



Cabinet Agenda

Wyre Borough Council
Date of Publication: 13 April 2021
Please ask for : Duncan Jowitt
Democratic Services Officer
Tel: 01253 887608

Cabinet meeting on Wednesday, 21 April 2021 at 5.00 pm Remote Access via Webex

Members of the public will be able to view the meeting via the Council's YouTube page (<https://www.youtube.com/WyreCouncil>).

1. **Apologies for absence**

2. **Declarations of interest**

Members will disclose any pecuniary and any other significant interests they may have in relation to the matters to be considered at this meeting.

3. **Confirmation of minutes**

(Pages 3 - 4)

To confirm as a correct record the minutes of the previous meeting of Cabinet.

4. **Public questions**

To receive and respond to any questions from members of the public.

Public questions for Cabinet may be submitted at any time by writing to Democratic Services or via email democratic.services@wyre.gov.uk.

Public questions for this meeting must be received by noon on the Thursday before the meeting is held and do not need to specifically relate to items on this agenda. Questioners should provide their name and address and indicate to which Cabinet member the question is to be directed.

The total period of time allocated for public questions will not normally exceed 30 minutes.

5. **Wyre Borough Statement of Community Involvement**

(Pages 5 - 36)

Report of the Planning and Economic Development Portfolio Holder and Corporate Director Communities.

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Cabinet Minutes

The minutes of the Cabinet meeting of Wyre Borough Council held on Wednesday, 24 March 2021 - Virtual via Webex.

Cabinet members present:

Councillor David Henderson, Leader of the Council
Councillor Alan Vincent, Deputy Leader and Resources Portfolio Holder
Councillor Roger Berry, Neighbourhood Services and Community Safety Portfolio Holder
Councillor Lynne Bowen, Leisure, Health and Community Engagement Portfolio Holder
Councillor Simon Bridge JP, Street Scene, Parks and Open Spaces Portfolio Holder
Councillor Michael Vincent, Planning and Economic Development Portfolio Holder

Apologies for absence:

None

Other councillors present:

Councillor Peter Le Marinel

Officers present:

Garry Payne, Chief Executive
Mark Billington, Corporate Director Environment
Marianne Hesketh, Corporate Director Communities
Duncan Jowitt, Democratic Services Officer
Marianne Unwin, Assistant Democratic Services Officer

No members of the public or press attended the meeting.

CAB.27 Declarations of interest

None.

CAB.28 Confirmation of minutes

The minutes of the Cabinet meeting held on 17 February 2021 were approved as a correct record.

CAB.29 Public questions

None

CAB.30 Treasury Management Policy Statement & Practices, Treasury Management & Annual Investment Strategy, Minimum Revenue Provision Policy Statement & Capital Strategy (annual report)

The Resources Portfolio Holder and Corporate Director of Resources and Section 151 Officer submitted a report setting out the policies and objectives of the council in respect of Treasury Management activities, to explain how the council seeks to achieve the objectives and manage and control the activities for 2021/22, which includes the Capital Strategy.

Decisions

Cabinet agreed to:

- recommend to Council that the Treasury Management Policy Statement 2021/22 (Appendix 1 of the report) be approved and formally adopted.
- approve the revised Treasury Management Practices 2021/22 (Appendix 2 of the report).
- recommend to Council that the Treasury Management and Annual Investment Strategy 2021/22 (Appendix 3 of the report) be approved.
- recommend to Council that the MRP Policy Statement 2021/22 (Appendix 4 of the report) be approved and formally adopted.
- recommend to Council that the Capital Strategy 2021/22 (Appendix 5 of the report) be approved.

The meeting started at 5.01 pm and finished at 5.04 pm.

Date of Publication: 24 March 2021

Options considered but rejected

Any alternative options that were considered but rejected, in addition to the reasons for the recommendations that were made, are included in the full reports.

When will these decisions be implemented?

All decisions will be put into effect five working days from the date of publication, unless a decision is “called-in” by any four members of the council within that period.



Report of:	Meeting	Date
Councillor Michael Vincent, Planning and Economic Development Portfolio Holder and Marianne Hesketh, Corporate Director Communities	Cabinet	21 April 2021

Wyre Borough Council Statement of Community Involvement

1. Purpose of report

- 1.1 To seek approval of the Statement of Community Involvement for public consultation and subsequent adoption.

2. Outcomes

- 2.1 An adopted Statement of Community Involvement will set out how the council will consult all sections of the community in the planning process.

3. Recommendations

- 3.1 That the Statement of Community Involvement be approved for public consultation.
- 3.2 That the Head of Planning Services be authorised to make amendments and corrections to the Statement of Community Involvement as a result of the public consultation for consideration by the Portfolio Holder for Planning and Economic Development.
- 3.3 That adoption decision is determined by the Portfolio Holder for Planning and Economic Development and powers be delegated to the Head of Planning Services to make minor editorial amendments and corrections if necessary to any adopted Statement of Community Involvement to reflect amendments to planning legislation and changing circumstances within the planning system.

4. Background

- 4.1 The Statement of Community Involvement sets out how Wyre Council intends to involve all sections of the community in the planning process through the preparation of planning policy documents such as the Local Plan and during the consideration of planning applications.
- 4.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) require the council to prepare and update a Statement of Community Involvement (SCI) every five years. The current SCI is out of date and a revised and updated SCI has been prepared (Appendix 1).

5. Key issues and proposals

- 5.1 The SCI is a document which is concerned with the process rather than the policy. The key issue to be considered is whether the SCI document sets out an adequate framework for consulting and engaging with the community in the planning process.
- 5.2 The actions set out within the document represent the minimum consultation requirements that are specified within relevant regulations and guidance for the planning process. Additional consultation activity may be considered to be necessary depending on the scale and impact of what is being consulted upon to ensure that a comprehensive public consultation has been undertaken. This may include targeted consultation where the proposal is specific to an area or theme.
- 5.3 There is no requirement for the SCI to be subject to public consultation before it is adopted by the council. However it is considered best practice to seek the communities' views on how they will be consulted on the planning process. A four week public consultation is therefore proposed.
- 5.4 Representations received during the consultation will be considered and where appropriate, the SCI will be amended and corrected prior to adoption.
- 5.5 There may be from time to time the need to make minor editorial amendments and corrections to the SCI to ensure that it reflects changes in planning legislation and changing circumstances within the planning system. This could for example include a technical amendment to the planning regulations or temporary emergency planning measures related to the Covid-19 pandemic. Where the revisions may alter the principles and engagement techniques, it may be appropriate to undertake a review and carry out further proportionate public consultations on the proposed revisions.

