no limit on the number of speakers, any group of persons with similar views should elect a spokesperson to speak on their behalf to avoid undue repetition of similar points.

Appendix B: Schedule of changes to draft document following consultation

| Section/ Paragraph | Page | Reason for change | Change |
|-----------------------|------|--|---|
| Summary | 1 | Clarification | 1 st paragraph, delete “....indicating who , how and when....” |
| Summary | 1 | Typo/inaccuracy | 3 rd paragraph, delete “....producing its Local Development....” Replace “....producing a Local Development....” |
| Summary | 1 | Clarification | 7 th paragraph, delete “....Secretary of State, to consult with a view....” |
| Summary | 1 | Typo/inaccuracy | 8 th paragraph, delete “....individuals and groups on our” replace “....individuals and <u>organisations</u> on our” |
| Summary | 1- 2 | Following representation by Save Wrea Green Action Group | Insert signpost to relevant section/paragraph where further information can be found |
| Summary | 2 | Clarification | Last paragraph, insert “....process of development, refining <u>policies</u> and improving....” |
| Summary | 2 | Clarification | 3 rd sentence, under ‘How your views will shape decision making’ delete “....planning applications’ your views where they relate to material planning issues” replace “....planning applications’, <u>views that relate</u> to material planning issues” |
| 1.1 | 3 | Clarification | Delete “....indicating who , how and when....” |
| 1.2 | 3 | Clarification | Delete “Once adopted, the development of....” Replace “Once adopted the <u>production</u> of....” |
| 1.5 | 3 | Clarification | Delete “....system in England to make it....” Replace “....system in England <u>by making</u> it....” |
| 1.10 | 4 | Typo/inaccuracy | 1 st sentence, delete “....decentralisation the local communities....” insert “....decentralisation <u>to</u> local communities....” |
| 1.10 | 4 | Typo/inaccuracy | 2 nd sentence, insert capital letters “....examining <u>D</u> evelopment <u>P</u> lans by” |
| 1.10 | 4 | Following representation by | 2 nd Sentence, delete “....the process of adopting , examining and publishing |

| | | | |
|------|-----|---|---|
| | | Save Wrea Green Action Group | development plans” Replace “....the process of examining development plans by removing the binding Inspectors Report.... ” |
| 1.10 | 4 | Typo/inaccuracy | 3rd sentence, delete “....the potential to submit a retrospective planning application once an enforcement notice has been served. ” Replace “....the potential to run a retrospective planning application alongside an enforcement notice appeal. |
| 1.12 | 4 | Typo/inaccuracy | Delete “....included in The Town and County....” |
| 1.13 | 4-5 | Clarification | Add to pre production and Production section “....round of consultation with ‘specific’ ‘general’ and ‘other’ consultation bodies, <u>including individuals and organisations on our Register of Consultees who have expressed a wish to be consulted</u> ” |
| 1.13 | 5 | Amend tense | Production section, delete “....updated SCI will be produced.” replace “....updated SCI was produced” Adoption section, delete “The Council will then adopt” |
| 1.14 | 5 | Clarification | Delete “ and specifically on the Statement of Community Involvement” replace “ <u>including</u> the Statement of Community Involvement” |
| 1.17 | 5 | Clarification | Insert “....2004 planning regulations in 2008 and 2009. ” |
| 1.18 | 5 | Typo/inaccuracy | Delete comma “...sets out, that an SCI...” |
| 1.18 | 6 | Typo/inaccuracy | 1 st bullet point, insert space “....under represented....” |
| 2.4 | 8 | Typo/inaccuracy | 1 st sentence, delete “.... adopted November 2011” replace “.... <u>enacted in</u> November 2011” |
| 2.4 | 8 | Clarification on the Localism Bill | Delete “.... Which must be in accordance with the....” Replace “....which must be in general conformity with the....” |
| 2.4 | 8 | Following representation by CPRE Fylde District | Para 2.4, insert “....for the development and use of land in their area <u>and will be approved if it receives 50% of the vote in a local referendum.</u> ” |
| 2.5 | 8 | Typo/inaccuracy | Delete “....in fylde now consists....” Replace “....in Fylde currently consists....” |

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| 2.5 | 8 | Clarification | Add “development Plan in Fylde now consists of <u>Regional Strategies (until abolished via the Localism Bill)</u> , adopted Development Plan Documents <u>including Minerals and Waste DPD (produced by Lancashire County Council)</u> , saved Local Plan <u>and Structure Plan policies</u> and any old style Local Plans that have not lapsed. Once adopted, Neighbourhood |
| 2.6 | 8 | Typo/inaccuracy | Delete “....which must be <i>prepared</i> in conformity....” |
| 2.8 | 8 | Typo/inaccuracy | 2 nd bullet point, delete “.... <i>this</i> will be contained in <i>an individual</i> DPD” replace “.... <i>it</i> will be contained in <u>this</u> DPD” |
| 2.9 | 9 | Typo/inaccuracy | Insert “....leading to <u>a</u> decision....” |
| 2.11 | 9 | Following representation by Save Wrea Green Action Group | Add to end of paragraph 6.11 “ <u>For further information on the consultation process, ► See paragraph 6.10.</u> ” |
| 2.12 | 9 | Following representation by Save Wrea Green Action Group | <p>Stage A, insert below title: “<u>The first stage in the production involves collecting existing baseline information covering social, economic and environmental data relating to the plan area.</u>”</p> <p>Stage B, insert below title: “<u>Developing options and policies are appraised against the baseline information to see whether they would have a positive, neutral or negative effect on the social, economic and environmental situation of the area.</u>”</p> <p>Stage C, insert below title: “<u>The SA report is prepared, appraising the preferred options.</u>”</p> <p>Delete “Stage <i>B</i>....” replace “Stage <u>C</u>....”</p> <p>Stage D, insert below title: “<u>The SA report is put out for consultation with the preferred options document DPD</u>”</p> <p>Delete “Stage <i>B</i>....” replace “Stage <u>D</u>....”</p> <p>Stage E, insert below title: “<u>The adopted DPD is monitored in accordance to the arrangements set out in the SA report.</u>”</p> |
| 2.12 | 9 | Typo/inaccuracy | Stage D title, delete “Consulting on the DPD and sustainability <i>assessment</i> report.” |

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| | | | Replace “Consulting on the DPD and sustainability appraisal report.” |
| 2.15 | 10 | Typo/inaccuracy | Delete “ <i>In section 6, draft proposals are made as to</i> who will....” Replace “ <u>Section 6.0 defines</u> who will....” |
| 3.2 | 11 | Typo/inaccuracy | Delete title “Why should <i>you</i> get involved?” replace “Why should <u>people</u> get involved?” |
| 3.7 | 12 | Following representation by Local Strategic Partnership People and Communities Theme Group | Delete “ The Local Strategic Partnership, <i>People and Communities group</i> are also preparing a Community Engagement Strategy. The Local Planning Authority and <i>People and Communities</i> Local Strategic Partnership <i>group</i> will work together to ensure conformity where relevant.” |
| 4.2 | 13 | Clarification | 2 nd sentence, add “....those bodies that must be consulted in respect of the preparation of a Development Plan Document (<u>DPD</u>).” |
| Figure 2 | 13 | Typo/inaccuracy | In title, delete “....Regulation 200 4 ” replace “....Regulation 200 8 ” |
| 4.3 | 13 | Clarification | Add to end of paragraph 4.3 “ <u>The Council must consult those general consultees as its considers appropriate.</u> ” |
| 4.5 | 14 | Uniform text | 2 nd sentence, add “a list of those private individuals and <u>organisations</u> ” 3 rd sentence, delete “ or delete <i>groups and individuals</i> ”, replace or delete <u>individuals and organisations</u> ” |
| 5.3 | 14 | Typo/inaccuracy | 2 nd bullet point, delete “....available <i>for persons who are</i> partially sighted” replace “available for <u>the</u> partially sighted” 3 rd bullet point, delete “people” |
| 5.3 | 15 | Typo/inaccuracy | 7 th bullet point delete “ <i>The use of posters advertising</i> public....” Replace “ <u>Posters will be used to advertise</u> public....” |
| 5.3 | 14 | Following representation by Lytham St Annes Civic Society Further information available on the new role of Planning Aid | 8 th Bullet point, insert “....Planning Aid will be given to those <u>individuals and communities</u> who <u>require further independent and professional advice but cannot afford to pay professional fees or....</u> ” |

