



Statement of Community Involvement

Updated: October | 2021

The Statement of Community Involvement (SCI) sets out how and when the County Council will seek your involvement in the planning of Minerals and Waste and County Council developments such as schools and new roads.

Find out more online:
www.worcestershire.gov.uk

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Contents



Foreword	3
Part 1: Introduction	4
Part 2: Minerals and Waste Policy	8
Part 3: Development Management	11
Part 4: Resourcing, implementation, monitoring and other useful information	15
Appendix 1: Profile of Worcestershire	19
Appendix 2: Glossary of Terms	20

Foreword



Your involvement in the planning process is important to us. By influencing planning issues within Worcestershire, you the community can be involved in decisions that affect you and your environment. The purpose of the Statement of Community Involvement (SCI) is to create real opportunities for interested individuals or groups to have a stake in decisions on minerals, waste and County planning matters (such as roads and some schools) within Worcestershire.

The updated SCI replaces the 2015 version, takes account of current planning policy and legislation and clearly sets out how people will be engaged in planning issues which the County Council is responsible for. We want to engage with as many individuals, groups and businesses as possible to ensure that everyone in our community has the opportunity to get involved in the planning process. District Councils cover all other planning functions not described above, including housing and most employment proposals, and each district has an SCI for their area which covers district level planning functions.

Please do let us know your views during our consultations. We will ensure that all planning consultations are carried out openly and transparently, in accordance with the SCI.



A handwritten signature in black ink that reads "Marc Bayliss".

Cllr Marc Bayliss

Cabinet Member with Responsibility for Economy and Skills



Part 1: Introduction

Introduction to the SCI

- 1.1 The Statement of Community Involvement (SCI) sets out how Worcestershire County Council will seek your involvement in the planning of minerals, waste management and Worcestershire County Council developments such as new libraries, schools, roads and railway stations.
- 1.2 All Local Planning Authorities are required by law¹ to prepare a SCI. This SCI is a statement of our policy for involving interested parties in matters relating to development in their area. The SCI sets out how we will involve the local community, businesses and interest groups in the preparation of Local Plan Documents (LPDs)² and in decision-making on planning applications. The National Planning Policy Framework (NPPF) 2019 states that plans “should be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees”³. The NPPF goes further to encourage effective engagement between applicants, communities, Local Planning Authorities and other interests throughout the planning and development process⁴. All LPDs prepared by, and planning applications determined by, Worcestershire County Council must comply with the consultation arrangements set out in this SCI.
- 1.3 The Council's planning functions are as follows:
 - Plan-Making;
 - Decision-Making, e.g. planning applications; and
 - Monitoring / Enforcement of planning permissions.

Reviewing the SCI

- 1.4 This is the second review of the SCI since the Council's original SCI was first adopted in 2006 (the SCI was initially reviewed, and a revised document adopted in 2015). Regulation 10A(1)b of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires that the SCI is reviewed every 5 years.
- 1.5 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) reflect the reforms in the Localism Act 2011 (as amended). Of relevance to the SCI is a simplified process for plan preparation and the recognition of the increased use of electronic communication as a way of notifying and consulting with communities.

1 Under Part 2 (section 18) of the Planning and Compulsory Purchase Act 2004 (as amended)

2 Local Plan Documents (LPDs) are made up of Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs)

3 Ministry of Housing, Communities and Local Government (February 2019) National Planning Policy Framework, paragraph 16

4 Ministry of Housing, Communities and Local Government (February 2019) National Planning Policy Framework, paragraph 124

Scope

- 1.6 This SCI covers the consultation arrangements for Minerals and Waste Local Plan Documents produced by Worcestershire County Council (further detail in part 2). It also covers the consultation procedures for the determination of planning applications and any subsequent enforcement matters, as detailed in part 3.

Links to Relevant Documents

- 1.7 The revised/updated SCI has been prepared in accordance with relevant legislation and Worcestershire County Council's framework for guidance on public consultation.
- 1.8 The Council's priorities for 2017 – 2022 are set out in the Corporate Plan 'Shaping Worcestershire's Future, Our plan for Worcestershire 2017 – 2022'. The Corporate Plan has four key priorities being: Open for Business, Children and Families, the Environment, and Health and Well-being.
- 1.9 The planning department produces a host of non-statutory evidence-based documents not covered by the legislation referred to above, such as technical research papers, strategies such as the Green Infrastructure Strategy and other documents for example the Local Flood Risk Management Plan (LFRMP)⁵. Although not governed by this legislation, consultation on these documents will be carried out within the spirit of this SCI.

Benefits of Consultation

- 1.10 Greater opportunities for community involvement can benefit communities, individuals and organisations by:
- Providing a means for the people of Worcestershire to express their views, such as on the services that they want and that services are provided in the interests of the community;
 - Providing an opportunity to influence the decision-making process and shape the future of Worcestershire;
 - Complementing and supporting the strategic planning process and the delivery of infrastructure development and services across Worcestershire;
 - Providing a greater sense of ownership and accountability for Worcestershire County Council's decision-making;
 - Gaining a better understanding of community needs, improving community cohesion and fostering a sense of inclusion;
 - Time and money efficiencies through quicker decision-making and speedier implementation of schemes and policies;
 - Fostering a better understanding of the way that Worcestershire County Council services (particularly planning) work.
 - Increasing input to problem solving and suggestions of new ideas; and
 - Improving participation in services.