Financial and legal implications	
Finance	The cost of the consultation will be met from the existing Local Plan revenue budget.

Legal	Section 18 of the Planning and Compulsory Purchase Act 2004 provides that a local planning authority must prepare a statement of community involvement and regulations require five yearly review. On adoption, a statement of community involvement is a local development document.
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Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Fiona Riley	01253 887235	fiona.riley@wyre.gov.uk	17/03/21

List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

Appendix 1 Wyre Borough Council Statement of Community Involvement

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Wyre Council

**Statement of Community Involvement
Consultation Draft
April 2021**

Wyre Council
Statement of Community Involvement – Consultation Draft

Version Control	Date	Version / Amendment
0.1	March 2021	Consultation Draft Prepared

For further information, please contact:

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Contents

1. Introduction	3
What is a Statement of Community Involvement	3
Coronavirus Pandemic Temporary Amendments	4
Consultation on the Statement of Community Involvement	4
2. Local Plan – Community Engagement and Consultation Requirements	5
Local Plan Consultation Stages	5
Duty to Co-operate	5
Consultees and Stakeholders	6
Consultation Methods.....	7
Submission to the Secretary of State for Examination.....	10
Reporting Back.....	10
3. Community Engagement and Consultation – Planning Applications	11
Permitted Development Enquires.....	11
Pre-application advice	11
Planning Application Consultation.....	13
How to comment on Planning Applications	14
Consultation on Amendments	15
Decision Making	15
Post-application Consultation.....	15
Enforcement Issues.....	16
4. Community Involvement on Other Planning Documents	17
Supplementary Planning Documents.....	17
Neighbourhood Plans.....	19
Masterplans	21
Housing Implementation Strategy	21
5. Review of the Statement of Community Involvement	23
Appendix A: Key Consultation Bodies (Local Plan Process)	24
Appendix B: Local Libraries and Deposit Location	27

1. Introduction

What is a Statement of Community Involvement

- 1.1 This Statement of Community Involvement (SCI) sets out how Wyre Council (“the council”) intends to involve all sections of the community in the planning process. This currently consist of:
- The partial review of the Wyre Local Plan;
 - The preparation of Supplementary Planning Documents (SPDs);
 - Consultations with regard to Neighbourhood Planning, where the council have a role to consult, such as when a Neighbourhood Plan has been submitted to the council for examination, including a referendum;
 - The preparation of masterplans;
 - The Housing Implementation Strategy (HIS); and
 - The procedure by which the council publicises and consults on planning applications.
- 1.2 This SCI outlines how the council will meet the minimum requirements that are specified within relevant regulations and guidance for the planning process. Our aims are to provide the community:
- With access to information and a clear understand of how the council will involve communities in a timely and accessible manner and use suitable consultation methods that are appropriate to the stage of the process;
 - The opportunity to contribute ideas and take an active part in developing proposals and options;
 - The opportunity to be consulted and make representations on formal proposals;
 - The opportunity to be informed about progress and outcomes to understand how the results of the community involvement will be fed into Local Plan making; and
 - The council’s approach for community involvement on planning applications.
- 1.3 The actions set out within this document represent the minimum requirement in relation to community involvement in the planning process. We may however undertake additional consultation activities if it is considered to be necessary depending on the scale and impact of what is being consulted upon to ensure

that a comprehensive public consultation has been undertaken. This may include targeted consultation where the proposal is specific to an area or theme.

Coronavirus Pandemic Temporary Amendments

- 1.4 Due to the unprecedented times during Covid-19 pandemic, The Town and Country Planning (Local Planning, Development Management Procedure, Listed Buildings etc.) (England) (Coronavirus) (Amendment) Regulations 2020 have brought in temporary amendments that affect how engagement and consultation will be undertaken for plan making and in determining planning applications. The SCI will be subsequently updated to remove reference to the temporary measures when they are no longer in force.
- 1.5 The current Covid-19 restrictions outlined have been made to protect the health of the communities and to follow national advice and guidelines.

Consultation on the Statement of Community Involvement

- 1.6 The Town and County Planning (Local Planning) (England) Regulations 2012 (as amended) require the council to prepare and update the SCI every five years. To aid the time taken and reflect the reduced formality of the SCI, there is no longer a requirement for the draft SCI to be subject to public consultation and independent examination. However, the council consider it important to seek the communities' views on how they will be consulted on the planning process.
- 1.7 This draft SCI will undergo a four week public consultation between **xxxx** and **xxxxx**. The representations received during the consultation will be considered and where appropriate, will be used to update and finalise the SCI before adoption by the council.
- 1.8 Following the adoption of the SCI, it may be appropriate for the council to make necessary revisions to the document to reflect changes in legislation and regulations that have occurred. Where the revisions may alter the principles and engagement techniques, the council may consider it appropriate to undertake further proportionate public consultation on the proposed revisions.
- 1.9 For further information on this document, please contact the council:

In writing: Planning Policy
 Wyre Council
 Civic Centre
 Breck Road
 Poulton-le-Fylde
 FY6 7PU

Email: planning.policy@wyre.gov.uk

Telephone: 01253 871000

2. Local Plan – Community Engagement and Consultation Requirements

Local Plan Consultation Stages

2.1 The legal requirement for community engagement and consultation on Local Plan making is currently set out in The Town and Country Planning (Local Planning) (England) Regulations 2012. The 2012 regulations include basic requirement about who the council should consult, and how and when in the planning process. They also include a requirement to make documents available at the council's principal office during set consultation periods and notify identified statutory bodies and organisations of the consultation. There are two key stages of plan making:

- **Preparation of the Local Plan (Regulation 18):**

This stage is an opportunity for public participation on the emerging Local Plan. This consultation period typically lasts for six weeks and requires the council to consult with specific and general consultation bodies alongside residents and businesses it considers appropriate.

