

Appendix 1

Statement of **Community Involvement**

Wirral Metropolitan Borough Council

Committee Draft for Approval



This document can be made available in alternative formats, on request, from Wirral Council, Regeneration and Place, Brighton Street, Wallasey CH27 9FQ, who can be contacted by telephone on 0151 606 2000.

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Annex: COVID-19 STATEMENT

1 Background

1.1 A Statement of Community Involvement (SCI) is a statutory document intended to set local standards for public involvement in the Council's preparation of policy documents, like local plans and supplementary planning documents; in decisions on individual planning applications; and in support for neighbourhood planning proposals prepared by the local community.

1.2 The SCI sets out what the Council will do to meet the requirements for community consultation set out in national legislation and Government guidance. It also represents the Council's commitment to facilitate early community involvement when local planning policies are being drawn up and to promote continuous community involvement in local planning decisions.

1.3 Section 18 of the Planning and Compulsory Purchase Act 2004 requires all local planning authorities to prepare a SCI to set out how they will involve people in the preparation of statutory local development documents¹ and in development management decisions, and give advice and assistance in the preparation of neighbourhood planning proposals².

1.4 Local planning authorities must review an SCI at least every 5 years to reflect any local or national legislative changes, and to ensure effective community involvement at all stages of the planning process. This Statement therefore replaces the previous SCI published by the Council in 2014.

1.5 Further information on the Statement of Community Involvement can be obtained from the Regeneration and Place Department by:

- visiting our web site: <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/community-involvement-local-planning/statement>
- by emailing us at forwardplanning@wirral.gov.uk; or
- by telephone on 0151 606 2000

1.6 This SCI is accompanied by an Annex which outlines the Council's approach to conducting community involvement while restrictions on people's movement and social interaction are in place as a result of the Covid-19 pandemic. The Annex shows how effective community involvement will continue to take place during the pandemic. The Council will be guided by public health advice provided by the

¹ For functions undertaken under sections 13, 15, 19, 26 and 28 of Part 2 – Local Development, of the Planning and Compulsory Purchase Act 2004 (as amended). Local Development Documents (LDD) include Development Plan Documents (which form part of the statutory development plan) and Supplementary Planning Documents (which do not form part of the statutory development plan). LDDs collectively deliver the spatial planning strategy for the local planning authority's area.

² Under powers set out in paragraph 3 of Schedule 4B of the Town and Country Planning Act 1990 and in paragraph 3 of Schedule A2 of the Planning and Compulsory Purchase Act 2004 (as amended)

Government and other relevant bodies to determine how the Covid-19 related community involvement measures contained within this Annex will be applied.

1.7 You should check for the latest version of the Covid 19 Annex here: <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/wirral-new-local-plan/community-involvement>

2 Principles of community involvement

2.1 The Localism Act 2011 places a strong emphasis on involving local communities in shaping the places where they live.

2.2 The National Planning Policy Framework (NPPF, 2019) also retains a strong focus on community involvement within the planning process, stating that the production of 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

Principles of Involvement

2.3 The precise nature of community engagement will vary with the main objectives of each stage of the planning process, from the initial involvement on emerging policies, to consultation on the details of individual planning applications, to the notification of decisions and the final adoption of policy documents.

2.4 It is important that the techniques employed are tailored to engage the most appropriate parts of the community at the stages when their involvement will be of greatest relevance and value. It is also important that there is a clear understanding of the purpose of the exercise and a clear understanding of the limits to what can be achieved within the legal, policy and financial constraints set by national Government.

2.5 The overall objective of the Council will be to work towards achieving consensus, wherever possible, through continuous community involvement.

Defining the Community

2.6 The term 'community' will be taken to embrace any individual, business or group that is likely to be directly affected by planning in Wirral both now and in the future. This includes everyone that lives, works or has an interest in the Borough together with local landowners, businesses and service providers, irrespective of their gender, faith, race, disability, sexuality, age or income.

2.7 National legislation identifies the broad types of group that should be involved in planning decisions⁴. A number of bodies are also subject to a wider legal duty to co-operate⁵. Any person is, however, entitled to make representations about an emerging local development document or about a planning application, before it

³ NPPF, paragraph 16

⁴ Regulation 18 of Town and Country Planning (Local Planning) (England) Regulations 2012 and listed under the headings of "general consultation bodies" and "specific consultation bodies" in Regulation 2 of Town and Country Planning (Local Planning) (England) Regulations 2012

⁵ Regulation 4 of Town and Country Planning (Local Planning) (England) Regulations 2012

is determined, provided the comments are made within the published period for comments to be received.