5 Under the Flood and Water Management Act 2010 upper-tier and unitary authorities are delegated as Lead Local Flood Authorities with responsibility for their respective area's Local Flood Risk Management. As part of this role Worcestershire County Council and partners are developing the Worcestershire Local Flood Risk Management Strategy

Vision

- 1.11** The benefits of effective consultation, as set out above, are clear. We will strive to deliver the following vision:
- 1.12** There will be genuine opportunities for all interested members of the community to contribute to the development of minerals and waste planning policy and to influence decisions on planning applications within Worcestershire for minerals, waste management and Worcestershire County Council's own developments.

Principles for Public Involvement

- 1.13** In order to meet the vision and enable future monitoring of the SCI the following principles have been set. We will:
1. Ensure that the purpose of the consultation is clear;
 2. Ensure that consultation will be easily accessible to the whole community;
 3. Engage with communities and stakeholders at the earliest opportunity;
 4. Ensure that consultation methods are appropriate and well managed;
 5. Ensure that consultation is meaningful;
 6. Ensure processes are transparent, accountable and easy to understand; and
 7. Be proactive about consultation and use a range of appropriate methods where these will widen the opportunity to contribute and the depth and breadth of responses.

Involving People – Who Will Be Involved?

- 1.14** The SCI aims to ensure that all interested members of the community have the opportunity to get involved in the consultation process, whether that be responding to a planning application or commenting on a planning policy consultation. By 'community' Worcestershire County Council means everyone who lives within or close to the boundaries of Worcestershire, alongside those people/organisations who work or have an interest in the county but live elsewhere. A profile of this community can be found in Appendix 1 and will be used to inform subsequent consultations as necessary.
- 1.15** The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) set out a list of specific and general consultation bodies, to be involved in the consultation process when preparing LPDs.
- 1.16** Under the Regulations, Worcestershire County Council has to consult with specific consultation bodies which they consider may have an interest in the subject and the general consultation bodies which it considers are appropriate. As well as the 'specific' and 'general' consultation bodies⁶, Worcestershire County Council will also consult "such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations⁷". Details of these bodies are recorded on an electronic database which also includes people/organisations who want to be involved in the process. The electronic database is constantly being updated and amended to include new contacts and to remove those that have become out of date⁸.

6 These are the consultation bodies as defined through the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

7 The Town and Country Planning (Local Planning) (England) Regulations 2012, 18. (2) (c)

8 Further details on how you get your details added to the electronic database and how we use your information can be found via the following links: https://www.worcestershire.gov.uk/info/20014/planning/1156/get_involved_in_planning | <https://www.worcestershire.gov.uk/privacy>

1.17 The Town and Country Planning (Development Management Procedure) (England) Order (DMPO) 2015 (as amended) and The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) set out the statutory consultation bodies for different types of planning applications, the minimum consultation periods and the statutory consultation process for consulting on planning applications.

Inclusiveness

1.18 Through the SCI, Worcestershire County Council aims to provide opportunities for all interested members of the community to be involved in the consultation process. Worcestershire County Council does recognise, that some members of the community or groups have been under-represented in past consultations, these are often termed “seldom heard”. To try to overcome this issue of under representation of “seldom heard” groups, consultations on planning documents will use the Profile of Worcestershire found in Appendix 1 and the Equality Impact Assessment process to assess which groups might potentially be affected by the consultation. They will also establish whether extra consultation is needed for any particular groups, taking account of the relevance and proportionality of the consultation, as well as resource availability.

Role of Councillors

1.19 Councillors play an essential role in the preparation of and final decision-making on local planning policy, as well as approving or refusing significant and/or controversial planning applications. Councillors on the Planning and Regulatory Committee are under a specific duty to determine applications based on material planning considerations. These decisions may or may not accord with the wishes of their communities, depending on whether the community concerns are valid planning issues.



Part 2: Minerals and Waste Policy

Introduction to Minerals and Waste Policy

- 2.1 Worcestershire County Council will prepare a variety of planning documents to guide minerals and waste development across the county. Development proposals will need to demonstrate how they comply with these documents.

National Policy

- 2.2 The National Planning Policy Framework (NPPF) was published in March 2012 and has subsequently been updated in 2018 and 2019. It sets out Government's planning policies for England and how they should be applied when producing Local Plans for housing and other development, which in turn provide the background against which applications for planning permission are decided. National Planning Policy for Waste (NPPW), which sets out the Government's detailed waste planning policies, was published in October 2014. The Planning Practice Guidance (PPG) web-based resource was launched in March 2014. It adds further context to the NPPF and it is intended that the two documents are read together. The NPPF, NPPW and PPG together with associated saved and new technical guidance constitute the Government's planning policies and guidance. These set out the overarching national principles to be used in determining planning applications, and the key principles with which minerals and waste policies must accord.
- 2.3 A crucial element of the minerals and waste policy context as detailed in the PPG and a possible trigger as to whether the Minerals Local Plan needs to be reviewed, is the work undertaken to inform the Managed Aggregate Supply System (MASS). MASS works through national, sub-national and local partners working together to deliver a steady and adequate supply of aggregates. This work requires mineral planning authorities which have adequate resources of aggregates to make an appropriate contribution to national as well as local supply. At a sub-national level to inform this work, Worcestershire County Council is part of the West Midlands Aggregate Working Party. Further details on the purpose of MASS and the role of the Aggregate Working Parties can be found at <https://www.gov.uk/guidance/minerals#planning-for-aggregate-minerals>.
- 2.4 Specific waste policy and guidance is also set out in the National Resources and Waste Strategy published in 2018⁹, and the Waste Management Plan for England¹⁰. In addition to the above national policy, guidance, and strategy there are National Policy Statements (NPSs), which set out the Government's policy in relation to different types of Nationally Significant Infrastructure Projects (NSIP) development. These are used by the Secretary of State as the primary basis for decisions on developments that fall within the NSIP regime, as defined in the Planning Act 2008. They may also be a material consideration in decision-making on applications that fall within Local Authority planning regimes, for example under the Town and Country Planning Act 1990 (as amended). NSIP projects have six set stages: pre-application, acceptance, pre-examination, examination, recommendation and decision, and post decision. As part of the pre-application stage, potential applicants have a statutory duty to carry out consultation on their proposals. As part of the NSIP process, the County Council is a consultee and will seek to comply with the nationally set procedures and timescales.