- **Publication of the Local Plan (Regulation 19):**

This is the final opportunity for public participation on the Local Plan, prior to its submission to the Secretary of State for examination. Representations are only invited on the soundness of the Local Plan and whether it is considered to be legally compliant with the council's Local Development Scheme (LDS), the SCI and whether it has been prepared in accordance with the 2012 Regulations. This consultation period typically lasts for six weeks and requires the local planning authority to consult with the same consultation bodies that were consulted during the previous Regulation 18 consultation, alongside residents and businesses it considers appropriate.

2.2 The key consultees and stakeholders that the council intend to engage with during regulation 18 and 19 consultation stages are set out in [table 1](#).

2.3 Please note: Due to Covid-19 restrictions, owing to the closure of libraries and public restrictions at the principal council office (Civic Centre), the council cannot publicise consultations in the normal deposit locations. Hard copy documents can be made available upon request, subject to a nominal charge and will be provided as soon as reasonable practicable.

Duty to Co-operate

2.4 It is important that the Local Plan is prepared taking into account all other relevant strategies and plans that may affect the borough. The duty to co-operate was introduced in the Localism Act 2011 and places a legal duty on local planning authorities to engage constructively and actively and to address strategic cross-boundary matters in preparing Local Plans. The public bodies that this 'duty to cooperate' relates to are prescribed in regulation 4(1) of the

Town and Country Planning (Local Planning) (England) Regulations 2012. The full list of bodies that relate to Wyre are provided in [appendix A](#). The duty to cooperate is not a duty to agree but rather to engage in a meaningful and substantive way in respect of cross boundary issues.

- 2.5 In engaging with duty to cooperate bodies, the councils approach will be to:
- Offer ongoing, constructive and meaningful engagement and collaboration in the preparation of the Local Plan and in particular on cross-boundary and strategic matters;
 - Where appropriate, explore and consider opportunities for joint working and collaboration on the production of a shared evidence base; and
 - Maintain and update a record of the council's engagement with duty to cooperate bodies.

Consultees and Stakeholders

- 2.6 The Government requires the council to consult with “specific” consultation bodies and a range of voluntary, community, special interest, and amenity and business interests, referred to as “general consultation bodies”. The list of both these groups as they apply to Wyre in the Local Plan process can be found at [appendix A](#).
- 2.7 In addition to the specific and general consultation bodies, the council is committed to consulting with the local community in its broadest sense. There is no definitive list of the composition of the local community and who should and should not be consulted. The council suggests that the following comprise the key elements of the community:
- Members of the public;
 - Business and commerce;
 - Interest and action groups;
 - Voluntary, Community and Faith Sector;
 - Residents' associations; and
 - Developers, agents and landowners.
- 2.8 The planning policy team within the council maintains a Local Plan consultation database of individuals and organisations that have expressed an interest in being directly notified via email alerts¹ regarding Local Plan consultations and planning policy matters. Further information on how to register your details on the consultation database can be found at www.wyre.gov.uk where you can also update or unregister your contact details at any time.

¹ Unless they have expressly requested notification in writing.

- 2.9 Where it is appropriate, for instance where the consultation relates to a specific topic or geographical area, the council may concentrate a consultation on particular interest or focus group.

Consultation Methods

- 2.10 To enable effective and inclusive community involvement to be achieved, the council recognises that different methods and approaches will be required for particular types of document and at varying stages. The potential consultation methods intended to be used to undertake engagement and public consultation include:

- **Email alerts and written notifications:** formal notifications will be sent specific (including Duty to Cooperate bodies) and general consultees as listed in [appendix A](#) as appropriate. Individuals and organisations registered on the Local Plan consultation database will also be included. This method will be completed via email alerts unless they have expressly requested notification in writing.
- **Documents available for inspection:** All consultation documents and such supporting documents as in the opinion of the council are relevant to the consultation stage will be made available for inspection at the main Wyre Council Offices at the Civic Centre, Poulton-le-Fylde and at all local libraries throughout the borough² as listed in [appendix B](#).

Please note: Due to Covid-19 restrictions, owing to the closure of libraries and public restrictions at the Civic Centre, the council cannot publicise consultations in the normal deposit locations. Hard copies documents can be made available upon request, subject to a nominal charge and will be provided as soon as reasonable practicable.

- **Wyre Council Website:** All consultation documents and supporting document will be available to view and download from the council website. Details will also be available of when and where documents can be inspected.
- **Meetings with stakeholders:** meetings with stakeholders will take place where appropriate with specific and duty to co-operate consultees. The use of online meeting platforms may also be used as well as face to face meetings.

Please note: Due to Covid-19 restrictions, no face to face meetings will be possible and all meetings will take place via online meeting platforms.

² May not be appropriate for a neighbourhood plan that applies to a specific area only. Opportunities for a local community venue, such as a community centre would be explored instead.

2.11 The consultation methods that the council intend to use to undertake consultation during regulation 18 and 19 consultation stages are set out in [table 1](#) below.

Table 1: Local Plan Consultation Framework

Town and Country Planning (Local Planning) (England) Regulations 2012	Consultee and stakeholders	Consultation Methods
Preparation of a Local Plan (Regulation 18)	<p>Formal public consultation period on the emerging Local Plan will last six weeks and will involve the following groups:</p> <ul style="list-style-type: none"> • Specific consultation bodies • General consultees • Duty to Cooperate bodies • Individuals and organisations registered on the Local Plan consultation database • General public and businesses in the borough 	<p>The council will use the following consultation methods to engage and consult:</p> <ul style="list-style-type: none"> • Notify Local Plan consultation database • Press Release and/or Press Notice • Details on the council website www.wyre.gov.uk • Relevant documents available for inspection at³: <ul style="list-style-type: none"> - Wyre Council Civic Centre - Public Libraries • Meetings with specific and Duty to Cooperate bodies (where appropriate) • Upon request, council officers will also be available to provide further information and answer questions.
Publication of a Local Plan (Regulation 19)	Formal public consultation period on	The council will use the following consultation

³ Please note: Due to Covid-19 restrictions, owing to the closure of libraries and public restrictions at the council office, the council cannot publicise consultations in the normal deposit locations. Hard copies documents can be made available upon request, subject to a nominal charge and will be provided as soon as reasonable practicable.