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| | | following review | |
| 6.3 | 16 | Typo/inaccuracy | Delete “....to get involved with as plans are....” Replace “....to get involved in as plan are prepared....” |
| 6.4 | 16 | Clarification | Add to ‘Targeted consultation (document sent in post)’ “ <u>Staff time, printing and postage costs high when large....</u> Add to ‘One to one meetings’ “High cost in officer time, <u>high cost per response</u> ” |
| 6.4 | 17 | Evaluation of issues, vision and objectives community engagement event | Delete from ‘exhibitions/roadshows’ “ High cost” replace “ <u>Medium</u> cost” Add to ‘Mail drop/leaflets’ “....leaflets <u>in newspaper</u> ” |
| 6.4 | 19 | Typo/inaccuracy | Delete from ‘online forums/social networking site’ “Not suitable to communicate substantive amount....” Replace “Not suitable to communicate <u>substantial</u> amount....” |
| 6.7 | 19 | Uniform text | Delete “.... as state in paragraph 6.2)” replace “....(<u>see</u> paragraph 6.2)” |
| 6.8 | 20 | Typo/inaccuracy | 2 nd sentence in 1 st row of Regulation 27, add “....issues and <u>in</u> developing....” |
| 6.8-6.11 | 19-21 | Uniform text | 1 st sentence in 2 nd row of the regulation 25 and 27 table, and in the informal and regulation 17 table, replace sentence with “ <u>It is anticipated that the following process will be undertake at this stage</u> ” |
| 6.8-6.11 | 19-21 | Following representation by Lytham St Annes Civic Society | 1 st bullet point in regulation 25, 27 and 17 table: “Written consultations with the ‘specific’, ‘general’ and ‘other’ consultation bodies, <u>including where relevant, individuals and organisations who have expressed a wish to be consulted</u> ” |
| 6.8 | 20 | Typo/inaccuracy | 6 th bullet point in 2 nd row, delete “....any party to be partuculary useful.” Replace “.....any party to be more helpful.” |
| 6.8 | 20 | Clarification | 1 st sentence in 1 st row, add “The <u>proposed submission</u> DPD and” |
| 6.11 | 21 | Following representation by Save Wrea Green Action Group | Add to 1 st sentence “....informal stage (<u>not required under the regulations</u>), consultation stage during) |

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| 6.11 | 21 | Uniform text | Regulation 17 row, delete “.... See para 2.12 for more information” Informal stage row, add “.... of the particular SPD, <u>see paragraph 2.12 for further information</u> ” |
| 6.8 | 21 | Clarification | Informal stage, last row, delete “....period of a minimum....” Replace “....period lasting a minimum....” |
| 6.11 | 22 | Typo/inaccuracy To accord with regulation 17 of the Town and Country Planning (Local Development) Regulations 2004. | Last row regulation 25, add “....minimum of four weeks <u>and a maximum of 6 weeks</u> will apply to this stage” |
| 7.5 | 23 | Typo/inaccuracy | Delete “....of the local people <i>in their areas</i> ” replace “....of the local people both borough wide and in the areas they represent.” |
| 7.8 | 23 | Clarification | Delete “....achieve shared objectices, as well as <i>saving considerable resources in officer time and cost.</i> ” Replace “achieve shared objectives, as well as <u>making considerable saving in officer time and other resources.</u> ” |
| 7.9 | 23 | Clarification | Insert “....its evidence base, with <u>other</u> strategies that are....” Delete “Again, this will <i>save resources in officer time and cost</i> and will reduce....” Replace “Again this will <u>make considerable savings in officer time and other resources</u> and will reduce....” |
| 7.10 | 24 | Reflect latest position on working relationship between LSP and Local Planning Authority | Insert “....at relevant LSP <u>Executive</u> meetings....” |
| 7.10 | 24 | Typo/inaccuracy | Insert “....such as the Infrastructure <u>Delivery</u> Plan.” |
| 8.3 | 24 | Clarification | Insert “....after each <u>statutory</u> consultation....” |
| 9.3 | 25 | Clarification | Insert “.... On the published version <u>under regulation 27.</u> ” |

| | | | |
|------|----|--|---|
| 9.4 | 25 | Typo/inaccuracy | Insert “....place that will address <u>the</u> concerns.” |
| 9.5 | 25 | Following representation by Save Wrea Green Action Group | <p>“.... it is essential that the evidence base for a DPD or SPD is robust. [end of paragraph 9.4]</p> <p>Create new paragraph after 9.4 and before 9.5 “Government advice to local authorities makes it clear that Inspectors will test evidence put forward by local authorities and others who make representations. <u>As part of the examination process into a DPD, individuals and organisations will have the opportunity to raise their concerns directly with the Inspector where they feel their views have not been adequately considered or that the mitigation or methods to address their concerns are inadequate. This process does not apply for SPDs which do not undergo an examination process.</u>”</p> |
| 10.2 | 26 | Typo/inaccuracy | Insert commas “....up over 40 years ₁ including ₁ for example ₁ the Equal....” |
| 10.6 | 26 | Uniform text | Add “....people or groups (see <u>section</u> 5.0 <u>for more information</u>). |
| 11.1 | 26 | Uniform text | Add “....LDF is prepared (see <u>section</u> 7.0 <u>for more information</u>) |
| 12.5 | 28 | Typo/inaccuracy | Delete full stop at end of web address |
| 13.2 | 29 | Typo/inaccuracy | Delete full stop at end of web address |
| 13.4 | 29 | Typo/inaccuracy | 1 st bullet point add comma “....is submitted ₁ and this....” |
| 13.6 | 29 | Typo/inaccuracy | Add full stop and capital letter “(see paragraph 14.2). <u>S</u> uch consultation....” |
| 14.1 | 31 | Typo/inaccuracy | <p>‘Full Planning’ and ‘Outline planning’ add ‘<u>Seeks</u>’</p> <p>‘Conservation Area consent’ delete “....Article 4 <i>Directive</i>....” Replace “....Article 4 <u>Direction</u>....”</p> |
| 15.4 | 32 | Typo/inaccuracy | Delete comma “.... As amended, (see appendix 4) |
| 15.5 | 32 | Typo/inaccuracy | Delete comma “....Council website, to receive notification....” |

| | | | |
|---------------------------------|--------------------|----------------------|---|
| 15.7 | 33 | Missing postcode | Add to address “FY8 1LH” |
| 15.9 | 33 | Clarification | Delete “...councils to 28days <i>in which to respond</i> to allow....” |
| 16.3 | 35 | Typo/inaccuracy | Delete “...towards highways improvement could....” Replace “...towards highway improvements could....” |
| 17.1 | 35 | Typo/inaccuracy | Lower case “(local <u>c</u> ouncillors)” |
| 21.1 | 39 | Typo/inaccuracy | Capital letters “....review of all <u>L</u> ocal <u>D</u> evelopment <u>D</u> ocuments....” |
| 21.2 | 39 | Typo/inaccuracy | 1 st bullet point, insert comma “Self evidently, if changes in” |
| Summary, 6.8, 9.3, 2.9 | 1 9 20 25 | Uniform text | Add inverted comma around “sound” |
| Glossary | 43 | Typo/inaccuracy | Regional Spatial Strategy, lower case “....making to local <u>c</u> ouncils, with <u>l</u> ocal <u>p</u> lanning <u>a</u> uthorities now....” |
| Appendix 4 | 57 | Renamed organisation | Delete “The English Sports Council” replace “Sports England” |

Appendix C

Fylde Borough Council Updated Statement of Community Involvement – Final Draft Document Consultation

STATEMENT OF CONSULTATION

July 2011

Introduction

If the community's interest and trust is to be secured it is vitally important that the Council shows how representations received have been considered and acted upon.

To help achieve this transparency, in relation to the Draft Updated Statement of Community Involvement (SCI), the Council has produced this Statement of Consultation which sets out:

- Who was consulted?
- How did we consult?
- Who has responded and method of response?
- The number and substance of the representations
- How the Statement of Community Involvement has been updated following representations received?
- Consultation and equality monitoring

The seven week public consultation exercise commenced on the 21st April and closed at 5pm on Thursday 9th June 2011.

The purpose of the consultation was to invite representations on the draft updated SCI document prior to its adoption by the Council. The draft document was produced after consideration of representations submitted at the scoping consultation stage held between 7th October – 4th November 2010.

It is the Council's intention to make this Statement of Consultation publicly available at the same time as the Updated SCI (April 2011) is adopted.

Who was consulted?

The Register of Consultees is a database kept and updated by the Planning Policy team and is used for consultations on all Planning Policy Documents. At the time of the consultation, the database contained 1117 Consultees. If you would like to be added to the Register of Consultees, please contact Planning Policy team via planningpolicy@fylde.gov.uk or on 01253 658418.

All individuals and groups who were already included in the Register of Consultees were consulted, this included:

- All those that we are required to consult by the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008;
- Government departments;
- Elected councillors;
- Town and parish councils;
- Local Strategic Partnership Groups;
- Planning agents; and
- Local residents and businesses who have registered their interest in being involved in planning policy consultation.