2.8 Section 8 provides an example list of existing local groups and types of consultee that are already regularly consulted on planning matters in Wirral⁶.

Equality and Diversity

2.9 The Council is aware of the need for local consultation exercises to be designed to reach beyond the membership of established local groups and to be fully representative of those who live, work or carry on business within the area.

2.10 The Council is also aware of the need to identify methods to involve more “hard-to-reach” groups, such as the young, disabled, ethnic minorities, residents in deprived areas and Gypsies and Travellers. Traditional letter-based approaches have not always been successful in gaining an effective response from these groups and more targeted and innovative approaches may need to be applied in order to engage them more fully.

2.11 The Council has adopted a series of Corporate Customer Care Standards which can be viewed at: <https://wbcnet.wirral.gov.uk/business-support/customer-service-guidance> Planning services will comply with these guidelines, unless a different standard has been agreed in response to national regulations as part of this SCI.

2.12 The Council will, in particular, seek to minimise the barriers to effective participation by:

- ensuring that sufficient background information is provided to enable a meaningful response;
- ensuring that documents, letters and e-mails use plain English and avoid the use of unnecessary jargon;
- providing a consultation questionnaire to help people frame their responses to more lengthy documents or complicated issues;
- ensuring that venues for public meetings are genuinely accessible to the target communities;
- ensuring that venues for public meetings will provide appropriate facilities, such as induction loops, disabled access and toilets; and
- adopting appropriate digital and web-based systems

2.13 In order to minimise duplication of effort, maximise the value of public consultation and safeguard the use of public resources, the Council will, wherever possible, use existing consultation arrangements to engage and involve the community in the land-use planning system, where these can be used effectively

⁶ Section 8 of this Statement sets out how you or your organisation can be added to the Council’s mailing and contacts lists for local plans and supplementary planning documents

within the timetable for the preparation of local development documents or for informing individual planning decisions. The Council will also, where appropriate, use tailored digital and web-based systems to improve community engagement in the preparation of policy documents and decisions on planning applications.

2.14 This will, for example, include consultation with representatives from the Older People's Parliament, Youth Parliament, those with special needs, and local businesses.

2.15 The Council will meet the requirements of the Equality Act 2010. The Council will complete and publish all necessary equality impact assessments, publish equality objectives at least every 4 years, and publish the equality profile of the Council's workforce and customers.

Data Protection

2.16 The Council will comply with the Data Protection Act 2018 and the UK General Data Protection Regulation. Responses to public consultation may be summarised and may be made publicly available to view on the Council's website. The Council redacts comments from individual members of the public to remove personal data in respect of email addresses, telephone numbers and signatures unless they are required to be provided as part of a statutory process, such as a public inquiry, hearing or examination. Libellous, discriminatory or otherwise offensive comments, will not be made publicly available.

3 The production of local development documents

Legal Requirements

- 3.1 The documents which are to be prepared as local development documents are:
- (a) any document prepared by a local planning authority individually or in co-operation with one or more other local planning authorities, which contains statements regarding one or more of the following—
 - (i) the development and use of land which the local planning authority wish to encourage during any specified period;
 - (ii) the allocation of sites for a particular type of development or use;
 - (iii) any environmental, social, design and economic objectives which are relevant to the attainment of the development and use of land mentioned in paragraph 3.1(a) (i) above; and
 - (iv) development management and site allocation policies, which are intended to guide the determination of applications for planning permission.
 - (b) where a document referred to in 3.1(a) above contains policies applying to sites or areas by reference to an Ordnance Survey map, any map which accompanies that document and which shows how the adopted policies map would be amended by the document if it were adopted.
 - (c) documents which, if prepared, are to be prepared as local development documents are any document which:
 - (i) relate only to part of the area of the local planning authority, identify that area as an area of significant change or special conservation and contain the local planning authority's policies in relation to the area; and
 - (ii) any other document which includes a site allocation policy.
- 3.2 Any document of the description referred to in 3(1)(a)(i), (ii) or (iv) or 3(c) is a local plan.
- 3.3 The main requirements for community involvement in the preparation of local development documents are currently set out in the Town and Country Planning (Local Planning) (England) Regulations 2012⁷

⁷ Statutory Instrument (SI) 2012, No 767 (as amended by the 2017 Regulations SI 1244)

3.4 Additional provisions are, however, also set out within the Environmental Assessment of Plans and Programmes Regulations 2004⁸ and the Conservation of Habitats and Species Regulations 2010⁹.