	<p>‘soundness’ and legal compliance of the Local Plan will last six weeks and will involve the following groups:</p> <ul style="list-style-type: none"> • Specific consultation bodies • General consultees • Duty to Cooperate bodies • Individuals and organisations registered on the Local Plan consultation database • General public and businesses in the borough 	<p>methods to engage and consult:</p> <ul style="list-style-type: none"> • Notify Local Plan consultation database • Press Release and/or Press Notice • Details on the council website www.wyre.gov.uk • Relevant documents available for inspection at⁴: <ul style="list-style-type: none"> - Wyre Council Civic Centre - Public Libraries • Meetings with specific and Duty to Co-operate bodies (where appropriate) • Upon request, council officers will also be available to provide further information and answer questions.
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2.12 The council may undertake additional consultation activities if it is considered to be necessary depending on the scale and impact of what is being consulted upon to ensure that a comprehensive public consultation has been undertaken. This may include targeted consultation where the proposal is specific to an area or theme. It will be at the discretion of the council to implement additional consultation methods. This could include:

- **Posters and leaflets:** displayed on notice boards and leaflets distributed to raise awareness of the public consultation and how to engage;
- **Social media:** such as Twitter and Facebook used to highlight the public consultation and how to engage;

⁴ Please note: Due to Covid-19 restrictions, owing to the closure of libraries and public restrictions at the council office, the council cannot publicise consultations in the normal deposit locations. Hard copies documents can be made available upon request, subject to a nominal charge and will be provided as soon as reasonable practicable.

- **Public events:** such as small workshops, focus groups, meetings or exhibition events could be held at community venues and arranged at different times of the day.

2.13 Please note due to current Covid-19 restrictions, face to face events cannot take place until current Covid-19 restrictions have been lifted. Alternatively, opportunities for online events and workshops could be utilised in the meantime.

Submission to the Secretary of State for Examination

2.14 There are no further formal stages of public consultation once the Local Plan has been submitted to the Secretary of State for examination. If requested, consultation bodies, individuals and organisations who participated in the regulation 19 consultation stage, alongside those registered on the Local Plan consultation database will be formally notified of the Local Plans submission to the Secretary of State.

2.15 A Programme Officer who is independent of the council will be appointed to assist in the organisation and administration of the examination and will provide a channel for all communication between the Inspector and the council and other participants. The programme officer will then notify all consultation bodies, individuals and organisations who participated in regulation 19 consultation stage, to explain how they can participate through written representation or by appearing during the hearing sessions. Once the hearing sessions have been completed, the Programme Officer will notify those who participated when the final report has been published by the Inspector.

2.16 Once the council has adopted the Local Plan, if requested consultation bodies, individuals and organisations who participated in the regulation 19 consultation stage, alongside those registered on the Local Plan consultation database, will be formally notified when the Local Plan is adopted.

Reporting Back

2.17 A key element of the Local Plan system is the need to ensure that local communities are given the opportunity to participate in the planning of their areas and reporting back on any representations that have been received during the public consultation period. The council will do this by preparing a consultation statement that sets out:

- Who was consulted and what methods were used;
- The number of representation that have been received;
- A summary of the main issues raised and a summary of how the council has addressed the matters;
- Details of the next stage in the process and how all consultees can be involved further (if appropriate)

The consultation statement will be publically available on the council's website.

3. Community Engagement and Consultation – Planning Applications

- 3.1 This section sets out the standards that have been adopted for publicising planning applications and the procedures and systems to be used to engage the public as part of the decision-making process for planning applications determined by the council.
- 3.2 The scope and operation is complex and is governed by national legislation and by both national and local policies relating to the management of development. Planning applications are received for a wide range of development proposals and the statutory requirements for publicity vary for different types of application.

Permitted Development Enquiries

- 3.3 Some certain types of minor development can be carried out without planning permission. This is known as permitted development. However, the council has power to prevent such development in order to maintain control over the way in which development is allowed to occur. This is done by a direction under the provisions of Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) which allows the council to withdraw specified permitted development rights across a defined area. For example this could be used in Conservation Areas where uncontrolled 'permitted development' could threaten the amenity and quality of the built environment. Permitted development rights can also be removed by the council by means of a condition on a planning permission. The restrictions imposed will vary on a case by case depending on the specific wording of such directions or conditions. Further information on whether planning permission is required can be found on the council's website at www.wyre.gov.uk and on the Planning Portal website www.planningportal.co.uk
- 3.4 Determining whether planning permission is required can be complex and so a formal decision by the council that the proposed use, operation or activity is lawful or the proposal does not require planning permission, may be sought by the submission (and approval) of an application for a Lawful Development Certificate (LDC). A LDC requires a fee to be payable (set nationally) and the must include sufficient information for the council to determine the application or otherwise it may be refused.

Pre-application advice

- 3.5 The council welcomes and encourages applicants to hold pre-application discussions with officers in our Development Management team with regard to all types and scales of development. At this stage, prior to submitting a formal application, advice from officers can identify potential constraints, informal comments on a proposal including alternative solutions to problems (where appropriate) and what information is likely to be required to enable the application to be properly considered. This advice can reduce delays to

validating or considering an application as well as the need for costly amendments, although it should be noted that advice is given without prejudice to the final decision of the council. The pre-application service is a non-statutory function and it is a chargeable service offered by the council to applicants prior to submitting a formal application, which is charged to partially cover the cost involved in considering and providing advice. Further information regarding the pre-application service offered, including charging rates, is available in the pre-application advice guidance note at: [Pre-application service](#). This service may be suspended partly or wholly, depending on resources.