9 Our Waste, Our Resources: A Strategy for England, Defra, December 2018

10 Waste Management Plan for England, Defra, January 2021

Local Policy

- 2.5 Worcestershire County Council, as the County Planning Authority (CPA) prepares the Development Plan policies for Worcestershire consisting of Minerals and Waste Local Plans. The Minerals Local Plan¹¹ provides planning policies for minerals development, including extraction and processing of minerals and restoration of mineral sites in the county. A separate Mineral Site Allocations Development Plan Document will also be developed to allocate “specific sites” and “preferred areas” for mineral extraction in the county. The Waste Core Strategy Local Plan¹², sets out policies for waste management related development including how much waste is likely to be produced, how much capacity will be needed to manage it and when. It also identifies where new facilities should be located and how the potential impacts of development should be managed.
- 2.6 Alongside Development Plan Documents, the CPA may prepare Supplementary Planning Documents (SPD). SPDs can be site-specific or used to expand upon policy or provide further interpretation of how to apply policies in Development Plan Documents. They must not contain policies which should be included in a Development Plan Document and they are subject to public consultation.
- 2.7 The details of each of the Development Plan Documents that Worcestershire County Council intends to produce, and the programme for doing so, are summarised in the Minerals and Waste Local Development Scheme¹³.

Approach to Consultation

- 2.8 The minimum legal requirements for consultation are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)¹⁴. Where possible, Worcestershire County Council will endeavour to go above and beyond the minimum. The Regulations list the specific and general consultation bodies¹⁵ Worcestershire County Council is required to consult, where appropriate, and also “such residents or other persons carrying on business in the local planning authority’s area from which the Local Planning Authority consider it appropriate to invite representations”. Worcestershire County Council maintains a planning consultation database. General consultees and residents and other interested parties who have registered on the database choose which of a number of project types they wish to receive information about. Specific consultees receive information about all project types¹⁶.
- 2.9 Worcestershire County Council takes a positive approach to all consultations and reviews its practices (if not regulated by law) to allow for changing public needs identified through residents’ and stakeholders’ consultation feedback.
- 2.10 Public bodies are subject to the public sector equality duty under Section 149 of the Equality Act 2010 (as amended). The Government Equalities Office states that this duty “supports good decision-making by ensuring public bodies consider how different people will be affected by their activities, helping them to deliver policies and services which are efficient and effective; accessible to all; and which meet different people’s needs”. Worcestershire County Council corporate guidance recommends undertaking and publishing Screening and/or Equality Impact Assessments (EqIA). The findings from EqIA will be taken into account in determining whether any different / additional consultation methods are required.

11 The County of Hereford and Worcester Minerals Local Plan was adopted in 1997, and only a small number of its policies remain in force after being “saved” by the Secretary of State in 2007. A new Minerals Local Plan for Worcestershire has been developed and was submitted to the Secretary of State for examination in December 2019. Once adopted, the new Minerals Local Plan for Worcestershire will supersede the 1997 plan

12 The Waste Core Strategy Local Plan (November 2012) was developed at a time when changes were taking place to national planning policy, and its name reflects the former Minerals and Waste Development Framework

13 The Minerals and Waste Local Development Scheme can be found at www.worcestershire.gov.uk/lds.

14 Please see the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) for the full list of legal requirements <http://www.legislation.gov.uk/ukxi/2012/767/contents>

15 These are the consultation bodies as defined through the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

16 https://www.worcestershire.gov.uk/info/20014/planning/1156/get_involved_in_planning

2.11 Worcestershire County Council will consult the community and stakeholders during the preparation of Minerals and Waste policy documents. Different methods of consulting may include those listed below.

Consultation Methods:	Details
Emails or letters	Sent to contacts in database registered for the relevant project type
Information sheets	A short description of the issues to be included with the consultation letters
Minerals and Waste webpages	Containing links to all consultation documents
Questionnaires	To be completed online or on paper
Formal public notice	In newspapers across the county
Public events	Designed for residents, Parish Councils and other interested parties
Stakeholder workshops	To inform and to gain feedback from various stakeholders
Member briefing session	Elected members of Worcestershire County Council
Press releases	Information provided to media outlets
Social networking sites and online presence	e.g. Facebook and Twitter
Using existing networks	e.g. Worcestershire Local Nature Partnership, Worcestershire Local Enterprise Partnership

2.12 Information about consultations will be provided at public libraries for people to view, and copies of the consultation documents will also be available to view at County Hall reception or other locations, as agreed. They can also be accessed via the Minerals and Waste pages on the Worcestershire County Council website. Paper copies can be made available on request to the individual, there may be a charge to cover the cost of production and postage.