Local Development Scheme

3.5 The Council will publish the timetable for the preparation of a local plan on its website. The timetable will be updated on the Council's website as each stage in plan preparation is reached as required.

3.6 The Council will consult on the scope and content of the local plan by publishing proposals on its website and by notifying relevant bodies of the type set out in section 8 of this SCI¹⁰. The Council will also notify anyone who has previously expressed an interest in emerging planning documents and has requested to be added to the Council's mailing list¹¹.

3.7 The Council will also notify previous respondents to particular documents who have provided their contact details, as each stage in the preparation of the document is reached.

Local Plans

3.8 Public consultation must take place throughout the process of producing a local plan. The opportunities for public involvement are at their greatest during the early stages when the range of options open to the Council are being explored and assessed and before the final version of the local plan is published and submitted to the Secretary of State for public examination.

3.9 The emphasis during these early stages will be on making background information as widely available as possible, presenting information on potential options and other relevant matters using one or more of a range of engagement formats, which could include workshops/ online workshops, walk in exhibitions, and web-based interactive engagement 'portals'. A more focused, targeted consultation may also be undertaken with "hard-to-reach" groups including those with special needs, specific interests or within specific geographical areas. Traditional public meetings could also be arranged if the Council considered they were appropriate.

3.10 The Council must take account of any representation made in response to invitations to comment during these early stages¹².

⁸ (SI 2004, No 1633, relating to the strategic environmental assessment of plans and programmes

⁹ SI 2010, No 490 (as amended), relating to the appropriate assessment of impacts on designated European Sites

¹⁰ As defined in Regulation 2 of Town and Country Planning (Local Planning) (England) Regulations 2012

¹¹ Further information about how to do this is set out in Section 8 of this SCI

¹² Regulation 18(3) of the Town and Country Planning (Local Planning) (England) Regulations 2012

3.11 The later stages of the process are more restricted by national legislation. There is a minimum statutory six-week period for representations to be received on the soundness or legal compliance of the proposed submission draft local plan¹³.

3.12 At all stages (including consultation on Supplementary Planning Documents and on the Sustainability Appraisal), the Council will provide a copy of relevant documentation by email to members of the public who request one. For those without internet access, the Council will also provide a copy of relevant documentation by post on request, subject to a reasonable charge to cover the costs of providing this service. The Council will also provide a telephone number where members of the public without internet access can make factual enquiries about the documents.

3.13 Anyone who makes representations seeking a change to the proposed submission draft Local Plan within the appropriate deadline will, at the time of submitting their representation¹⁴, be given the opportunity to request to appear and be heard by the person appointed to carry out the independent examination of the local plan¹⁵. The decision as to who will be invited to appear at the Examination will be made by the Inspector.

The Local Plan Examination Process

3.14 The Council expects that the majority of assessments carried out by the Inspector will be in the form of written representations, although it will be for those seeking changes to the local plan to decide if they wish to appear and be heard at the examination. The Inspector must consider all of the representations that have been submitted, whether in writing or presented at the examination hearing, before completing their report.

3.15 The Council via the Programme Officer for the Examination will publish and notify anyone who has made a representation of the date, time and place of the hearing and of the name of the Planning Inspector(s) that has/have been appointed, at least six weeks before the public hearing takes place¹⁶. The Programme Officer will be the contact point for the Inspector.

3.16 In the event that main modifications are required to the proposed Local Plan, the Council will consult on the content of those modifications for no less than six weeks in accordance with the Regulations.

¹³ Regulation 17 of the Town and Country Planning (Local Planning) (England) Regulations 2012, item (c) under the heading "statement of the representations procedure" and Regulation 20 "Representations relating to a Local Plan"

¹⁴ The Representation Form will include an opportunity to request to attend the oral part of the examination

¹⁵ Section 20(6) of the Planning and Compulsory Purchase Act 2004 (as amended)

¹⁶ Regulation 24 of the Town and Country Planning (Local Planning) (England) Regulations 2012

3.17 The Council will publish the Inspector's report as soon as possible after it is received and give notice to those who have requested to be notified¹⁷.

3.18 The Council can only adopt the Local Plan in line with the Inspector's recommendations¹⁸. No further consultation will take place at this stage and the final processes provide only for the notification of adoption to people who have requested to be notified¹⁹.

3.19 A statutory period for judicial review will extend for six weeks from the date on which the local plan was adopted²⁰.

Supplementary Planning Documents

3.20 The process for adopting a Supplementary Planning Document (SPD) is shorter and simpler and does not involve submission to the Secretary of State or independent public examination. Opportunities for public involvement are greatest in the early stages, before the draft SPD is published for public consultation.