- 3.6 The details of any pre-application enquiry and response given are treated in confidence so far as the law allows. Pre-application discussions cannot automatically be deemed to be in confidence as the council may receive a request for information under the provision of the Freedom of Information Act and the Environmental Information Regulations. In the case of major development proposals only, we will notify the relevant ward member and/or town or parish council clerk of the pre-application discussions but on the basis that the information should be treated as private and confidential.
- 3.7 For all types of applications, applicants are encouraged to discuss draft proposals with neighbours and other interested parties. Such action can lead to greater understanding of proposals and their impact on others, and has the potential to reduce objections. There is, however, no statutory requirement to do so.
- 3.8 Where proposals concern major⁵ development schemes, the council understand that many people and groups will have an interest since they typically have the potential for significant impacts across a wide area. For this reason there should be a greater public involvement at an early stage in the planning process and the council encourages applicants to undertake voluntary pre application consultation with the wider community on major planning applications. On submission of the eventual planning application, the applicant will be encouraged to submit a Consultation Statement within their planning application. This should include:
- The extent of community involvement undertaken and supporting consultation information provided;
 - A summary of the consultation responses received and the applicants response to the comments; and
 - The amendments that have been made to the proposals as a result of the community involvement and comments received.

⁵ Major development as defined in article 2 of the Town and County Planning (Development Management Procedure (England) Order 2015) means:

- For dwellings – where 10 or more are to be constructed, or if the number is not known the site exceeds 0.5hectares.
- For all other uses – where the floorspace of a building or buildings will exceed 1000 square metres or more, or the site exceeds 1 hectare.

- 3.9 Under current legislation the council cannot refuse to accept a valid planning application for a major development on the grounds that the applicant has failed to involve, or seek the views of the public on the proposal prior to the formal submission of an application, or because it disagrees with the way any such consultation or involvement has been carried out.

Planning Application Publicity and Consultation

Publicising Applications

- 3.10 Planning applications are received for a wide range of development proposals and the statutory requirements for publicity vary for the different types of applications.
- 3.11 It should be noted that Lancashire County Council (LCC) is responsible for determining certain types of planning applications, including any proposal involving minerals or waste disposals and LCC assets (e.g. schools). Details of how the community will be consulted on these proposals are contained within Lancashire County Council's own Statement of Community Involvement.
- 3.12 It is a statutory requirement that the council publicise all planning applications and a range of methods are used to inform the community, this includes:
- **Weekly list:** a published weekly list of registered planning applications and other application types (e.g. prior approvals, approval of details, advertisement consents and LDC's) are available to view on the council's website. You can view these online at: [Planning application search](#).
 - **Neighbour notification letters:** in respect of planning applications, individual letters will be sent to the occupiers of properties that share a boundary with the development site, although in some instances a letter will be sent to a wider area when the additional properties are considered to be materially affected.
 - **Site notices:** in respect of planning applications, these will be used when a more extensive group of properties are likely to be affected by the proposal, or where the proposal is likely to be of wider community concern, or when it is not possible to notify all landowners that share a boundary with the development site. The site notice will be displayed within a public area which is located near to the site and be coloured yellow to be distinguishable. For larger sites, particularly for sites with more than one road frontage, additional site notices will be displayed as appropriate. In some cases, a site notice will be used in addition to neighbour notification letters and a press notice.

In some cases, a site notice will be used in addition to neighbour notification letters. In some cases it may also be used instead of neighbour notification letters.

- **Press notice:** will be used when there is a statutory requirement to advertise a planning application e.g. major development proposals.
- 3.13 To consult with statutory and non/statutory organisations and agencies, other interest groups and community organisations and internal council sections, an email notification is sent and link provided to where the planning application details can be viewed on the councils website.
- 3.14 Where major planning applications have potential cross boundary implications within the adjacent local authority area, the council will consult with the relevant adjoining local planning authority.
- 3.15 The council also receives technical applications e.g. prior approvals, approval of details, advertisement consents and LDC's which are not planning applications and so are not subject to the publicity requirements set out above. This is because these have to be determined in accordance with prescribed criteria or with the input of specialist consultees only, and so decisions cannot be influenced by public comments. However, in the case of LDC's relating to an existing use/development, these may still be publicised if it is considered that public comments would assist in the overall consideration of the application.

How to comment on Planning Applications

- 3.16 Normally, comments on a planning application should be submitted within 21 days of the publicity commencing and the timescale for any response will be set out within the neighbour notification letter and within the site and press notice. The council may determine an application at any time following this period of 21 days. Comments received after this may be accepted provided that a decision has not been taken on the application.
- 3.17 Comments may be submitted by anyone, regardless of whether they have been notified individually. Comments should clearly state the reasons for supporting or objecting to the planning application and must be submitted in writing, by letter or email or via the online system. Due to the high volume of comments received the council cannot acknowledge or respond to such representations.
- 3.18 All comments submitted in response to a planning application will be treated as a public document and will be published on the council's website with personal contact details and signatures removed.
- 3.19 When determining a planning application, the council can only take into account comments that are relevant to planning issues, this includes the impact of the development in respect of matters such as highway safety, residential amenity, such as privacy, overshadowing and noise, design and visual impact as well as heritage, ecology, trees and flood risk. However matters such as impact on property values, loss of a view, or private matters between neighbours such as boundary disputes or damage arising to property from the development do not constitute planning matters and cannot be considered. All representations and consultation responses will be taken into account in the decision made by

the council and reported in summary within the case officer's delegated report or planning committee report.

Consultation on Amendments

- 3.20 During the course of considering a planning application, applicants may make amendments to their scheme. Significant alterations to a scheme do not have to be accepted and the application would continue to be determined on the basis of the original submitted details/plans. However, when minor changes are negotiated to lead to an improved scheme, the re-notification of neighbours and other interested parties is at the discretion of the case officer and is based on whether the changes are considered to materially affect any neighbour. The consultation period for submitting a response on the amended scheme will normally be 14 days (but not less than 10 days), as determined by the case officer.