2.13 Unless special considerations apply, such as advice from a Planning Inspector during the course of an Examination or Public Inquiry, consultation periods will be for a minimum of six weeks. It is our aim that all responses to consultations will be acknowledged. All representations made within the defined consultation period will be considered and the response to each representation will be made clear in a report at the end of each consultation period.

Early Engagement

2.14 Throughout the plan making process, community involvement will remain a constant consideration. In order to develop a sense of ownership, and to effectively influence the direction of policies, Worcestershire County Council will encourage communities to become involved at an early stage. This is because opportunities to influence the direction of a plan diminish as the plan progresses. We would ask that responses are made in a timely manner and within consultation deadlines set. This should help to minimise the risk of protracted arguments and serious objections at later stages, including examination.

Part 3: Development Management



Introduction to Development Management

- 3.1** This section of the SCI sets out the County Council's requirements for strengthening community involvement and participation at the various stages leading up to the determination of planning applications.
- 3.2** Worcestershire County Council's Planning Development Management team is responsible for processing planning applications in the county of Worcestershire for:
- The treating, storing, processing or disposing of waste materials;
 - The winning and working of minerals; and
 - Development to be undertaken by Worcestershire County Council itself, such as new libraries, schools, roads, bridges and railway stations.
- 3.3** All other planning applications are dealt with by the relevant District Councils in Worcestershire.
- 3.4** In the case of the County Council's own development, applications are treated in exactly the same manner as any other planning application. There are strict codes of conduct to ensure probity and integrity in relation to all applications.
- 3.5** Planning applications comprise of a number of stages:
- Pre-application discussions between the applicant and the County Council, however, this is not a public matter;
 - Pre-application public consultation by the applicant, whilst this is not mandatory it is strongly encouraged by the County Council;
 - Submission of the planning application;
 - Publicity and consultation by the County Council on the formal planning application;
 - Determining the application and making the decision available; and
 - Discharging planning conditions where relevant.
- 3.6** Paragraphs 39 to 43 of the NPPF highlights that early engagement has significant potential to improve the efficiency and effectiveness of the planning system for all parties. This includes the community, and encourages applicants to engage with the local community, and where relevant, with statutory and non-statutory consultees, before submitting their applications. The NPPF also details the importance of Local Planning Authorities working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. The production of this SCI, which sets out the planning application process (in particular what is expected of the applicant on pre-application engagement), is one method of doing this.

Pre-Application Discussions

- 3.7 The NPPF makes the following statement regarding pre-application services: “Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications”¹⁷.
- 3.8 Worcestershire County Council encourages all potential applicants to discuss their proposals with the Council and all other relevant statutory and non-statutory bodies before submitting their planning application. In doing so the County Council can offer guidance to the applicant in developing the format and level of detail required and can highlight potential issues. To assist potential applicants with submitting planning applications, the County Council has published a ‘Pre-Application Guidance Document’¹⁸. Please note that the County Council charges for pre-application advice¹⁹.
- 3.9 In accordance with the NPPF and PPG, Worcestershire County Council also encourages all potential applicants to involve the public and community groups at the pre-application stage. Worcestershire County Council considers this engagement can be very constructive; it can avoid misinformation, address fears expressed by the public, and allow suggested changes to be incorporated in the final submitted application. This can make the process of determining the planning application more inclusive and better able to reflect local community concerns.
- 3.10 How the public are involved at this stage will be a matter for the applicant, but where the applicant does carry out public consultation, a statement should be included with the application giving details of how consultation was undertaken and how any issues arising were addressed, as required by the County Council’s Planning Validation Document²⁰. The purpose of the Validation Document is to provide applicants and their agents with guidance on the information and documents required by the County Council to make a valid planning application.

The Planning Application

- 3.11 Once a planning application has been found to be valid, details of the application, including the application form, plans and accompanying documents are placed on the County Council’s website, together with details of the planning application case officer. Alternatively, case officer details can be provided upon request from the Planning Development Management Team via email: DevControlTeam@worcestershire.gov.uk.
- 3.12 Notifications giving links to further information about planning applications are sent to consultees with a request for their comments. The County Council will consult statutory consultees as required by the Town and Country Planning (Development Management Procedure) (England) Order (DMPO) 2015 (as amended) and where relevant the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and may consult other non-statutory consultees depending on the type, nature, scale and location of the proposed development.
- 3.13 Worcestershire County Council is required by law to bring all planning applications to the attention of the public. The Council must accord with the methods of publicity specified in the DMPO 2015 (as amended).

17 Ministry of Housing, Communities and Local Government (February 2019) National Planning Policy Framework, paragraph 40

18 Pre-Application Guidance Document: http://www.worcestershire.gov.uk/info/20251/planning_applications/2023/pre-application_advice

19 Planning Pre-Application Charging Schedule and Advice: http://www.worcestershire.gov.uk/info/20251/planning_applications/2023/pre-application_advice