How did we consult?

All individuals and groups who were already included in the Register of Consultees were notified about the consultation exercise by way of letter or email.

An advert was placed on the Council's consultation webpage to advertise the event <http://www.fylde.gov.uk/consultation/>

An advert was placed in the notice section of the Lytham St Annes Express to advertise the event.

An email notification was distributed to members of the Local Strategic Partnership and their network's.

Written representations could be submitted via post or email.

Who has responded and method of response?

The Draft Updated SCI consultation generated 16 responses, of which 11 responses were received via email and 4 via post.

Appendix [1](#) lists all of the respondents.

The number and substance of the representations;

The responses have generated 74 representations. Appendix [2](#) provides a list of questions asked on the representation form. Appendix [3](#) provides a summary of the key issues the representations have raised.

How the SCI has been updated following representations received?

There has been a range of very detailed representations submitted which have helped to formulate the final draft of the Updated SCI.

After reviewing all the representations, the Council has produced a consultation database which provides a summary of each comment, the Council's response and where necessary, any suggested changes. The full database can be viewed in appendix [4](#) and a hard copy is available for inspection at the Fylde Direct Office and at local libraries during normal opening hours.

Consultation and equality monitoring

The Council is trialling the use of a consultation and equality monitoring forms for each Local Development Document it consults on.

Consultation monitoring will identify and evaluate the success of the consultation methods used in order to improve future events. Equality monitoring will help to investigate, as far as possible, whether the views are representative and whether the attempts to involve the 'hard to reach' groups were successful.

Completion of both forms is optional and is information anonymous. Both forms were attached to the representation form as part of this consultation.

Four consultation monitoring forms were completed. The table below shows the methods by which respondents were informed of the consultation.

| Method respondent were informed of the consultation | | | |
|---|---|-----------------|---|
| Letter / email from Council | 3 | Council website | 1 |

Further comments in relation to this consultation exercise were provided by one respondent:

- Should make greater efforts to engage with groups which take a special interest.
- Want to be involved in setting up conservation areas with conservation area committees with a design panel on new developments
- Our expertise and experience e.g. architect is not being used
- Do not wish to be perceived as a group which objects to things all the time
- Strong planning control is essential to protect our town from inappropriate development.

Two equality monitoring forms were completed. Appendix [5](#) presents the two respondents' equality characteristics in relation to the baseline equality characteristics for Fylde.

Consultation Evaluation

The draft document consultation has received fewer responses than the earlier scoping consultation stage held October – November 2011.

This could be due to consultees who responded at the scoping stage being satisfied with the draft document, or that consultees were not familiar with this additional consultation stage which is not required under the regulations but considered best practice.

The low return rate for the consultation and equality monitoring forms has affected the level of evaluation which can be made from the information. The information suggest that respondents were notified mainly by targeted consultation methods, via letter or email to individuals and organisations on the Council's Register of Consultee. This could be connected to the subject matter not appealing to the wider public, but also suggests greater efforts need to be made to gain the wider views from the silent majority, who do not normally get involved with the planning process.

Appendix 1: List of respondents

| | Contact reference (where applicable) |
|---|---|
| Statutory consultation bodies | |
| Natural England | SCB/SCB/08/343 |
| The Coal Authority | SCB/SCB/08/344 |
| The Highways Agency | SCB/SCB/08/347 |
| Environment Agency | SCB/SCB/08/351 |
| CPRE – Fylde District | SCB/SCB/08/363 |
| North Lancashire Primary Care Trust | SCB/SCB/08/369 |
| Lancashire Constabulary | SCB/SCB/08/340 |
| LSP People and Communities Theme Group | SCB/SCB/10/01164 |
| South Ribble Borough Council | SCB/LA/08/390 |
| Councillors and town & parish councils | |
| Cllr Craig – Wilson | OC/CLLR/09/00954 |
| Ribby With Wrea Green Parish | SCB/PC/08/414 |
| General consultation bodies | |
| The Theatres Trust | GCB/VB/08/500 |
| Lytham St. Annes Civic Society | GCB/VB/08/494 |
| Other consultees | |
| National Trust | OC/MISC/08/833 |
| Save Wrea Green Action Group | OC/IB/10/01020 |
| Other consultees - interested bodies | |
| Mr Cowburn | OC/IB/08/547 |

Appendix 2: Copy of the questions asked on the representation form

Planning Policy section representations

1. Does the Statement of Community Involvement (SCI) clearly explain the process and methods for community involvement for different types of local development documents and different stages of the plan preparation process?
2. Does the SCI identify which umbrella organisations and community groups need to be involved at different stages of the planning process and how they will be engaged, with considerations given to those groups not normally involved?

Development Management section representations

3. Does the SCI explain the process and appropriate methods for effective community involvement in the determination of planning applications and Section 106 agreements?
4. Does the SCI explain the Local Planning Authorities approach to pre-application discussions?

General representations

5. Does the SCI explain it will be monitored, evaluated and scrutinised at the local level?
6. Does the SCI include details of where community groups can get more information on the planning process?
7. Does the SCI identify how the landowners and developers interest will be engaged?
8. Any other representations?

Appendix 3: Key issues the representations have raised

A number of common issues were raised by this consultation:

- The SCI should refer to local referendums;
- Community-planning initiatives and community involvement is actively encouraged;
- Due to the recent changes in government policy and the uncertainty surrounding many aspects of government legislation, now is not the right time to update the SCI, it should be delayed until the localism bill is passed;
- The SCI should acknowledge the localism bill and Neighbourhood plans;
- There should be a review of planning policy, consolidating all planning policy statements into a single National Policy Framework;
- Unclear of the opportunities provided for community engagement;
- Involvement actions need to be made clear (No process defined);
- Consultation and involvement need to happen from the beginning (i.e before the draft);
- Unclear of what is to be evaluated in the Sustainability Appraisal. (Issues raised of it being out of date);
- More efforts need to be made to consider the potential consequences on local services;
- Methods and timing of involvement need to be made clear;
- A bottom up approach should be considered;
- Define community needs at the earliest stages of the planning process;
- All comments raised by the community should be dealt with and effective community involvement can only take place from the start;
- Still additional improvement/clarification required;
- Terminology needs to be made simple;
- Hoped this exercise is practical and not developer orientated;
- The community should have more of a say over the developer;
- Mechanisms used are unsatisfactory; and
- All interested parties should be informed of decisions before they are made.



Representation Responses

Updated Statement of Community Involvement Draft

SCB/SCB/08/00340

Lancashire Constabulary

| | | |
|---|---------|---------------|
| 1 | Q1. Yes | Comment noted |
| 2 | Q2. Yes | Comment noted |
| 3 | Q3. Yes | Comment noted |
| 4 | Q4. Yes | Comment noted |
| 5 | Q5. Yes | Comment noted |
| 6 | Q6. Yes | Comment noted |
| 7 | Q7. Yes | Comment noted |

Councils Response

Seek change

SCB/SCB/08/00343

Councils Response

Seek change

**Natural England Government Team
South**

- | | | |
|---|---|--|
| 1 | Strongly supports community-planning initiatives and we encourage effective community involvement within the planning system, including the preparation of the Local Development Framework. This should be reflected in the Statement of Community Involvement. | The draft Localism Bill proposes to devolve greater power to local communities, and the Updated Statement of Community Involvement has reflected the draft Bill. |
| 2 | Assume you will consult us electronically for development management and Local Development Framework related consultations. | Comment noted |
| 2 | Welcome notifications of decision to planning applications on which we have made comment. | Only those who have been consulted on a planning application will be informed of the decision. The Council's website has an "application on-line" service that allows the details of planning application to be viewed |
| 4 | Welcome specific reference to Natural England and our role as a statutory consultee for Local Development Framework and Development Management. Welcome generous consultation timeframes. | This is provided in figure 2 for Local Development Framework and Appendix 4 for Development Management. |
| 5 | Expect to be included as a consultee in relation to any additional matters that may arise as a result of, or are related to the present consultation. | Comment noted |

SCB/SCB/08/00344

Councils Response

Seek change

The Coal Authority

- | | | |
|---|------------|-----|
| 1 | No comment | N/A |
|---|------------|-----|

SCB/SCB/08/00347

Highways Agency

Councils Response

Seek change

| | | |
|---|------------|-----|
| 1 | No comment | N/A |
|---|------------|-----|

SCB/SCB/08/00351

Environment Agency

Councils Response

Seek change

| | | |
|---|------------|-----|
| 1 | No comment | N/A |
|---|------------|-----|