Decision Making

- 3.21 The Development Management Service reports to the council's Planning Committee which normally meets monthly throughout the year.
- 3.22 The decision to grant or refuse planning permission is taken either by the Planning Committee or, more usually, by the Head of Planning Service or other senior members of the Development Management team under delegated powers agreed by the council. The current Scheme of Delegation is set out in the Council's Constitution which is available to view on the council's website.
- 3.23 If a planning application is considered at Planning Committee for a decision, there is an opportunity for the public to address the Planning Committee under the scheme for public speaking at committee meetings. This scheme may be subject to amendments.
- 3.24 Copies of the Planning Committee agenda and the Head of Planning Service's report to the Planning Committee are published on the council's website a minimum of five working days before the meeting. The Planning Committee meeting minutes are also published on the council's website in due course.

Post-application Consultation

- 3.25 Following the council making a decision on a planning application, the decision notice will be made available on the council's online planning application system. The council also publishes a weekly list of planning application decisions on the council's website.
- 3.26 If an applicant has been refused planning permission or disagrees with any condition attached to the granted planning permission, they have the right to appeal. Only applicants have this right to appeal and there are no third party rights of appeal. The appeal is made to the Planning Inspectorate.

- 3.27 When a planning application is appealed, it is the council's responsibility to notify all those who were informed of the original planning application and/or submitted representations, that an appeal has been lodged and inform them how the appeal will be dealt with (i.e. whether by written representations, informal hearing, or a public inquiry), and, with the exception of householder proposals that are dealt with under a fast-track procedure, the date by which any further representations must be submitted to the Planning Inspectorate. Relevant town or parish councils and borough councillors will also be notified. The council will also provide the Planning Inspectorate with a copy of all representations made in response to the original planning application.
- 3.28 The Appeal decision, once issued can also be viewed on the council's online planning application system.

Enforcement Issues

- 3.29 Planning enforcement is the investigation of alleged breach of planning control and where a breach of planning control is identified, the aim is to resolve these using the most appropriate action. The council takes breaches of planning control seriously, and will investigate all properly made reports of alleged unauthorised developments. These may include developments which are being carried out without the requisite permission or developments with permission but which are not being carried out in accordance with the approved plans or conditions of the permission. The council will not investigate anonymous complaints.
- 3.30 Complaints are given a priority classification and investigated in priority order based upon the potential to have the greatest impact or consequence. The council's Planning Enforcement Policy includes further details of the timeframes for dealing with a complaint and when the council will notify you of the findings and actions we propose to take in response to your complaint. The council's Planning Enforcement Policy is available to view on the council's [website](#).
- 3.31 The council has powers of enforcement but does not have a duty to enforce against all unauthorised developments. In accordance with Government guidance it will take action only when it is expedient to do so. The council will treat most enforcement cases where a breach of planning control has been identified in a similar way to a planning application, to the extent that we will seek the views of other services within the council and appropriate external agencies, before deciding whether to take enforcement action.
- 3.32 All investigations will be carried out on a strictly confidential basis. In accordance with the provisions of the Freedom of Information Act, the contents of an enforcement file must remain confidential and are not open to public inspection. A list of enforcement notices served are available to view online.

4. Community Involvement on Other Planning Documents

Supplementary Planning Documents

- 4.1 Supplementary Planning Documents (SPDs) may be produced to provide further detail and guidance to the policies in the Local Plan on a specific site or on a particular issue, such as design or affordable housing. SPDs are not subject to independent examination by the Secretary of State and therefore do not have development plan status. SPDs are a material consideration in making decisions on planning applications.
- 4.2 The legal requirement for community engagement and consultation on the SPD is currently set out in The Town and Country Planning (Local Planning) (England) Regulations 2012. The 2012 regulations include basic requirement about who the council should consult, and how and when in the planning process. They also include a requirement to make documents available at the council's principal office during set consultation periods.
- 4.3 The key principles for community involvement which applies to the preparation of a Local Plan are also relevant for the preparation of SPDs.
- 4.4 SPDs must be supported by appropriate and proportionate evidence and accord with local and national policy and national guidance. It is likely that in most instances, the council will prepare an SPD based upon evidence which has informed the preparation of the Local Plan which has already undergone community engagement. Therefore, at scoping and evidence gathering stage there will normally be no requirement for community engagement. However, in some instances depending upon the issues involved and the necessary evidence to support the SPD, the council may consider community engagement to be beneficial at this stage.
- 4.5 The council will undertake at least one stage of public consultation on an SPD, the requirements are set out:
 - **Public Participation (Regulation 12):**
This stage is an opportunity for public participation on the draft SPD before it is adopted by the council. This consultation period typically lasts for four weeks.
- 4.6 The council will consult with the specific and general consultation bodies alongside residents and businesses it considers appropriate.
- 4.7 Where resources permit, the council may carry out more extensive consultation methods if it is considered necessary depending upon the scale and potential impacts of the SPD. This could include more targeted consultation with affected residents and other interested parties and organisations.

4.8 The key consultees and stakeholders that the council intends to engage with during Regulation 12 consultation stage is set out in [table 2](#) below.

Table 2: Supplementary Planning Document Consultation Framework

Town and country Planning (Local Planning) (England) Regulations 2012	Consultee and stakeholders	Consultation Methods
Public Participation (Regulation 12)	<p>Formal public consultation period on the draft SPD will last four weeks and will involve the following groups:</p> <ul style="list-style-type: none"> • Specific consultation bodies • General consultees • Duty to Cooperate bodies • Individuals and organisations registered on the Local Plan consultation database • General public and business in the borough 	<p>The council will use the following consultation methods to engage and consult:</p> <ul style="list-style-type: none"> • Notify Local Plan consultation database • Press Release and/or Press Notice • Details on the council website www.wyre.gov.uk • Relevant documents available for inspection at⁶: <ul style="list-style-type: none"> - Wyre Council Civic Centre - Public Libraries • Meetings with specific and Duty to Cooperate bodies (where appropriate) • Upon request, council officers will also be available to provide further information and answer questions.

⁶ Please note: Due to Covid-19 restrictions, owing to the closure of libraries and public restrictions at the council office, the council cannot publicise consultations in the normal deposit locations. Hard copies documents can be made available upon request, subject to a nominal charge and will be provided as soon as reasonable practicable.