3.21 The methods used to foster effective community involvement will largely be determined by the nature and content of the SPD proposed but will include one or more of a range of engagement formats including focus groups and workshops/online workshops, walk in exhibitions, and web based interactive engagement 'portals'.

3.22 Walk in exhibitions are likely to be the most effective method for testing area-specific proposals, whereas more limited, targeted consultations are likely to be more relevant for documents on more specialist themes and topics.

3.23 There is a minimum statutory four-week period for public consultation on the draft SPD²¹.

3.24 A statutory period for judicial review will extend for three months from the date on which the supplementary planning document was adopted²².

Sustainability Appraisal

3.25 The Council will consult on the scope and content of a sustainability appraisal with statutory consultees and will invite public comments on the appraisal to be submitted at each stage in the plan or document making process.

¹⁷ Regulation 25 of the Town and Country Planning (Local Planning) (England) Regulations 2012

¹⁸ Section 23 of the Planning and Compulsory Purchase Act 2004 (as amended)

¹⁹ Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012

²⁰ Section 113 of the Planning and Compulsory Purchase Act 2004 (as amended)

²¹ Regulation 12(b)(i) of the Town and Country Planning (Local Planning) (England) Regulations 2012

²² Regulation 11 of the Town and Country Planning (Local Planning) (England) Regulations 2012

Evidence Base

3.26 The Council will undertake or commission specialist technical surveys, studies or assessments to inform the content of emerging local development documents, to meet national policy requirements or to respond to issues raised in response to public consultation on emerging proposals.

3.27 The results of the surveys, studies or assessments used in the preparation of a local development document will be published for public comment at the next appropriate stage in the plan making process.

Monitoring Reports

3.27 Statutory monitoring reports will be published on the Council's website²³.

3.28 The Council will consult on the proposed content of future monitoring alongside the content of the Local Plan.

Methods of Community Involvement

3.29 The types of method of community involvement that the Council will seek to promote will depend on the type and content of the local development document that is being prepared.

3.30 The Council will identify the most appropriate methods to involve and engage the community at a scale and nature of consultation that is appropriate to that document and audience.^{3.31} The following tables set out the types of methods of community involvement that may be used at each stage in the preparation of a local development document.

²³ Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012

Table 1 – Methods of community involvement in the production of a Local Plan

Stage	Method of community involvement
<p>Initial Consultation (Regulation 18)</p>	<p>Notification letters / emails to registered contacts and statutory consultees</p> <p> Neighbour notification letters / emails for site specific development proposals only</p> <p> One or more: walk in event/s, workshop/s, online workshop/s, web-based interactive ‘portal’, and targeted consultation for specific groups including those with special needs</p> <p> Consultation questionnaires, use of social media</p> <p> Publication of all documents (including evidence studies) on the Council website</p> <p> All documents to be available for inspection at a principal office</p> <p> Provision of copies of documents by email or by post</p> <p> Telephone number for enquiries about the documents</p>
<p>Proposed Submission Draft (Regulation 19)</p>	<p>Notification letters / emails to statutory consultees and previous respondents Neighbour notification letters / emails for site specific development proposals only</p> <p> Deposit of proposed submission draft and other background documents including reports of previous consultation at a principal office</p> <p> Consultation questionnaires, use of social media</p> <p> Publication of all documents (including evidence studies) on the Council website</p>

Stage	Method of community involvement
<p>Proposed Submission Draft (Regulation 19) <i>Continued</i></p>	<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 20px;">   </div> <div> <p>Provision of copies of documents by email or by post</p> <p>Telephone number for enquiries about the documents</p> </div> </div>
<p>Submission (Regulation 22)</p>	<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 20px;">      </div> <div> <p>Notification letters / emails to statutory consultees and those who have requested to be notified</p> <p>Deposit of draft Plan and other background documents including reports of previous consultation at a principal office</p> <p>Publication of all documents on the Council website</p> <p>Provision of copies of documents by email or post</p> <p>Telephone number for enquiries about the documents</p> </div> </div>
<p>Public Examination (Regulation 24)</p>	<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 20px;">    </div> <div> <p>Notification letters / emails by the Programme Officer to those who have made representations on the Regulation 19 document.</p> <p>Publication of all documents on the Council website and via the Programme Officer's Examination website</p> <p>The name of the Inspector and Programme Officer will be made available on the Local Plan Examination web pages. The Programme Officer's contact details will also be provided as the contact for the Inspector.</p> </div> </div>
<p>Inspectors Report (Regulation 25)</p>	<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 20px;">   </div> <div> <p>Publication on the Council website</p> <p>To be available for inspection at a principal office</p> </div> </div>