SCB/SCB/08/00363

CPRE - Fylde District

Councils Response

Seek change

| | | |
|---|--|---|
| 1 | Commend the new Statement of Community Involvement sub-title: 'Getting involved with planning' ! | Comment noted |
| 2 | Our suggestions to improve community involvement in Development Control Committee meetings have not been accepted. | <p>The principal of public speaking at Development Control Committee is a matter for the Local Planning Authority to decide. Fylde has taken the decision that it should be undertaken in order to allow for public input.</p> <p>The Council has no intention of changing the setup or proceedings of Development Control Committee.</p> |
| 3 | Due to the current radical and rapid changes in government policy, and the consequent uncertainty, now is not the time to tie the Statement of Community Involvement into the current planning system and pre-Localism Bill community involvement. | The Localism Bill is not expected to be enacted until November 2011. However, without an up to date Statement of Community Involvement, the Local Planning Authority is unable to progress its Local Development Framework. |

| | | | |
|---|---|---|--|
| 4 | <p>Sections 1.6 to 1.10 acknowledge the intentions of the Localism Bill, including Neighbourhood Plans. However, Neighbourhood Plans aim to significantly change opportunities for community involvement, and local referendums on such plans are likely to be required. The draft Statement of Community Involvement does not mention Local Referendums.</p> | <p>Section 1.6 to 1.10 provides a brief introduction to the Localism Bill. Reference to Local Referendums will be provided in paragraph 2.4.</p> | <p>Include reference to Local Referendums in relation to Neighbourhood Plans in paragraph 2.4.</p> |
| 5 | <p>There is to be a review of planning policy, the intention is to consolidate all existing 25 Planning Policy Statements, Mineral Policy Statements and Guidance notes, along with Planning Circulars and Best Practice Guides into a single consolidated National Planning Policy Framework (NPPF). A draft has been produced by Practitioners Advisory Group which has implications for the Statement of Community Involvement (SCI):</p> <ul style="list-style-type: none"> - Planning Policy Guidance 12 will be scrapped: it currently defines the Local Development Framework, including the SCI, Core Strategy and other Development Plan Documents (DPDs) - Core Strategy replaced by a 'Local Plan' (purpose, scope and content roughly the same) - Additional mandatory DPDs and Supplementary Planning Documents are unlikely - The Local Plan must set out the Local Planning Authorities (LPAs) strategic priorities, eg. to deliver housing, employment, infrastructure, etc., and Neighbourhood Plans must conform with the LPA's strategic priorities. - How will the SCI accommodate joint community involvement with Fylde's neighbouring authorities where Housing Market Areas cross administrative boundaries? | <p>The Council is aware of the consolidation into a single National Planning Policy Framework (NPPF). While the document produced by the Practitioners Advisory Group does not necessarily reflect the views of the Government, it does provide an indicator of the proposed NPPF which is expected for consultation later in the year. The Council has reviewed the Practitioners Advisory Groups NPPF and does not consider there to be any need to undertake significant changes to the Updated Statement of Community Involvement (SCI).</p> <p>Without an up to date SCI, the Local Planning Authority is unable to progress its Local Development Framework.</p> <p>The Council has produced with Wyre Borough Council and Blackpool Council, Extending Your House Supplementary Planning Document in 2007. Consultation was, as far as possible, in compliance with the three Councils' SCI.</p> | |

SCB/SCB/08/00369

North Lancashire Primary Care Trust

Councils Response

Seek change

| | | | |
|---|--|---|--|
| 1 | Q1. Yes. Thought the document is lengthy. Some terminology is not clear. | A short summary report has been provided at the start of the document and further signposting will be added to help direct the reader to further information in the main document. We will review the document to clarify any terminology and update the glossary as necessary. | <p>Add signposting in the summary document to direct the reader to the relevant section in the main document where further information can be found.</p> <p>Review the document to clarify any terminology and update glossary as necessary.</p> <p>Provide hyperlinks in the electronic document.</p> |
| 2 | Q2. Yes | Comment noted | |
| 3 | Q3. Yes | Comment noted | |
| 4 | Q4. Yes | Comment noted | |
| 5 | Q5. Yes | Comment noted | |
| 6 | Q6. Yes | Comment noted | |
| 7 | Q7. Yes | Comment noted | |

| | | |
|---|---|---|
| 8 | Q8. Consideration of integrated Impact Assessment and/or Health and Wellbeing Impact Assessment for planning application process would be welcomed. These would be an important adjunct to Equality Impact Assessments. | <p>Where relevant, such as for Development Management Policies Development Plan Document, local planning authorities have to undertake a Sustainability Appraisal (SA) of its proposed plan to evaluate its potential economic, environmental and social impacts. The Sustainability Appraisal includes an integrated Strategic Environmental Assessment (SEA) which has a legal requirement to consider health implications. Fylde Borough Council has to consult statutory consultees during the SA process and in addition, has decided it to be appropriate to consult Fylde Primary Care Trust and NHS North Lancashire (who are not statutory consultees in accordance with SA regulations).</p> <p>A integrated Health Equality Impact Assessment will be considered at the relevant stage of plan making process.</p> |
|---|---|---|

SCB/LA/08/00390

South Ribble Borough Council

Councils Response

Seek change

| | | |
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| 1 | No objection | N/A |
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SCB/PC/08/00414

Ribby with Wrea Green Parish

Councils Response

Seek change

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| 1 | Q1. Yes - clearly | Comment noted |
| 2 | Q2. Yes | Comment noted |
| 3 | Q3. Yes | Comment noted |

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| 4 | Q4. Yes | Comment noted |
| 5 | Q5. Yes | Comment noted |
| 6 | Q6. Yes | Comment noted |
| 7 | Q7. Yes - clearly | Comment noted |
| 8 | Q8. It is hoped that this is not merely a paper exercise to meet legislation but will be practical and not developer orientated. | The draft Localism Bill due to be enacted in November 2011 proposes to devolve greater power to local communities, and the Updated Statement of Community Involvement has reflected the draft Bill, which includes greater opportunities for communities. |

GCB/VB/08/00494

Councils Response

Seek change

Lytham St. Annes Civic Society

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| 1 | Q1. Yes | Comment noted | |
| 2 | Q2. It explains which will be involved according to the Council's decision rather than those which we think need to be. | Section 4.0 sets out the three classifications of consultation bodies, as set out within The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. Paragraph 4.5 refers to private individuals and organisations who have expressed a wish to be consulted have been added to the Councils Register of Consultees. The role of individuals and organisations who have expressed a wish to be consulted will be clarified in Regulation 25 and 27, and Regulation 17 tables. | Clarify Regulation 25, 27 and 17 tables to refer to the fact that written consultations with 'specific' 'general' and 'other' consultation bodies also includes private and individuals who have expressed a wish to be consulted, where relevant. |

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| 3 | Q3. This is a leading question which implies agreement that the methods will be effective. It explains a process but we do not think that the involvement will be effective in the sense that the wishes of developers will be balanced by the wishes of the community. Often with few resources, groups make it abundantly clear that certain developments are not wanted in the community yet still fail to stop them. | Comments can only be taken into consideration when determining planning application if they relate to planning matters called 'material considerations' because the Council has a statutory duty when considering planning application to consider the Development Plan and any other material considerations. The list of material and non material considerations are available in paragraph 15.14 and 15.15 respectively. | |
| | | Often a range of contrasting material considerations have to be balanced when determining planning applications. | |
| 4 | Q3. The new document does not make it clear how a lack of funds/resources in a community group can be balanced against a developer's willingness to employ specialists and barristers. | The draft Localism Bill introduces Neighbourhood Plan and Development Orders which give communities direct power to plan the areas in which they live or work. Paragraph 2.4-2.5 of the Updated Statement of Community Involvement makes reference to the role of the community in neighbourhood planning. | Include further information on Planning Aid who could offer independent information on the planning process. |
| 5 | Q4. Yes | Comment noted | |
| 6 | Q5. It attempts to explain this, although the mechanisms suggested are unlikely to work. Saying yes to this question implies an approval of the methods to be used. We do not think the mechanisms are satisfactory so perhaps no comment or no is the answer to this question. | <p>The adopted Statement of Community Involvement (July 2007) sets situations which if met, would require the document to be reviewed and updated. In this case, amendments to the 2004 regulations and the introduction of the Localism agenda (via the proposed Localism Bill) has justified the update.</p> <p>The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 only require local planning authorities to undertake a scoping consultation on the Statement of Community Involvement (SCI), of which representation received should be taken into account during the preparation of the SCI.</p> <p>Fylde Borough Council believe that it is important to have a transparent and effective mechanism for reporting back and to provide an opportunity for local level scrutiny. Therefore, this consultation on the final draft documents has been undertaken prior to it being finalised and adopted by the Council.</p> | |