- 4.9 Following consultation on the draft SPD, the council will review the representation received during the consultation and prepare a consultation statement⁷. Where appropriate, representation will be used to inform and finalise the SPD prior to being formally adopted by the council for planning purposes. Any consultees that have informed the council that they wish to be notified when the SPD is adopted will be notified.

Neighbourhood Plans

- 4.10 The Localism Act 2011 introduced neighbourhood planning which gives town and parish councils or newly formed neighbourhood forums the opportunity to prepare, with the community they represent, a planning document to shape the future of the places where they live and work. There is no statutory requirement to produce a Neighbourhood Plan, however communities can use the function to set planning policies through a neighbourhood development plan or grant planning permission through a neighbourhood development order which are produced by the community with the support of the council where appropriate.
- 4.11 The Neighbourhood Planning (General) Regulations 2012 set out the procedures that must be followed. The town and parish council or neighbourhood forum (often known as the qualifying body) are responsible for preparing the plan and for consulting on the draft plan prior to submission for examination. In preparing a neighbourhood plan, the qualifying body should be reflective and seek representations from all sections of the community.
- 4.12 Whilst the council will not lead on the preparation of neighbourhood plans, the council have a statutory duty to advise and assist the qualifying body preparing the neighbourhood plan. This may include offering appropriate support to the qualifying body during the preparation of the Neighbourhood Plan where resources permit.
- 4.13 Once the Neighbourhood Plan has been submitted for examination by the qualifying body, the council is required to:
- **Publicising a plan proposal (Regulation 16):**
The council must consult with the consultation bodies which are referred to within the Consultation Statement that has been submitted to the council by the qualifying body. The plan must be publicised on the council's website and in other manners likely to bring the proposal to the attention of people who live, work and carry on business in the neighbourhood area. This consultation period typically lasts for six weeks
- 4.14 Representation received at the publication stage will be considered by the examiner as part of the examination process. Following a successful examination, the plan can proceed to referendum and can only be approved if

⁷ The information to be included in a consultation statement is set out at paragraph 2.17.

the majority of those who voted in the neighbourhood referendum support the plan. The made “adopted” Neighbourhood Plan would then form part of the statutory development plan for the area.

- 4.15 The key consultees and stakeholders that the council intends to engage with during regulation 16 consultation stages and the consultation methods are set out in [table 3](#) below.

Table 3: Neighbourhood Plan Consultation Framework

The Neighbourhood Planning (General) Regulations 2012	Consultee	Consultation Methods
Publicising a plan proposal (Regulation 16)	<p>Formal public consultation period on the Submission Neighbourhood Plan will last six weeks.</p> <p>The council will involve consultation bodies which are referred to within the Consultation Statement that has been submitted to the council by the qualifying body.</p>	<p>The council will use the following consultation methods to engage and consult:</p> <ul style="list-style-type: none"> • Emails and written notifications as appropriate • Details on council website • Relevant documents available for inspection at⁸: <ul style="list-style-type: none"> - Wyre Council Civic Centre - Where appropriate, on deposit at a location within the local community, such a local library or community centre • Upon request, council officers will also be available to provide further information and answer questions.

⁸ Please note: Due to Covid-19 restrictions, owing to the closure of libraries and public restrictions at the council office, the council cannot publicise consultations in the normal deposit locations. Hard copies documents can be made available upon request, subject to a nominal charge and will be provided as soon as reasonable practicable.

Masterplans

- 4.16 The Local Plan requires the preparation of masterplans for certain residential and mixed use land allocations before planning permission will be granted. The requirement for a masterplan is essential to ensure that each site is brought forward in a comprehensive and cohesive manner that contributes to the creation of sustainable places.
- 4.17 A masterplan is a document that through plans, drawings and text will determine key aspects of the future development such as the:
- Distribution and interrelationship of activities/uses;
 - Relationship between spaces and buildings (existing and new);
 - Degree of 'permeability' – visual and physical;
 - Best location of different type of uses;
 - Movement networks within and out with the site; and
 - Provision of infrastructure
- 4.18 Developing a masterplan will be a collaborative process between landowners and stakeholders involving setting a shared vision, agreeing objectives and priorities, generating options and resolving issues.
- 4.19 The council's masterplan guidance provides further information on the process of masterplanning and the role of community engagement. The guidance can be viewed at www.wyre.gov.uk.

Housing Implementation Strategy

- 4.20 The council is required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in the adopted Wyre Local Plan.
- 4.21 The National Planning Policy Framework (NPPF) (2012) identifies a requirement for local planning authorities to produce a Housing Implementation Strategy (HIS) to manage the delivery of a full range of housing, describing how delivery of a five-year supply of housing land will be maintained to meet housing delivery targets. The HIS will also identify a housing trajectory to illustrate the level of housing expected to be delivered within the plan period.
- 4.22 A revised NPPF was published in 2018 (and updated in 2019) which superseded the NPPF 2012 requirement to prepare a HIS, but requires a Housing Delivery Test (HDT) to be met. However, the adopted Wyre Local Plan was prepared in accordance with the NPPF 2012 and the 'soundness' of the Plan was therefore determined against the 2012 NPPF. It is therefore the council's intention is to continue to prepare a HIS in accordance with NPPF 2012 and for it to be a material consideration in the determination of planning applications.

- 4.23 As part of preparing a HIS and to ensure the robustness of the strategy in the assessment of the deliverability of sites, the council will actively engage and directly consult with appropriate developers, landowners and agents to understand the likely course of delivery for their site. The council may also consider it appropriate to undertake a wider stakeholder consultation, which will be at the discretion of the council.
- 4.24 We will directly engage with appropriate stakeholders through email and telephone conversations and this will inform the preparation of the HIS.