20 Planning Validation document: www.worcestershire.gov.uk/validdoc

- 3.14 The DMPO 2015 (as amended) requires Worcestershire County Council to use one or more of the following methods of community engagement dependent on the type, nature and scale of the application:
- Public Notice(s) erected at the site;
 - Notification letter to the local Parish Council(s);
 - Advertisement(s) in a local newspaper; and
 - Notification letters to neighbours.
- 3.15 In addition, Worcestershire County Council will publish a copy of the Public Notice or Press Notice on its website, where relevant. Further methods of community engagement which the Council can use to bring planning applications to the attention of the public include, but are not limited to:
- List of planning applications on Worcestershire County Council's website;
 - Media release;
 - Posts on the County Council's social media accounts;
 - Copy of application provided or lent to housebound residents²¹;
 - One to one meeting with selected stakeholders; and
 - Appropriate methods for "seldom heard" groups²².
- 3.16 Consultation on planning applications will only commence once the application has been validated²³. A minimum period of 21 days for non-Environmental Impact Assessment (EIA) and a minimum of 30 days for EIA development will then be allowed for representations to be made. However, in special circumstances, such as over a public holiday, additional time may be allowed. Representations must be submitted in writing either online via the Council's Planning Application website, letter or e-mail and will be recorded and acknowledged. At this stage members of the public who make representations will be asked to indicate if they wish to address the Planning and Regulatory Committee, if given the opportunity when the application is considered.
- 3.17 When someone chooses to make a response to comments on a planning application, we would ask that they are made in timely manner and within the consultation period set. Any comments on planning applications should relate only to material planning considerations, which are matters that should be taken into account in deciding a planning application. Further information about material planning considerations can be found on the Government's PPG²⁴ and the Planning Portal²⁵.
- 3.18 Any material changes to the submitted application may result in a re-notification or re-advertisement of the application. This will include notifying all those members of the public who sent in representations on the original proposals.

21 Please note this may be subject to a charge to reflect production and / or post and packaging costs

22 It is recognised that different methods of consultation as well as careful selection of venues will be needed to engage with people from within these groups. However, whilst recognising the differing needs of these groups, due to resource constraints the aim would be to find common methods of consultation that are appropriate and suitable for everyone

23 Worcestershire County Council has produced a Validation Document http://www.worcestershire.gov.uk/info/20251/planning_applications/1090/planning_validation_document. The purpose of the document is to supply applicants and their agents with guidance on the information required by the County Council to support proposals for development when submitting a planning application

24 The Government's Planning Practice Guidance (PPG) <https://www.gov.uk/guidance/determining-a-planning-application>. This section of the PPG provides information on determining planning applications including what is a material consideration

25 Planning Portal, https://www.planningportal.co.uk/faqs/faq/4/what_are_material_considerations. This provides information on what is a material consideration in the determination of planning applications

Determining the Application and Making the Decision Available

- 3.19** Applications are determined by the Planning and Regulatory Committee, or through powers delegated to Senior Officers, taking account of the representations received.
- 3.20** Information on the dates of Committees is available on Worcestershire County Council's website or you can contact the Planning Development Management Team via email: DevControlTeam@worcestershire.gov.uk.
- 3.21** Any representations from members of the public will be summarised in the Committee or Delegated Officer Report. Redacted letters of representation are available upon request. Committee Reports and agendas are available 5 working days prior to the Committee meeting and will be available on the Council's website²⁶.
- 3.22** A copy of guidance notes on addressing the Committee will be made available on the Council's website, where application documents can be inspected. The person(s) chosen to speak at the Committee meeting shall be selected in accordance with Worcestershire County Council's Scheme of Public Participation²⁷.

Notification of Decision

- 3.23** Copies of the decision notice will be sent to the applicant/agent and statutory consultees and the decision will be available to view on the Worcestershire County Council's website.

Appeals

- 3.24** Where an applicant chooses to appeal against the decision, Worcestershire County Council will notify all those who made representations on the original application and inform them when and where the appeal is to be heard. All appeals are dealt with by the Planning Inspectorate.

Post-Determination

- 3.25** For new, large scale proposals, such as (but not restricted to) mineral and waste management developments, Worcestershire County Council will encourage applicants to set up liaison committees with residents, relevant Parish Councils and local community groups. The purpose of these committees will be to raise awareness of the development's progress and to deal with any issues arising. For minerals and waste management sites where there is considerable public interest in the progress of the development, this could take the form of newsletters or articles in local newspapers and Parish magazines as appropriate.

Monitoring and Enforcement

- 3.26** Worcestershire County Council is responsible for monitoring the planning permissions it has granted and for investigating any complaints about these developments. Worcestershire County Council is responsible for investigating alleged breaches of planning control and unauthorised development and will, if appropriate, take enforcement action against any breaches of planning control. Where negotiation fails to resolve a breach of planning control or where a retrospective application would be inappropriate or is refused, Worcestershire County Council will consider whether to take formal enforcement action. Worcestershire County Council can serve legal notices to stop breaches of planning control, require unauthorised breaches of planning control to cease and require the removal of structures or buildings that do not have planning permission. Further details can be found in the Worcestershire County Council's Enforcement Plan²⁸.

²⁶ Planning and Regulatory Committee meeting dates, agendas and minutes: <https://worcestershire.moderngov.co.uk/mgCommitteeDetails.aspx?ID=128>

²⁷ Worcestershire County Council's Scheme of Public Participation: <https://worcestershire.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13451&path=0>

²⁸ Worcestershire County Council's Enforcement Plan:

Part 4: Resourcing, implementation, monitoring and other useful information



Resourcing and Timing of Community Involvement

- 4.1 Community involvement required as part of the preparation of planning policy documents will be funded from the existing planning budget, as this is a core part of the plan-making process. Local Plans and supporting documents will be prepared in accordance with the timetable set out in the Minerals and Waste Development Scheme.
- 4.2 When undertaking consultations, staff within the Planning Department will be responsible for undertaking the majority of work that is associated with community involvement, with assistance sought from other Worcestershire County Council departments as appropriate. It may be necessary to use consultants for some of this work and the budgetary implications for this will need to be taken into account.
- 4.3 To save money and to prevent people being inundated with requests to attend multiple consultation events, the Council will establish whether any other consultations are being run at the same time. Where appropriate, the Council will seek to maximise efficiency by making the best use of resources to satisfy multiple consultation requirements.
- 4.4 The cost of pre-application consultation and public engagement activities is the responsibility of the applicant. The costs of processing and consulting on planning applications are covered by planning application fees and existing planning budgets.