Stage	Method of community involvement
<p>Adoption (Regulation 26)</p>	<p> Notification letters / emails to statutory consultees and those who have requested to be notified</p> <p> Deposit of the adopted Plan at a principal office</p> <p> Publication of adopted Local Plan on the Council website</p> <p> Provision of copies of documents by email or post</p> <p> Telephone number for enquiries about the documents</p>
<p>Monitoring (Regulation 34)</p>	<p> Publication of monitoring reports on the Council website</p> <p> Monitoring reports to be available for inspection at a principal Office</p>

Table 2 – Methods of community involvement in the production of a Supplementary Planning document

Stage	Method of community involvement
<p>Initial Consultation (Regulation 12)</p>	<div style="display: flex; flex-direction: column; gap: 10px;"> <div style="display: flex; align-items: flex-start;">  <p>Notification letters / emails to registered contacts and statutory consultees</p> </div> <div style="display: flex; align-items: flex-start;">  <p>Neighbour notification letters / emails for site specific proposals only</p> </div> <div style="display: flex; align-items: flex-start;">  <p>One or more: walk in event/s, workshop/s, online workshop/s, web-based interactive ‘portal’, and targeted consultation for specific groups including those with special needs.</p> </div> <div style="display: flex; align-items: flex-start;">  <p>Consultation questionnaires, use of social media</p> </div> <div style="display: flex; align-items: flex-start;">  <p>Publication of all documents (including evidence studies) on the Council website</p> </div> <div style="display: flex; align-items: flex-start;">  <p>All documents to be available for inspection at a principal office</p> </div> <div style="display: flex; align-items: flex-start;">  <p>Provision of copies of documents by email or post</p> </div> <div style="display: flex; align-items: flex-start;">  <p>Telephone number for enquiries about the documents</p> </div> </div>
<p>Draft SPD (Regulation 13)</p>	<div style="display: flex; flex-direction: column; gap: 10px;"> <div style="display: flex; align-items: flex-start;">  <p>Notification letters / emails to statutory consultees and previous respondents</p> </div> <div style="display: flex; align-items: flex-start;">  <p>Neighbour notification letters / emails for site specific proposals only</p> </div> <div style="display: flex; align-items: flex-start;">  <p>Consultation questionnaires, use of social media</p> </div> <div style="display: flex; align-items: flex-start;">  <p>Publication of all documents (including evidence studies) on the Council website</p> </div> <div style="display: flex; align-items: flex-start;">  <p>All documents to be available for inspection at a principal office</p> </div> </div>

Stage	Method of community involvement	
<p>Draft SPD (Regulation 13)</p> <p><i>Continued</i></p>	 	<p>Provision of copies of documents by email or post</p> <p>Telephone number for enquiries about the documents</p>
<p>Adoption (Regulation 14)</p>	    	<p>Notification letters / emails to statutory consultees and previous respondents</p> <p>Deposit of the adopted document at a principal office</p> <p>Publication of all documents on the Council website</p> <p>Provision of copies of documents by email or post</p> <p>Telephone number for enquiries about the documents</p>
<p>Monitoring (Regulation 34)</p>	 	<p>Publication of monitoring reports on the Council website</p> <p>Monitoring reports to be available for inspection at a principal Office</p>

4 Neighbourhood planning

4.1 The Council will provide advice and guidance to community groups undertaking neighbourhood planning.

4.2 The Statement of Community Involvement (SCI) is not intended to set standards for the consultation undertaken by qualifying bodies, such as a neighbourhood forum, when preparing neighbourhood plans and development orders, but qualifying bodies should ensure that the wider community is kept fully informed of progress and has appropriate opportunities to comment on proposals in accordance with the Neighbourhood Planning (General) Regulations 2012²⁴.

Designating a Neighbourhood Forum / Neighbourhood Area

4.3 Before submitting an application to the Council, the community should publicise the existence of the forum and its objectives and the boundary of the proposed neighbourhood area as widely as possible and maximise community support for any future activity.

4.4 The community should also consult the Council on the likely planning ambitions of the community and identify any wider considerations that might influence the type and content of any future neighbourhood planning proposals. The Council will discuss the issues likely to arise, advise on the best way to proceed and comment on the content of any draft applications before they are formally submitted.

Pre-Submission Consultation and Publicity

4.5 Before submitting a neighbourhood plan or order to the Council, the qualifying body must undertake consultation for a minimum of six weeks²⁵. The Council will provide advice and guidance on advertising the proposals.