5. Review of the Statement of Community Involvement

- 5.1 The Town and County Planning (Local Planning) (England) Regulations 2012 (as amended) (hereafter “the 2012 Regulations”) require the council to prepare and update the SCI every five years.
- 5.2 The SCI will be periodically reviewed. It may also be appropriate for the council to make necessary revisions to the document to reflect changes in legislation and regulations that have occurred. Where the revisions may alter the principles and engagement techniques, the council may consider it appropriate to undertake further proportionate public consultation on the proposed revisions.
- 5.3 The council is keen to learn from experience and will seek to continuously improve the way it interacts with the community.

Appendix A: Key Consultation Bodies (Local Plan Process)

- A.1 The SCI explains how the council is committed to consulting with the local community and how it accords with the Town and Country Planning (Local Development) (England) Regulations 2012.
- A.2 Based on this advice, the organisations and bodies that are likely to be consulted are show in the [table A.1](#) below. The list is meant to give examples for illustrative purposes, it is not exhaustive and will be kept under constant review.
- A.3 Specific consultation bodies will automatically be consulted. General consultation bodies that the council considers appropriate will be consulted.

Table A.1: Consultation Bodies

Specific Consultation Bodies
The Coal Authority
The Environment Agency
Historic England (Historic Buildings and Monuments Commission for England)
Marine Management Organisation
Natural England
Network Rail
Highways England (Highways Agency)
Adjoining Local Planning Authorities: <ul style="list-style-type: none"> • Blackpool Council • Fylde Borough Council • Lancaster City Council • Preston City Council • Ribble Valley Borough Council
Lancashire County Council
Forest of Bowland AONB
Parish Council: <ul style="list-style-type: none"> • Barnacre with Bonds Parish Council • Bleasdale Parish Council • Cabus Parish Council • Catterall Parish Council • Claughton-on-Brook Parish Council • Fleetwood Town Council • Forton Parish Council • Garstang Town council • Great Eccleston Parish Council • Hambleton Parish Council • Inskip-with-sowerby Parish Council • Kirkland Parish Council • Myerscough and Bilsborrow Parish Council • Nateby Parish Council • Nether Wyersdale Parish Council • Out Rawcliffe Parish Council

<ul style="list-style-type: none"> • Pilling Parish Council • Preesall Town Council • Stalmine-with-Staynall Parish Council • Upper Rawcliffe with Tarnacre Parish Council • Winmarleigh Parish Council
<p>Adjoining Parish Council:</p> <ul style="list-style-type: none"> • Barton Parish Council • Bowland Forest High Parish Council • Chipping Parish Council • Cockerham Parish Council • Ellel Parish Council • Elswick Parish Council • Over Wyresdale Parish Council • Goosnargh Parish Council • Singleton Parish Council • Staining Parish Council • Treales, Roseacre and Wharles Parish Council • Woodplumpton Parish Council
<p>Lancashire Constabulary Lancashire Police and Crime Commissioner</p>
<p>Relevant telecommunications companies</p>
<p>Primary Care Trust:</p> <ul style="list-style-type: none"> • Lancashire Public Health • Fylde and Wyre Clinical Commissioning Group
<p>Relevant electricity and gas companies:</p> <ul style="list-style-type: none"> • National Grid (Electricity) • National Grid (Gas)
<p>Homes England (Homes and Communities Agency)</p>
<p>Relevant water and sewerage companies:</p> <ul style="list-style-type: none"> • United Utilities
<p>General Consultation Bodies</p>
<p>Voluntary bodies active within the authority area</p>
<p>Bodies which represent the interest of different racial, ethnic or national groups within the authority area</p>
<p>Bodies which represent the interest of different religious groups within the authority area</p>
<p>Bodies which represent the interest of disabled persons in the authority area</p>
<p>Bodies which represent the interest of persons carrying on business in the authority area</p>

A.4 The planning policy team within the council maintains a Local Plan Consultation database of individuals and organisations that have expressed an interest in being directly notified via email alerts⁹ regarding Local Plan consultations and planning policy matters. Further information on how to register your details on the consultation database can be found at www.wyre.gov.uk where you can also update or unregister your contact details at any time.

⁹ Unless they have expressly requested notification in writing.

A.5 The council is also required to consult with Duty to Co-operate bodies and those likely to be consulted are shown in [table A.2](#) below. The list is meant to give examples for illustrative purposes, it is not exhaustive and will be kept under constant review.

Table A.2 Duty to Co-operate Bodies

Duty to Co-operate
The Environment Agency
Historic England (Historic Buildings and Monuments Commission for England)
Natural England
Civil Aviation Authority
Homes England (Homes and Communities Agency)
Primary Care Trust: <ul style="list-style-type: none"> • Lancashire Public Health • Fylde and Wyre Clinical Commissioning Group
Office of Road and Rail Regulation
Highways England
Lancashire County Council (Highway Authority)
Marine Management Organisation
Local Enterprise Partnership <ul style="list-style-type: none"> • Lancashire Enterprise Partnership
Local Nature Partnership <ul style="list-style-type: none"> • Lancashire Local Nature Partnership

Appendix B: Local Libraries and Deposit Location

There are currently six libraries within Wyre Borough, which are currently managed and maintained by Lancashire county Council. The details of the libraries opening hours are available on the County Councils website: www.lancashire.gov.uk

- **Cleveleys:** Rossall Road, Thornton-Cleveleys, FY5 1EE
- **Fleetwood:** North Albert Street, Fleetwood, FY7 6AJ
- **Garstang:** Windsor Road, Garstang, PR3 1ED
- **Knott End:** Lancaster Road, Knott End, FY6 0AU
- **Poulton-le-Fylde:** Blackpool Old Road, Poulton-le-Fylde, FY6 7DH
- **Thornton:** Victoria Road East, Thornton-Cleveleys, FY5 3SZ

The council principal office would act as a deposit location. The details of the opening hours are available on the council website: www.wyre.gov.uk

- **Wyre Council Office:** Civic Centre, Breck Road, Poulton-le-Fylde, FY6 7PU

Please note: Due to Covid-19 restrictions, owing to the closure of libraries and public restrictions at the Civic Centre, the council cannot publicise consultations in the normal deposit locations. Hard copies documents can be made available upon request, subject to a nominal charge and will be provided as soon as reasonable practicable.