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| 7 | Q6. Yes | Comment noted |
| 8 | Q7. Yes | Comment noted |
| 9 | Q8. Where a particular group takes a special interest - such as a Civic Society in planning - then greater efforts should be made by the Council to engage with it. In particular, where we have taken the trouble to comment on an application then we should be informed if there is a re submission or the plans are altered before a decision is made. | <p>The Council wishes to involve the widest possible range of persons and stakeholders, including those groups of people who do not normally engage with the Local Planning Authority. Experience has shown that there are many groups and individuals within the borough that are prepared to get involved and thus the Council does not want to waste resources by focusing consultation on those groups and individuals and instead will focus resources on trying to engage with a wider section of the community, including 'hard to reach' groups.</p> <p>If there are significant alterations to the submitted scheme, you may be re-consulted and given a reasonable time that is proportionate to the alteration, to submit representations. There is no statutory requirement for the Local Planning Authority to re-consult, but we consider it important to provide a fair opportunity for input in the planning application process.</p> |

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| 10 | Q8. It does not seem that representations by groups have been taken into account as the council's responses are largely rebuttals. | <p>The Updated Statement of Community Involvement has been produced following the principles set out in Planning Policy Statement 12: Local Spatial Planning.</p> <p>The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 only require local planning authorities to undertake a scoping consultation on the Statement of Community Involvement (SCI), of which representation received should be taken into account during the preparation of the SCI.</p> <p>Following the comments received at the Scoping Stage, the Council acknowledged that many respondents had stated that they would prefer to comment on a draft of the document rather than at the scoping stage.</p> <p>Fylde Borough Council believe that it is important to have a transparent and effective mechanism for reporting back.</p> |
| 11 | Q8. Involvement by the Local Strategic Partnership (LSP) should not be taken as an increase in the democratic process as this is dominated by employees of the Council/LSP. | <p>Planning Policy Statement 12: Local Spatial Planning states that spatial planning objectives should be aligned with the shared local priorities set out in the Sustainable Communities Strategy, where these are consistent with national policy. Fylde's Local Strategic Partnership is responsible for producing and reviewing the Sustainability Community Strategy. A close working relationship with the Local Strategic Partnership throughout the plan preparation process will help the plan to be aligned with the Sustainable Communities Strategy.</p> <p>Local Strategic Partnership (LSP) involvement is only one method whereby the communities' views are gained. In addition, views are gained from Councillor involvement, participation in Parish Liaison meeting, directly targeted consultations and engagement events with individuals and organisations on the Register of Consultees and wider consultation and engagement events advertised within the wider community.</p> |

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| 1 | The Theatre Trust is a statutory consultee and should be consulted by local authorities on planning applications which include 'development involving any land on which there is a theatre' | Retain reference to Theatre Trust as a Statutory Consultee in appendix 4. |
| 2 | Support the Updated Statement of Community Involvement and impressed by the content of section 4.0 and the Register of Consultee Form in Appendix 1. | Comment noted |

OC/IB/08/00547

Councils Response

Seek change

Mr Cowburn

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| 1 | No comment | N/A |
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OC/MISC/08/00833

Councils Response

Seek change

The National Trust

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|---|------------|-----|
| 1 | No comment | N/A |
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OC/CLLR/09/00954

Councils Response

Seek change

Cllr Craig-Wilson

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| 1 | I already sit on the committee for planning the core strategy and thus my views are already known. | Comment noted |
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OC/IB/10/01020

Councils Response

Seek change

Save Wrea Green Action Group

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|---|--|---|---|
| 1 | Page 1 Summary Unclear on what opportunities will be provided for community engagement in Development Plan Document from this page. | The summary on page 1-2 provides a brief overview into how and when the community will be consulted and engaged. Further detail is provided within the main document. Signposting will be added to the summary to direct the reader to where further information can be found. | Add signposting to direct reader to the relevant section in the main document where further information can be found. |
| 2 | Page 1 Summary Last para says 'We anticipate....' This is not definitive. I can't agree a document which fails to confirm the actions. | <p>The summary on page 1-2 provides a brief overview into how and when individuals and groups will be consulted and engaged.</p> <p>Further detail is provided within the main document. Signposting will be added to the summary to direct the reader to the relevant section in the main document where further information can be found.</p> <p>The Statement of Community Involvement aims to identify the broad methods which are anticipated to happen for each consultation stage, however, the subject matter of different documents may require a different approach to consultation and engagement each time.</p> | Add signposting to direct reader to the relevant section in the main document where further information can be found. |
| 3 | Page 2 Supplementary Planning Documents - What about consultation before the draft? From experience we know it is far more difficult to get a draft changed than to build it right in the first place. | A informal scoping consultation will be undertaken prior to the draft document being produced. This will allow individuals and organisations to identify issues and the focus of policy the Supplementary Planning Document should contain. Comments received from the scoping consultation where relevant, will be used to write the draft documents, before it undergoes a formal consultation as required under regulation 17. The informal scoping consultation is not required under the regulations. | Add signposting from paragraph 2.10 to direct the reader to the "when we will consult" section 6.10. |
| 4 | Page 3 Para 1.2 What about a bottom up approach? (unless that's what you call the evidence database). | The purpose of Paragraph 1.2 is to introduce the purpose of the Statement of Community Involvement and thus it sets out what aspects of planning the document relates to: Local Development Framework and Development Management. Reference is made to "bottom up approach" in section 3.0 and is referred to as front loading and early engagement. | |
| 5 | Page 3 Para 1.6 It is good to see the mention of Local Needs here! | Comment noted | |

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| 6 | Page 4 Para 1.10 What are the proposed SCI processes here? | <p>Since the draft updated Statement of Community Involvement (SCI) consultation, the Localism Bill has progressed further through Parliament and amendment have been made. Any relevant amendments will be reflected in the adopted Updated SCI (including paragraph 1.10).</p> <p>In relation to planning, the main aspects of the Localism Bill is the introduction of Neighbourhood Development Orders and Plans produced by 'Neighbourhood Forums' or Parish Councils. It is not considered to be within the remit of the SCI to set out the consultation procedure which 'Neighbourhood Forums' or Parish Councils will undertake.</p> <p>With regards to compulsory pre application consultations, consultation arrangement could not be included in the SCI as there is not sufficient information at this stage regarding what the process will contain.</p> | <p>Update paragraph 1.10 to reflect the latest information and position on the Localism Agenda.</p> <p>Clarify paragraph 1.10 wording.</p> |
| 7 | Page 7 and 8 Para 2.4 Where is the Statement of Community Involvement (SCI) in the Core Strategy, Site Allocation and Adopted Proposals Map? Involvement of SCI appears only to come in later, which is not particularly appropriate. | <p>The Summary section provided at the start of the document provides a initial document overview. Earlier sections of the main document provide background information and explain the process. The proposed consultation procedure for Local Development Framework is provided in section 6.0. The location of this information in the document does not reflect any hierarchy position or priority.</p> <p>Following a scoping consultation comment submitted, the updated document avoids repetition for individual documents and thus standardises the anticipated consultation methods for all Development Plan documents and in a separate section, for all Supplementary Planning Documents.</p> | |

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| 8 | <p>Page 9 Para 2.13 It is unclear what is to be evaluated within the Sustainability Assessment. If Statement of Community Involvement (SCI) is to work it has to be VERY clear what the SA encompasses and this needs to be agreed.</p> | <p>The Sustainability Appraisal requirements are set out within the Environmental Assessment of Plans and Programmes Regulations 2004. The first stage is the production of a Scoping document, this involves collecting baseline information covering social, economic and environmental position of the plan area (e.g. Fylde). As options and policies are produced, these are assessed against the baseline information to see whether the introduction of the options and policies would have an effect on the social, economic and environmental position of the area. The purpose of this process is to ensure the most sustainable options and policies are taken forward.</p> | <p>Provide further details on the Sustainability Appraisal evaluation process and how this relates to production of Development Plan Documents, and where relevant, to Supplementary Planning Documents.</p> |
| 9 | <p>Page 9 I have read the Sustainability Appraisal from the link provided. This appears to be out of date so a cross reference to this document is not particularly helpful referring as it does to Regional Spatial Strategy.</p> | <p>A Revised Sustainability Appraisal - Scoping Report (November 2010) has been produced by Hyder Consulting and is available to view at: www.fylde.gov.uk/sustainabilityappraisal</p> | |
| 10 | <p>Page 9 I see sustainable Communities as those with a variety of local services (but at minimum a complete range of basic services) reducing the need for travel to access these. The outdated Regional Spatial Strategy (RSS) provided a good accessibility access evaluation. On top of this there is a need to consider the effect of extra traffic, the type of housing required LOCALLY, the ability of the travel structure to cope (mainly using public transport), the ability for the services for sewerage, water run off and water supply to be able to cope adequately with the extra burdens. Too often considerable extra burdens are placed on such infrastructures without these being improved or considered adequately. This has a material affect on residents' day to day lives.</p> | <p>Comment noted</p> | |