Charging for Information

- 4.5 Charging for planning documents, planning histories, committee reports, decision notices, copying of plans, etc. could exclude some members of the community from gaining information on issues that may affect them. For this reason, Worcestershire County Council will try to send all requested information electronically, free of charge. Where this is not an option, paper copies will be sent, with Worcestershire County Council reserving the right to charge to cover the cost of the document production and/or copying of information and posting.

Reviewing and Monitoring

- 4.6 The effectiveness of the SCI to meeting its principles as stated under paragraph 1.13 will be monitored through Authority Monitoring Reports (AMR), as appropriate.
- 4.7 The SCI will be reviewed every 5 years as required by regulation 10A(1)b of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Should the AMR demonstrate a continuing failure to meet the SCI principles an earlier review of the SCI may be required.

https://www.worcestershire.gov.uk/info/20681/planning_monitoring_and_enforcement/2019/planning_enforcement_plan

Electronic Communications

- 4.8 Providing information electronically can benefit both Worcestershire County Council and the public. It can reduce staff time that is spent dealing with requests for planning information and the printing and distributing of this information. Availability of information online also allows people to access the information they want immediately. However, not everybody has access to the internet, so Worcestershire County Council will continue to provide information in other formats on request subject to a charge to cover the cost of production and post and packaging.
- 4.9 Worcestershire County Council will make all Mineral and Waste Local Plans and associated documents available on its website.
- 4.10 The Planning Development Management team makes valid planning applications and their associated documents available on Worcestershire County Council's website. Once the application has been determined, copies of the planning decision are also made available online. Applicants are able to submit their planning applications and associated documents online via the Planning Portal www.planningportal.gov.uk, with the exception of planning applications for minerals development.

Neighbourhood Plans

- 4.11 Under the Localism Act 2011 (as amended), communities may draw up Neighbourhood Plans, which should be in conformity with Local Plans. Neighbourhood planning gives communities the power to shape, direct, and help to deliver sustainable development. Neighbourhood plans have to be in general conformity with strategic policies contained in the Development Plan that covers their area – this includes Minerals and Waste Local Plans prepared by Worcestershire County Council, as well as those plans prepared by the Local Planning Authorities. Worcestershire County Council has a role to play in supporting neighbourhood planning groups in shaping their plans by providing comments on any significant potential impacts on our services.
- 4.12 These plans allow communities to say where they want new houses, businesses and shops to go, and what they should look like. This is achieved through establishing general planning policies for the development and use of land in their neighbourhood (as designated). Although Worcestershire County Council has no statutory duty in terms of the preparation of Neighbourhood Plans, it does hold information on transport policy and asset maintenance regimes, education, ecology, archaeology and health care, as well as information contained within the Minerals and Waste Local Plans which may be of assistance to communities when preparing their plans. When requested, Worcestershire County Council will do its utmost to provide this information to the relevant groups. Communities can also gain assistance and advice from Planning Aid, which offers support to communities in preparing their Neighbourhood Plans.

Legal Duties

- 4.13 Whilst carrying out future consultations Worcestershire County Council will take account of Council policy and all relevant legislation and guidance including the Equalities Act 2010 (as amended), the Freedom of Information Act 2000 (as amended), the Data Protection Act 2018 (as amended) and the Localism Act 2011 (as amended).

Data Protection Act (2018)

- 4.14 When carrying out a consultation and contacting people who may wish to be involved in the process, Worcestershire County Council has to abide by the Data Protection Act 2018 (as amended). The Act gives individuals the right to know what information an organisation holds about them and for what purpose or purposes. It imposes legally binding obligations on everyone who collects and processes personal information to ensure that the information is used for one or more lawful purposes with the individual's consent. The Council is a "Controller" for data protection legislation purposes, including the General Data Protection Regulation (GDPR).

- 4.15** The GDPR is a legal framework that sets guidelines for the collection and processing of personal information from individuals. The GDPR has seven principles that need to be abided by when handling personal data, they are lawfulness, fairness and transparency; purpose limitation; data minimisation; accuracy; storage limitation; integrity and confidentiality (security); and accountability.
- 4.16** Please note consultation comments and representations should be considered to be in the public domain once submitted, although personal information will be redacted. The issues raised will be published as soon as practicable. More information about how the Worcestershire County Council will handle your personal data in our full Privacy Notice and service specific Privacy Notices: www.worcestershire.gov.uk/privacy. Hard copies of this can also be provided on request.

Publication Scheme

- 4.17** Worcestershire County Council's 'Publication Scheme' provides details of planning documents that can be readily inspected by the community. The Publication Scheme guide²⁹ sets out what information is available, how it can be accessed and whether there are any charges for viewing it. We maintain the Publication Scheme as part of our obligations under the Freedom of Information Act 2000 (as amended).

Equalities Act (2010)

- 4.18** There are clear obligations and responsibilities on Local Authorities to promote equality and recognise the needs of all sections of their community. Whilst carrying out consultations we are responsible for ensuring that we abide with the Equalities Act 2010 (as amended). The purpose of this Act is to ensure that public authorities integrate considerations of equality and good relations for all, whilst carrying out their day-to-day activities.