4.6 A consultation statement should be submitted setting out details of all the consultation undertaken²⁶.

Publication of a neighbourhood plan or Order

4.7 Following the submission of a neighbourhood plan or Order, the Council will publicise the submitted documents for at least six weeks to allow any final public comments to be submitted²⁷.

²⁴ SI 2012 No. 637 (as amended)

²⁵ Neighbourhood Planning Regulations 2012, Regulation 14

²⁶ Regulation 15 or Regulation 22 of the Neighbourhood Planning (General) Regulations 2012 as amended by The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017

²⁷ Regulation 16 of the Neighbourhood Planning Regulations 2012 as amended by The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017

4.8 The Council will notify all the bodies and individuals named in the consultation statement submitted by the Neighbourhood Forum.

4.9 The Council will provide a copy of relevant documentation by email to members of the public who request one. For those without internet access, the Council will also provide a copy of relevant documentation by post on request, subject to a reasonable charge to cover the costs of providing this service. The Council will also provide a telephone number where members of the public without internet access can make factual enquiries about the documents.

4.10 Any representation received at this stage will go forward to be considered by the person that will be appointed, by the Council with the agreement of the qualifying body, to undertake the independent examination of the proposals²⁸. The Council will invite the body who submitted the proposals to consider the any comments received.

Examination of a neighbourhood plan and order

4.11 The examiner will consider whether the proposals meet the basic conditions and any other requirements set out in national legislation and guidance²⁹. The Council will organise and fund the examination. Most examinations are conducted using written representations, however, the examiner may call a hearing session if they feel it is necessary to do so.

4.12 The report of the independent examiner and Council's decision statement will be made available on the Council's website. The Council will also notify the body who submitted the proposals and all the bodies and individuals named in the consultation statement.

4.13 Anyone who wishes to submit a claim to the court for judicial review must file the claim within six weeks from the decision statement being published.

Referendums for neighbourhood plans and orders

4.14 The Council will organise a referendum as soon as possible after issuing its decision statement and report of the independent examination.

²⁸ The Examiner is paid for and appointed by the Council. However, the appointment must be with the agreement of the Qualifying Body (QB). The Planning Act sets out the criteria for an individual to qualify to be able to examine a neighbourhood plan. The criteria are as follows: • Must be independent from both the QB and Council • Must have appropriate qualifications and experience • Cannot have an interest in any of the land to be covered by the plan (i.e. the Neighbourhood Area)

²⁹ Under paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004

4.15 A person is entitled to vote if, at the time of the referendum, they meet the eligibility criteria to vote in a local election for the area and if they live in the referendum area.

4.16 If at least 50 per cent of those voting in the referendum are in favour of the proposals, or where a business referendum is held, a majority vote in favour in both referendums, the neighbourhood development plan or order will be made and in the case of a neighbourhood development plan will come into force as part of the statutory development plan for the area³⁰.

4.17 The Council will publicise its decision and will notify the body who submitted the proposals and any person who asked to be notified of the decision.

4.18 A claim for judicial review of the decision must be filed before the end of the period of 6 weeks beginning with the day on which the decision is published.

³⁰ Unless the making of the plan or order would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998)

Table 3 – Methods of community involvement in the production of a Neighbourhood Plan

Stage	Method of community involvement
<p>Designation of Neighbourhood Forum</p> <p>Publicising application (Regulation 9)</p> <p>Publicising designation (Regulation 10)</p>	<p> Publish application on the Council website</p> <p> Publish designation on the Council website</p> <p> Designation to be available for inspection at a principal office</p> <p> Provision of copies of documents by email or post</p> <p> Telephone number for enquiries about the documents</p>
<p>Designation of Neighbourhood Area</p> <p>Publicising application (Regulation 6)</p> <p>Publicising designation (Regulation 7)</p>	<p> Publish application on the Council website</p> <p> Publish designation on the Council website</p> <p> Designation to be available for inspection at a principal office</p> <p> Provision of copies of documents by email or post</p> <p> Telephone number for enquiries about the documents</p>
<p>Submission (Regulation 16)</p>	<p> Notification letter / email to statutory consultees and Regulation 14 respondents</p> <p> Publication of all documents (including evidence studies) on the Council website</p> <p> Main documents to be available for inspection at a principal office</p>