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| 11 | Page 11 Para 3.1 Frontloading. The precise methods and timing of involvement need to be defined. | <p>Section 6.2 sets out that there will be community involvement in the scoping and pre-production stages, in addition to the subsequent stages of plan preparation.</p> <p>The consultation methods used will vary depending upon the subject matter of the document and the stage. Section 6.4 sets out the range of consultation technique which will be used and an indication of the stages the method will be used for.</p> |
| 12 | Page 15 Para 6.2 What about a bottom up approach? Ask the Community what they want. (Our Village ran a Referendum on this less than a month ago) | <p>Section 6.2 sets out that there will be community involvement in the scoping and pre-production stages, in addition to the subsequent stages of plan preparation.</p> <p>The consultation methods used will vary depending upon the subject matter of the document and the stage. Section 6.4 sets out the range of consultation technique which will be used and an indication of the stages the method will be used for.</p> <p>The Localism Bill sets out a requirement for local referendums to form part of the adoption process for Neighbourhood Plans and Development Order.</p> |
| 13 | Page 22 Para 7.5 Councillors are likely to know only their own areas well and new councillors may NOT have an extensive knowledge of all local issues. | Councillor involvement is only one method whereby the communities' views are gained. In addition, views are gained from: participation in Parish Liaison Meeting, involvement with the Local Strategic Partnership, directly targeted consultation and engagement events with individuals and organisations on the Register of Consultees and wider consultation and engagement events advertised with the wider community. |
| 14 | Page 22 Para 7.6 This is not bottom up and if it is to work needs to be early in the process, not after a fait accompli | Town and parish council's involvement is only one method whereby the communities' views are gained. In addition, views are gained from: involvement with the Local Strategic Partnership, directly targeted consultation and engagement events with individuals and organisations on the Register of Consultees, including Councillors and wider consultation and engagement events advertised with the wider community. |

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| 15 | Page 23 Para 8.2 – This is certainly needed! | Comment noted | |
| 16 | Page 25 Para 9.4 This sounds like pre-determination and a 'we know best' attitude and that is not acceptable to an Statement of Community Involvement process. | <p>Due to the issues often associated with the document, it may not be possible to satisfy all views.</p> <p>Development Plan Documents and Supplementary Planning Documents must be founded on a robust evidence base. It may be the case that an individual or organisations view can not be taken forward where the evidence base shows that such opposition is unfounded, or mitigation or other methods can address concerns.</p> <p>As part of Development Plan Document Examinations, there is an opportunity for individuals and organisations to raise their concerns with the Inspector where they consider their views have not be adequately considered or that mitigation or methods to address their concern are inadequate. (Please note, Supplementary Planning Documents do not undergo examination process and this process does not apply).</p> | <p>Section 9.0, add paragraph which refers to the opportunity for individuals and organisations to raise their concerns with the Inspector at a Development Plan Document Examination, when they consider their views have not been adequately considered or that the mitigation or methods to address their concerns are inadequate. (This does not apply to supplementary planning documents which do not undergo examination).</p> |
| 17 | Page 27 Para 12.1 to 12.5 This is very good | Comment noted | |
| 18 | Page 27 Para 13.1 There seems to be a lack of openness here as the Community have no involvement. | Paragraph 13.4 and 13.7 refers to a proposal in the Localism Bill which will make community involvement in the preparation of planning application a mandatory requirement prior to the application being submitted for developments of a certain type or scale. | |
| 19 | Page 29 Para 13.7 What control will exist to ensure the veracity of statements produced? | <p>Further guidance is expected after the Localism Bill is enacted.</p> <p>It is in the interest of the developer to undertake community engagement prior to submitting an application to resolve misconceptions and overcome concerns. This is likely to reduce or even eliminate objections once the application has been submitted.</p> | |

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| 20 | Page 33 Para 15.14 This appears to be appropriate but having attended Development Control Committee (DCC) Meetings it is very clear that members of the DCC do NOT use the same standards. This must become a minimum standard and seen to be so. | The Officers Report sets out material considerations relevant to the planning application and provides a recommendation to assist committee members in coming to their conclusion. |
| 21 | Page 35 Para 17.6 The public do not have the right to correct errors or omissions, this is Community Exclusion. The Community Concerns raised at the Development Control Committee (currently) are not always taken into account fully, with Parish Council (the first level of local democracy) determinations ignored. Of course, with an earlier involvement under Statement of Community Involvement this OUGHT to be taken account of much earlier. | <p>The principal of public speaking at committee is a matter for the Local Planning Authority. Fylde Borough Council has taken the decision that it should be undertaken in order to allow for public input.</p> <p>The Local Government Guidance states that public speakers should be asked to direct their presentations to reinforce or amplify representations already made to the Council in writing.</p> <p>Correcting inaccuracies is no part of the decision making process.</p> <p>The Council has no intention of changing the setup or proceedings of Development Control Committee.</p> <p>Parish Councils have an opportunity to submit comments on a planning application as part of the consultation process. The comments and the Local Planning Authorities response are provided in the Officer's Report. Parish Councils also have the opportunity to speak at Development Control Committee to reiterate or explain the issues rose.</p> |
| 22 | Page 35 Para 18.1 I understood that there is a right of appeal by the Community under the Localism Bill. It isn't mentioned here. | The third party right of appeal process against successful planning applications was mentioned in the Liberal Democratic and Conservative consultation documents before the last election. The coalition Government has decided that it will assess the effects from the Localism Bill on the appeal process before making changes to the appeal process. The third party right of appeal process was omitted from the Localism Bill. |
| 23 | Summary Whilst this document is clearly some improvement on the previous version there still does seem to be additional improvement/clarification required. | Comment noted |

LSP People and Communities Theme Group

- 1 Section 3.7 the Community Engagement Strategy is for the Local Strategic Partnership (LSP) as a whole not just for the People and Communities Group, as the group coordinated this piece of work on behalf of the whole Local Strategic Partnership.

Comment noted

Amend section 3.7 to reflect that the Community Engagement Strategy applies to the whole Local Strategic Partnership.

Appendix 5: Equality Monitoring baseline data and consultation response results

The following baseline variables are not currently available: Gender (Transgender); Marital/civic partnership status (Civil partnership); Sexual orientation. The results from completed monitoring forms for these variables are therefore not shown below.

Due to rounding, baseline percentages may not add up to 100%.

| Gender (Baseline data: Lancashire Profile, 2010) | | Age – male (Baseline data: Lancashire Profile, 2010) | | Age – female (Baseline data: Lancashire Profile, 2010) | | Marital/civic partnership status (Baseline data: ONS, 2001, updated 2004) | |
|--|----------|--|-------|--|-------|---|----------|
| Male | 49.2% | 0-14 | 14.9% | 0-14 | 13.6% | Single (never married) | 36.3% |
| | 100% | | | | | | |
| Female | 50.8% | 15-24 | 10.9% | 15-24 | 9.3% | Married | 45.7% |
| | | | | | | | 50% |
| Transgender | Data N/A | 25-44 | 23.1% | 25-44 | 20.8% | Civil partnership | Data N/A |
| | | | | | | | |
| | | 45-64 | 30% | 45-64 | 29.3% | Separated | 1.8% |
| | | | | | | | |
| | | 65+ | 21.5% | 65+ | 27.0% | Divorced | 7.1% |
| | | | 100% | | | | |
| | | | | | | Widowed | 9.0% |
| | | | | | | | 50% |

| Religion or Belief (Baseline data: ONS, 2001, updated 2004) | | | | | |
|---|-------|--------|-------|--|------|
| Christian | 82.4% | Jewish | 0.5% | Other | 0.2% |
| | 100% | | | | |
| Buddhist | 0.1% | Muslim | 0.2% | No religion or belief | 9.6% |
| | | | | | |
| Hindu | 0.2% | Sikh | 0.04% | Prefer not to say/ religion not stated | 6.7% |
| | | | | | |

| Ethnicity (Baseline data: Lancashire Profiles, 2009) | | | | | | | | | |
|--|-------|-------------------------------|------|---------------------------|------|-------------------------------|------|--------------|------|
| White | | Black or Black British | | Mixed | | Asian or Asian British | | Other | |
| British | 92.6% | Black Caribbean | 0.2% | White and Black Caribbean | 0.3% | Indian | 1.2% | Chinese | 0.3% |
| | 100% | | | | | | | | |
| Irish | 0.8% | Black African | 0.3% | White and Black African | 0.1% | Pakistani | 0.8% | Other | 0.3% |
| | | | | | | | | | |
| Other White | 2.3% | Other Black | 0.1% | White and Asian | 0.3% | Bangladeshi | 0.1% | | |
| | | | | | | | | | |
| | | | | Other Mixed | 0.2% | Other Asian | 0.2% | | |
| | | | | | | | | | |

| Disability (Baseline data: ONS, 2001, updated 2004) | | | |
|---|-------|----|-------|
| Yes | 21.3% | No | 78.7% |
| | 50% | | 50% |

Grey boxes provide baseline information, white boxes provide consultation information.