Equality Impact Assessments

- 4.19** In line with Worcestershire County Council's corporate guidance, an Equality Impact Assessment (EqIA) will be developed where appropriate to determine and quantify the impact on service users and Worcestershire residents who share one or more of the relevant "protected characteristics"³⁰. It will also provide the opportunity to identify actions which could potentially be taken to improve outcomes for Protected Groups³¹. The EqIA, together with the responses to the associated consultation, will improve understanding of the likely impact of the proposals on the community. Where the EqIA identifies potential inequality, opportunities will be sought to make positive changes to reduce the likelihood of possible unlawful discrimination which might otherwise result from the implementation of the proposal. Thought is given to how to make consultation events as inclusive as possible by removing barriers that prevent people from taking part and providing opportunities for involvement to all who wish to be to be involved in the process. This could include, for example, ensuring that event venues are accessible to all and/or have facilities for disabled users, and that any displays are positioned in accessible locations.

²⁹ http://www.worcestershire.gov.uk/directory/26/publication_scheme

³⁰ "Protected characteristics" are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief (including lack of belief), sex, sexual orientation

³¹ Protected groups cover age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity

Freedom of Information Act

4.20 Under the Freedom of Information Act 2000 (as amended) and Environmental Information Regulations, members of the public have a general right of access to a range of information held by the Council. Details of information held by the Council are available through Worcestershire County Council's publication scheme³². We aim to make as much information as possible available via the Worcestershire County Council website. If you cannot find the information you want, either on the website or through the publication scheme, you have a right to request to view information held by Worcestershire County Council.

Duty to Cooperate

4.21 Section 110 of the Localism Act 2011 (as amended) added a duty to co-operate through a new Section 33A of the Planning and Compulsory Purchase Act 2004. The duty calls upon those involved in the preparation of Local Plans to demonstrate constructive cooperation with 'prescribed' bodies in the formation of their plans regarding strategic cross-boundary matters. As part of the Duty to Co-operate Worcestershire County Council will need to consult with other Local Authorities and other bodies both within and outside the Worcestershire county boundary in order to address strategic matters, including significant cross-boundary movements of minerals or waste.

Further Guidance

4.22 The Planning Portal is the Government's website that offers guidance on the planning system. It can be accessed at www.planningportal.gov.uk.

4.23 In March 2014, the Ministry for Housing for Communities and Local Government (MHCLG) launched the Planning Practice Guidance (PPG) web-based resource. The purpose of the web-based resource is to bring together planning practice guidance for England in an accessible and usable way. The PPG includes guidance relating to the planning application process, which can be viewed via the following link <http://planningguidance.planningportal.gov.uk>.

32 The publication scheme sets out what information Worcestershire County Council makes routinely available to the public as part of our obligations under the Freedom of Information Act. It sets out how it can be accessed and whether there are any charges for viewing it. The publication scheme can be accessed on the County Council's web pages

Appendix 1: Profile of Worcestershire



The 2019 Office for National Statistics (ONS) mid-year estimates recorded the following key facts:

- 595,786 people were living in Worcestershire in June 2019.
- 73.6% of people in Worcestershire are estimated to be living in urban areas with the remaining 26.4% in rural areas.
- 57.2% of the population in the county are aged 18-64, children (0-17) made up 20.0% of all residents, whilst 22.8% are in the 65-plus age group.
- 39.1% of residents aged 16-74 are employed full time, slightly below the national average for England of 43.5%.

The 2011 census recorded:

- 16.6% of households in the county have no car or van, lower than the national average, which is just over a quarter of all households.
- Ethnic minorities (all ethnicities not White-British) contribute 7.6% of the population in Worcestershire, with 0.9% of people from an Asian Pakistani background.
- 92.4% of people in Worcestershire are White British, 0.6% White Irish, 0.2% White Gypsy or Irish Traveller, whilst
- 2.6% of people defined as White Other.
- 67.5% of people in Worcestershire state their religion as Christian and 1.3% are Muslim. 23.3% say they have no religion.
- The longest established minority group is the travelling community.

The county of Worcestershire is made up of the following six districts: Bromsgrove, Malvern Hills, Redditch, Worcester City, Wychavon, and Wyre Forest. Out of the six districts:

- Worcester City has the highest proportion of young adults (aged 16-24) in full time education (22.9%), whilst Malvern Hills and Wyre Forest have the lowest proportion of young adults in full time education, each with less than 15%.
- Redditch has the highest proportion of children aged 0-17 (22.2%) whilst Malvern Hills, Wychavon and Wyre Forest all have low proportions, at less than 20%.
- Malvern Hills has the highest proportion of people aged 65-plus in the county. 24.1% of Malvern Hills residents are aged 65 and over. The lowest proportion of people aged 65-plus is in Redditch (14.1%).
- The proportion of White Other people in the county is largest in Redditch at 3.9%, whilst Worcester City and Wychavon also have proportions above 3%. Redditch has the largest proportion of Asian Pakistani population in the county (3.1) while Worcester City (1.9%) has the second largest.
- 3.4% of the population in Redditch and 2.9% in Worcester City are Muslim.



Appendix 2: Glossary of Terms

Authority Monitoring Report (AMR)

The Authority Monitoring Report assesses the implementation of the Local Development Scheme and the extent to which policies in Local Plan Documents are being successfully implemented.

View the AMR at www.worcestershire.gov.uk/amr.