Stage	Method of community involvement	
<p>Submission (Regulation 16)</p> <p><i>Continued</i></p>		<p>Provision of copies of documents by email or post</p>
		<p>Telephone number for enquiries about the documents</p>
<p>Examiner's Report (Regulation 18)</p>		<p>Notification letter / email to Regulation 16 respondents</p>
		<p>Publish the examiner's report and the Council's 'decision statement' on the Council website</p>
		<p>Examiner's report to be made available for inspection at a principal office.</p>
		<p>Provision of copies of documents by email or post</p>
		<p>Telephone number for enquiries about the documents</p>
<p>Decision on making the Plan (Regulation 19)</p>		<p>Notification letter / email to Regulation 16 respondents</p>
		<p>Publish the Councils 'decision statement' on the Council website</p>
		<p>'Decision statement' to be available for inspection at a principal office</p>
		<p>Provision of copies of documents by email or post</p>
		<p>Telephone number for enquiries about the documents</p>

Stage	Method of community involvement
<p>Making Neighbourhood Plan (Regulation 20)</p>	<div data-bbox="608 293 703 353">  </div> <p data-bbox="770 293 1369 322">Publish the made plan on the Council website</p> <div data-bbox="612 383 699 465">  </div> <p data-bbox="770 394 1437 465">Main documents to be available for inspection at a principal office</p> <div data-bbox="619 495 699 577">  </div> <p data-bbox="767 506 1353 577">Provision of copies of documents by email or post</p> <div data-bbox="620 607 708 674">  </div> <p data-bbox="770 618 1329 689">Telephone number for enquiries about the documents</p>

Table 4 – Methods of community involvement in the production of a Neighbourhood Development Order or Community Right to Build Order

Stage	Method of community involvement
<p>Designation of Neighbourhood Forum</p> <p>Publicising application (Regulation 9)</p> <p>Publicising designation (Regulation 10)</p>	<p> Publish application on the Council website</p> <p> Publish designation on the Council website</p> <p> Designation to be available for inspection at a principal office</p> <p> Provision of copies of documents by email or post</p> <p> Telephone number for enquiries about the documents</p>
<p>Designation of Neighbourhood Area</p> <p>Publicising application (Regulation 6)</p> <p>Publicising designation (Regulation 7)</p>	<p> Publish application on the Council website</p> <p> Publish designation on the Council website</p> <p> Designation to be available for inspection at a principal office</p> <p> Provision of copies of documents by email or post</p> <p> Telephone number for enquiries about the documents</p>
<p>Pre-submission consultation (Regulation 21)</p>	<p> Notification letter / email to statutory consultees</p> <p> Publish documents on the Council website</p>

Stage	Method of community involvement	
<p>Pre-submission consultation (Regulation 21) <i>Continued</i></p>		<p>Provision of copies of documents by email or post</p>
		<p>Telephone number for enquiries about the documents</p>
<p>Publicising the order (Regulation 23)</p>		<p>Notification letter / email to statutory consultees</p>
		<p>Publish documents on the Council website</p>
		<p>Display site notice (If Required)</p>
		<p>Publish a notice within a local newspaper (If Required)</p>
		<p>Provision of copies of documents by email or post</p>
		<p>Telephone number for enquiries about the documents</p>
<p>Examiner's Report (Regulation 25)</p>		<p>Notification letter / email to statutory consultees</p>
		<p>Publish the examiner's report and the Councils 'decision statement' on the Council website</p>
		<p>Examiner's report to be available for inspection at a principal office</p>
		<p>Provision of copies of documents by email or post</p>
		<p>Telephone number for enquiries about the documents</p>

Stage	Method of community involvement
<p>Decision on making the order</p> <p>(Regulation 26)</p>	<p> Notification letter / email to statutory consultees, the qualifying body, and registered contacts</p> <p> Publish the Councils 'decision statement' on the Council website</p> <p> The Council's 'decision statement' to be available for inspection at a principal office</p> <p> Provision of copies of documents by email or post</p> <p> Telephone number for enquiries about the documents</p>
<p>Making Neighbourhood Order</p> <p>(Regulation 27)</p>	<p> Publish the made order on the Council website</p> <p> The made order to be available for inspection at a principal office</p> <p> Provision of copies of documents by email or post</p> <p> Telephone number for enquiries about the documents</p>

5 Community Infrastructure Levy

5.1 The Council may consider the production of a Community Infrastructure Levy (CIL) for the Borough in the future. Where a Levy is progressed, the following consultation procedures will be undertaken in accordance with the Community Infrastructure Levy Regulations 2010³¹.

Consultation on the draft Charging Schedule

5.2 Following the production of a draft Community Infrastructure Levy (CIL) Charging Schedule, the Council will undertake a minimum of 4 weeks consultation on the draft Schedule.