REPORT



| REPORT OF | MEETING | DATE | ITEM NO |
|---------------------------|---------|--------------|---------|
| GOVERNANCE & PARTNERSHIPS | COUNCIL | 26 SEPT 2011 | 9 |

EXCLUSION OF THE PUBLIC

Public Item

This item is for consideration in the public part of the meeting.

Recommendation

1. Members are invited to consider passing a resolution concerning the exclusion of the public from the meeting in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 on the grounds that the business to be discussed is exempt information as defined in paragraph 1 and 2 of Schedule 12A of the Act.

Council Meeting



| | |
|-----------------------|---|
| Date | 25 July 2011 |
| Venue | United Reformed Church, St Annes |
| Members | Mayor (Councillor Howard Henshaw ADK (MALAYSIA)) Deputy Mayor (Councillor Kevin Eastham) Brenda Ackers, Ben Aitken, Christine Akeroyd, Frank Andrews, Tim Armit, Susan Ashton, Keith Beckett, Julie Brickles, Karen Buckley, David Chedd, Maxine Chew, Alan, Clayton, Peter Collins, Fabian Craig-Wilson, Susanne Cunningham, Leonard Davies, David Donaldson, Charlie Duffy, David Eaves JP, Susan Fazackerley, Trevor Fiddler, Tony Ford JP, Gail Goodman JP, Nigel Goodrich, Peter Hardy, Kathleen Harper, Paul Hayhurst, Karen Henshaw JP, Ken Hopwood, Paul Hodgson, Angela Jacques, Cheryl Little, Kiran Mulholland, Edward Nash, Linda Nulty, Elizabeth Oades, Albert Pounder, Dawn Prestwich, Richard Redcliffe, Louis Rigby, Elaine Silverwood, John Singleton JP, Thomas Threlfall, Viv Willder, Peter Wood |
| Officers | Phil Woodward, Tracy Scholes, Ian Curtis, Hazel Wood, Andy Cain, Alan Blundell, Bernard Judge. |
| Others | Mr DDE Birchall, Reverend A Hodgson |
| Members of the Public | Members of the public were in attendance |

Prayers

Prayers were offered by the Mayor's Chaplain, Reverend Antony Hodgson.

11. Declarations of interest

Members were reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.

12. Honorary Alderman

The Mayor presented this report which informed the Council that it had been the Council's previous practice to give the status of Honorary Alderman to past councillors who have served the Borough for 20 years or more. Following the recent Borough Council elections there would be four such individuals eligible for this status.

Council meeting - 25 July 2011

The Mayor identified to the Council that eligibility for those individuals who were no longer members, but who in the opinion of the council, had rendered valuable services to Fylde Borough Council as members in the past.

The following motion was moved by The Mayor, Councillor Henshaw and seconded by Councillor Eastham and RESOLVED UNANIMOUSLY:

RESOLVED UNANIMOUSLY - That John Bennett, George Caldwell, Patricia Fieldhouse and Paul Rigby having, in the opinion of the Council, rendered eminent service to Fylde Borough Council as a past Member of that Council, the Council confers on them the title of Honorary Alderman.

Council Meeting



| | |
|-----------------------|---|
| Date | 25 July 2011 |
| Venue | United Reformed Church, St Annes |
| Members | Mayor (Councillor Howard Henshaw ADK (MALAYSIA)) Deputy Mayor (Councillor Kevin Eastham) Brenda Ackers, Ben Aitken, Christine Akeroyd, Frank Andrews, Tim Armit, Susan Ashton, Keith Beckett, Julie Brickles, Karen Buckley, David Chedd, Maxine Chew, Alan, Clayton, Peter Collins, Fabian Craig-Wilson, Susanne Cunningham, Leonard Davies, David Donaldson, Charlie Duffy, David Eaves JP, Susan Fazackerley, Trevor Fiddler, Tony Ford JP, Gail Goodman JP, Nigel Goodrich, Peter Hardy, Kathleen Harper, Paul Hayhurst, Karen Henshaw JP, Ken Hopwood, Paul Hodgson, Angela Jacques, Cheryl Little, Kiran Mulholland, Edward Nash, Linda Nulty, Elizabeth Oades, Albert Pounder, Dawn Prestwich, Richard Redcliffe, Louis Rigby, Elaine Silverwood, John Singleton JP, Thomas Threlfall, Viv Willder, Peter Wood |
| Officers | Phil Woodward, Tracy Scholes, Ian Curtis, Hazel Wood, Andy Cain, Alan Blundell Bernard Judge. |
| Others | Mr DDE Birchall, Reverend A Hodgson |
| Members of the Public | Members of the public were in attendance |

Declarations of interest

Members were reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.

13. Confirmation of Minutes

RESOLVED: To approve the minutes of the council meeting held on 28 March 2011 and 23 May 2011 as a correct record for signature by the Mayor.

14. Mayor's Announcements

- The Mayor announced that he and the Mayoress had attended a number of events over the past month including the graduation ceremony at Uclan

and Blackpool and Fylde College, the Lancashire Symphony Orchestra Concert on the lawn at Hoghton Tower and the Royal Garden Party at Buckingham Palace where he was lucky to meet Prince Philip.

- In the next few weeks The Mayor will be attending the Proms on Lytham Green.
- In addition following the judging of Lytham in Bloom, fingers crossed for the results of the competition which will be announced in mid September.

15. Chief Executive's Communications

Mr Woodward reported that he had no communications for the Council.

16. Questions from Members of the Council

There were no questions from members.

17. Questions from members of the Public

There were no questions from members of the public.

18. Constitution

Ian Curtis, Head of Governance explained that the council's constitution needed to be re-adopted by the council each year. The report highlighted some proposed changes and Mr Curtis invited the council to formally re-adopt the constitution subject to those changes.

Mr Curtis stated that most of the changes have been considered by the Audit Committee and the report and recommendations reflect their conclusions.

Councillor Karen Buckley, Portfolio Holder for Finance and Resources advised that paragraphs 8 and 11 had not been considered by the Audit committee and in consultation with Councillor John Singleton, Chairman of Audit Committee felt that those two paragraphs should be referred to the Audit Committee prior to final adoption.

After debate it was RESOLVED: Re-adopt the constitution incorporating the changes highlighted in the report with the exception of paragraphs 8 and 11 which will be referred to the Audit Committee for further consideration.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

19. Regulation of Investigatory Powers Act 2000: Guidance

Ian Curtis, Head of Governance explained that under the Regulation of Investigatory Powers Act 2000, the council must have in place a framework for authorising, recording and reviewing any surveillance that it carries out under the

act. The framework must comply with the act, regulations and codes of practice. The Council must have its own RIPA policy.

Mr Curtis stated that RIPA requires annual review, update and readoption of the RIPA guidance by the full council.

The Council RESOLVED:

1. To note the information contained in the report about the council's use of surveillance powers.
2. To adopt the updated policy.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

20. Corporate Plan

Councillor David Eaves, Leader of the Council introduced the report on the Corporate Plan which is part of the Council's budget and policy framework which requires the approval of Council. Councillor Eaves explained that the Cabinet considered the proposed Corporate Plan for 2011-14 at its meeting in March and recommended its adoption by the Council.

Councillor Elaine Silverwood asked whether there will be any future plans to incorporate the promotion of events in the rural areas of Fylde as well as in Lytham St Annes. Councillor Maxine Chew also supported the request of activities / events in the rural areas and suggested that Fylde get more involved in the Great Eccleston show. Councillor Susan Fazackerley, Portfolio Holder for Leisure and Culture took all the comments into account and said she was receptive to any proposals that came forward from representatives of the rural parts of the Borough and would consider all ideas with Tourism staff.

After debate it was RESOLVED: To adopt the Corporate Plan for 2011-14.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

NB. During the course of the debate, the following amendment was moved by Councillor David Chedd and seconded by Councillor Paul Hayhurst:

That the Vision statement in the Corporate plan be removed.

The amendment was lost.

21. Appointments to Outside Bodies

Councillor David Eaves, Leader of the Council introduced the report on appointments to outside bodies. Councillor Eaves stated that the council makes a number of appointments to outside bodies, which are confirmed each year by the council.