Committees

Along with delegated powers (see below), Worcestershire County Council's planning function is exercised through its Planning and Regulatory Committee which usually meets at six-weekly intervals approximately, usually with a break over the school summer holiday. Applications for major proposals on which objections have been made are determined by this Committee.

Development Management

The process whereby a Local Planning Authority manages, shapes, and considers the merits of a planning application and whether it should be given permission.

Delegated Powers

A power conferred to designated planning officers from the Planning and Regulatory Committee so that officers may take decisions on behalf of the Council upon specified planning matters.

Development Plan

The set of planning policies covering a particular area included in one or more Local Plans and Neighbourhood Plans. Within two-tier areas, the Development Plan includes policies adopted by the city, borough, district and county councils.

Development Plan Document (DPD)

Development Plan Documents set out the plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. Sometimes known as 'Local Plans', these are described in law as the Development Plan Documents adopted under the Planning and Compulsory Purchase Act 2004 (as amended). A Development Plan Document can consist of either strategic or non-strategic policies, or a combination of the two.

Environmental Impact Assessment (EIA)

A procedure whereby a developer describes the likely significant effects on the environment and the mitigation measures associated with their development proposal.

Equality Impact Assessment (EqIA)

Equality Impact Assessment is a process designed to ensure that a policy, project or scheme does not discriminate against any disadvantaged or vulnerable people.

Examination in Public (EiP)

This is designed to test the soundness of local plan documents. Examinations in public are chaired by independent Planning Inspectors from the Planning Inspectorate, on behalf of the Secretary of State.

General Consultation Bodies

Consultation bodies specified in the Town and Country Planning (Local Development) (England) Regulations 2012 (as amended) that Worcestershire County Council will consult with if considered appropriate (as opposed to the Regulations' "specific consultation bodies" which must be consulted).

Habitats Regulation Assessment (HRA)

The assessment of the impacts of implementing a plan or policy on international protected sites for nature conservation (Special Areas of Conservation, Special Protection Areas or candidate versions of these).

Local Development Scheme (LDS)

A public statement of a local authority's programme for the production of Local Plan Documents.

Local Plan Documents (LPD)

The collective term for Development Plan Documents and Supplementary Planning Documents.

Minerals Local Plan (MLP)

Sets out the long-term spatial vision for the local planning authority area and the strategic policies and proposals to deliver that vision. It also sets out the scale and preferred location of minerals extraction in the authority area.

National Planning Policy Framework (NPPF)

This was first adopted in March 2012 and updated in 2018 and 2019 replacing previous national planning policy, formerly enshrined in a series of planning policy statements and guidance notes. The Framework sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Policy for Waste (NPPW)

This was adopted in October 2014 and sets out the Government's planning policies for waste.

Neighbourhood Plan

Plans produced by Parish or Town Councils or other designated neighbourhood forum, outlining how they envisage their area developing in the future. Neighbourhood Plans should be in general conformity with the strategic policies contained in any Development Plan that covers their area. When legally adopted, Neighbourhood Plans become part of the statutory Development Plan.

Planning Inspectorate (PINS)

A Government agency that holds inquiries into planning and enforcement appeals and examines Development Plan Documents. It also deals with a wide variety of other planning-related casework, including listed building consent appeals, advertisement appeals and planning applications.

Planning Practice Guidance (PPG)

The Government's web-based planning practice guidance which supplements the NPPF. The PPG brings together planning practice guidance for England in an accessible and usable way.

Public Consultation

A process in which the public is invited to comment on a proposal (planning application or planning policy document) that can be held/hosted by either a planning authority or developer.

Public Inquiry

Hearings held by the Planning Inspectorate on matters such as planning appeals and disputes.

Seldom Heard Groups

Seldom-heard groups' refers to people who have in the past been, under-represented during the consultation process.

Soundness

Local Plans must be found 'sound' at examination in public in order to be adopted. This means that the document conforms with national planning policy, has clear mechanisms for implementation, is founded on a robust and credible evidence base, has taken proper account of the views of the community, and has been prepared following the proper procedures. The tests of 'soundness' are set in the National Planning Policy Framework.

Specific Consultation Bodies

Consultation bodies specified in the Town and Country Planning (Local Development) (England) Regulations 2012 (as amended) that Worcestershire County Council must consult with (as opposed to the Regulations' "general consultation bodies" which will be consulted with if considered appropriate).

Statement of Community Involvement (SCI)

Sets out the standards which authorities will achieve with regard to involving local communities in the preparation of Local Plan Documents and development control decisions.

Strategic Environmental Assessment (SEA)

SEA is a systematic decision support process, aiming to ensure that significant environmental effects are considered effectively in policy, plan and programme making.

Supplementary Planning Document (SPD)

SPDs explain how policies in the Local Development Plan Documents will be implemented. They do not form part of the Development Plan and cannot allocate land but are material considerations when determining relevant planning applications.

Sustainability Appraisal (SA)

Sustainability Appraisal is a systematic process to appraise the social, environmental and economic effects of the strategies and policies in a Local Development Plan Document.

Waste Core Strategy (WCS)

Sets out the long-term spatial vision for the local planning authority area and the strategic policies and proposals to deliver that vision. It also sets out the scale and preferred locations for waste facilities in the authority area.

Please contact us if you need this document in another format, or if you have any questions.

Phone: **01905 766374**

Email: **minerals@worcestershire.gov.uk**

Write to: **Minerals and Waste Planning Policy
Worcestershire County Council
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