Councillor Eaves stated that there were three vacant positions and put forward nominations to fill the positions, as well as proposing the continued appointment of existing nominees.

Councillor Elizabeth Oades put forward alternative nominations to a number of positions and, in agreement with Councillor Eaves, asked that Councillor Collins replace Councillor Eaves on Local Liaison Committee Springfield Works.

Councillor Oades also proposed that she replace Councillor Eastham as a member of the accommodation working group and the mayor agreed that the matter could conveniently be considered alongside the appointments to outside bodies. Councillor Silverwood seconded the proposal. Councillor Eaves indicated that Councillor Eastham had provided a valuable input to the work of the group in recent months but that he would welcome Councillor Oades as an additional member rather than as a replacement.

Councillor Albert Pounder, Portfolio Holder for Customer and Operational Services advised that the appointment to the board of Progress Housing should refer instead to the board of New Fylde Housing.

After debate and by a series of votes on individual positions it was RESOLVED:

1. That the council confirms existing appointments to outside bodies in line with the details shown in the appendix of the report save as set out below.
 - Councillor Collins to replace Councillor Eaves on Local Liaison Committee for Springfield Works
 - Councillor Hopwood as the opposition nomination to replace Councillor Silverwood on LSP Economic Development Group
2. That the following vacancies be filled:
 - Councillor Willder on the Board of New Fylde Housing
 - Councillor L Davies on the Blackpool, Fylde and Wyre Council for Voluntary Services
 - Councillor Little on LCC Adult Social Care & Health Overview and Scrutiny Committee.
 - Councillor Nulty as the opposition nomination on LSP Housing Group.
3. For those partnerships marked priority in the report, the appointed members complete a summary of activity bi annually and for all other partnerships a summary is produced annually. This information should be placed in the

member's room with an annual summary made to the Council prior to appointments being confirmed for the next municipal year.

4. That Councillor Oades become a member of the accommodation working group in addition to Councillor Eastham and other existing members.

(The Mayor indicated that he was satisfied that the matters were not controversial and dealt with each of the matters by a show of hands rather than by taking a recorded vote on them.)

NB. During the course of the debate, the following amendment was moved by Councillor Paul Hayhurst and seconded by Councillor Ken Hopwood:

That the report be deferred until additional information on individual members putting their names forward for the posts is received.

The amendment was lost.

The following names for the vacant posts were put forward by Councillor Elizabeth Oades and seconded by Councillor Elaine Silverwood but were not carried:

- *Councillor Chew on the Board of New Fylde Housing*
- *Councillor Hopwood on Blackpool, Fylde and Wyre Council for Voluntary Services*
- *Councillor Harper on LCC Adult Social Care & Health Overview and Scrutiny Committee*

22. Accommodation

This matter was deferred to a future Council meeting.

23. Deputy Section 151 Officer

Councillor Karen Buckley, Portfolio Holder for Finance and Resources introduced a report that recommended that Paul O'Donoghue replaces Bernard Hayes as Deputy Section 151 Officer. The intention was that Mr. Hayes would continue to provide, on an ad hoc basis, specialist strategic financial advice under the terms of the current contract with Preston City Council. The appointment of Paul O'Donoghue as Deputy reflected the level of responsibility that he has been assuming. As on site Head of Finance, Mr. O'Donoghue was better able to fulfil the deputising role. Joanna Scott would remain as Section 151 Officer.

In response to questions from the Mayor and Councillor Oades, Councillor Buckley explained that, there will be no adverse financial implications for the Council and Joanna Scott's position as section 151 officer would remain until the forthcoming management review, recently approved by the Cabinet is carried out.

After debate it was RESOLVED:

1. That Paul O'Donoghue be appointed as Deputy Section 151 Officer.
2. That the contract with Preston City Council be amended to reflect that Mr Hayes will continue to provide specialist financial advice to the Council but will no longer be deputy to the section 151 officer.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

24. Standards Committee

Ian Curtis, Head of Governance explained that Mr Roy Male resigned as an independent member of the Standards Committee and that Linda Burn was no longer eligible to be a parish representative on the committee as she had ceased to be a parish councillor. Mr Curtis stated that in view of the impending abolition of the Standards Committee, it is recommended that they not be replaced.

Mr Curtis also explained that the constitution stated that the Mayor may not be a member of Standards Committee. The council therefore needed to appoint a councillor to replace the Mayor on that committee.

Councillor Karen Henshaw recommended that Councillor Tony Ford replace The Mayor as a member of the Standards committee. Councillor Keith Beckett seconded the motion and the Council RESOLVED to:

1. Write to Roy Male and Linda Burn to thank them both for their service as a member of the Standards Committee.
2. Appoint Councillor Tony Ford to replace the Mayor as a member of the Standards Committee.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

Council Meeting



| | |
|----------|--|
| Date | 18 July 2011 |
| Venue | United Reformed Church, St Annes |
| Members | Mayor (Councillor Howard Henshaw ADK (MALAYSIA)) Deputy Mayor (Councillor Kevin Eastham) Brenda Ackers, Ben Aitken, Christine Akeroyd, Frank Andrews, Tim Armit, Tim Ashton, Susan Ashton, Keith Beckett, Julie Brickles, David Chedd, Maxine Chew, Alan Clayton, Peter Collins, Simon Cox, Susanne Cunningham, Leonard Davies, David Donaldson, Charlie Duffy, David Eaves JP, Susan Fazackerley, Trevor Fiddler, Peter Hardy, Kathleen Harper, Paul Hayhurst, Karen Henshaw JP, Paul Hodgson, Ken Hopwood, Angela Jacques, Cheryl Little, Kiran Mulholland, Edward Nash, Linda Nulty, Elizabeth Oades, Albert Pounder, Louis Rigby, Elaine Silverwood, John Singleton JP, Heather Speak, Thomas Threlfall, Viv Willder, Peter Wood |
| Officers | Phil Woodward, Tracy Scholes, Ian Curtis, Annie Womack, Andy Cain, Bernard Judge. |

Prayers

Prayers were offered by the Mayor's Chaplain, Reverend Antony Hodgson.

9. Declarations of interest

Members were reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.

A personal and prejudicial interest in item 10 was declared by Cllr Tim Ashton, who took no further part in the meeting. A personal interest was declared in the same item by the following Councillors:

Brenda Ackers

Albert Pounder

10. Notice of Motion

Following notice given under rule 11 of the Council Procedure Rules, the following Motion was proposed by Cllr Silverwood supported by Councillors

Council meeting -18 July 2011

Chew, J Davies, Duffy, Hayhurst, H Henshaw, Hopwood, Nulty and Oades, and seconded by Cllr Chedd.

“We feel that the disposal of Melton Grove should be debated by the full council to ensure that the right decision is made in the interests of the residents of the Borough.”

Cllr Silverwood requested, under council procedure rule 11.1.3.2, that the motion be dealt with at this meeting, and following a recorded vote the request was carried.

Votes for the request (24): Cllrs Ackers, Andrews, Beckett, Brickles, Chedd, Chew, Clayton, Collins, L Davies, Duffy, Hardy, Harper, Hayhurst, H Henshaw, K Henshaw, Hopwood, Hodgson, Mulholland, Nulty, Oades, Rigby, Silverwood, Speak, Wood.

Votes against the request (17): Cllrs Aitken, Akeroyd, Armit, S Ashton, Cox, Cunningham, Donaldson, Eaves, Fazackerley, Fiddler, Jacques, Little, Nash, Pounder, Singleton, Threlfall, Willder.

Abstentions (1): Cllr Eastham

Cllr Elizabeth Oades proposed an amendment to the motion, seconded by Cllr Linda Nulty which was:

“To fulfil Fylde Borough Council’s intention to encourage a culture of openness and transparency we feel that the processes used in the disposal of the Clifton Lytham Housing Association and the Melton Grove properties, should be scrutinised by the Overview and Scrutiny Committee to ensure that the correct procedures have been followed in the interests of the residents of the Borough. The scrutiny process should take between one and two months, and, if necessary, the Chairman of the committee should be allowed to draw on professional help from outside the council.”

After the debate and a recorded vote the amendment was carried:

Votes for the amendment (41): Cllrs Aitken, Akeroyd, Andrews, Armit, S Ashton, Beckett, Brickles, Chedd, Chew, Clayton, Collins, Cox, Cunningham, L Davies, Donaldson, Duffy, Eastham, Eaves, Fazackerley, Fiddler, Hardy, Harper, Hayhurst, H Henshaw, K Henshaw, Hopwood, Hodgson, Jacques, Little, Mulholland, Nash, Nulty, Oades, Pounder, Rigby, Silverwood, Singleton, Speak, Threlfall, Willder, Wood.

Votes against the amendment (1): Cllr Ackers.

Abstentions (0):

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