5.3 The draft Charging Schedule will be published on the Council's web site and made available for public inspection at a principal office. The consultation document and all supporting evidence base documents will be made available on the Council website.

Submission of the draft Charging Schedule

5.4 Anyone who made a representation on the Regulation 16 draft Charging Schedule consultation will be informed of the submission of the Schedule. A copy of the Statement of Modifications will be provided to neighbouring local authorities and all neighbourhood forums.

5.5 The submitted draft Charging Schedule will be made available for public inspection at a principal office. The submission document and all supporting evidence base documents will be made available on the Council website.

Examination and publication of the draft Charging Schedule

5.6 Following the examination, the examiner's recommendations and the final approved Charging Schedule will be made available for public inspection at a principal office and published on the Councils website.

5.7 Anyone who made a representation on the Regulation 16 draft Charging Schedule consultation will be informed of the publication of the Schedule.

³¹ The Community Infrastructure Levy Regulations 2010 (as amended)

Table 5 – Methods of community involvement in the production of a draft CIL Charging Schedule

Stage	Method of community involvement	
<p>Publication of a draft Charging Schedule (Regulation 16)</p>	     	<p>Notification letters / emails to registered contacts and statutory consultees</p> <p>Deposit of draft Schedule at a principal office</p> <p>Consultation questionnaire</p> <p>Publication of all documents on the Council website</p> <p>Provision of copies of documents by email or post</p> <p>Telephone number for enquiries about the documents</p>
<p>Submission of draft Charging Schedule (Regulation 19)</p>	    	<p>Notification letters / emails to previous respondents</p> <p>Deposit of submission draft Schedule at a principal office</p> <p>Publication of all documents on the Council website</p> <p>Provision of copies of documents by email or post</p> <p>Telephone number for enquiries about the documents</p>

Stage	Method of community involvement	
<p>Examination of draft Charging Schedule</p> <p>(Regulation 23)</p>	   	<p>Deposit of the examiner's report at a principal office</p> <p>Publication of all documents on the Council website</p> <p>Provision of copies of documents by email or post</p> <p>Telephone number for enquiries about the documents</p>
<p>Publication of the Charging Schedule</p> <p>(Regulation 25)</p>	    	<p>Notification letters / emails to previous respondents</p> <p>Deposit of Charging Schedule at a principal office</p> <p>Publication of all documents on the Council website</p> <p>Provision of copies of documents by email or post</p> <p>Telephone number for enquiries about the documents</p>

6 Protocols for public involvement

Contact Lists

6.1 The Council will maintain a database of contacts who have advised the Council that they wish to be involved or consulted on the preparation of local development documents and have provided their contact details.

6.2 The database of contacts will be maintained in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation.

Notification Letters and Emails

6.3 Notification by letter or email will be sent to everyone registered on the contacts database at the start of the initial consultation process for the preparation of each local development document.

6.4 The Council will send neighbour notification letters in areas where neighbouring sites are proposed to be allocated for development, to increase the awareness of emerging site-specific proposals. Neighbour notification letters will be sent on the same basis as for publicising planning applications, as set out in section 7 below.

Publication and Deposit of Documents

6.5 All consultation documents will be made available on the Council website.

6.6 Consultation documents associated with a Local Plan and with a CIL Charging Schedule will be made available for inspection at a principal office and at other such places as the Council considers appropriate.

6.7 The Council will investigate the possibility of providing documents in different formats, in response to specific requests.

Consultation Periods

6.8 The Council will consult on local plan and neighbourhood plan consultation documents for a minimum period of 6 weeks, and for a minimum period of 4 weeks for SPD and draft CIL Charging Schedule consultation documents. Extra working days will be added to take account of Council closures and public holidays.

Evidence base

6.9 Comments on relevant evidence base documents will be invited at each stage of the plan making process.

Representations

6.10 Any person may make representations about the emerging content of a local development document, provided they are submitted in the appropriate manner and within the appropriate deadline.

6.11 Representations must be made in writing. The Council is able to receive representations by letter, email, and online surveys where used.

6.12 Private information, such as contact details, will be redacted from all published representations. However, people who make representations at the Regulation 19 Local Plan stage will need to provide a name and address or they are unlikely to be accepted.

6.13 The Council will specify the time and date by which comments must be received, and the postal and/ or email address to which they must be sent.

6.14 Respondents are responsible for ensuring that their comments are received at the specified address, within the specified time period.

6.15 Representations received after the published deadline will not be considered, unless there has been a failure by the Council to make appropriate provision for the receipt of representations within that time period.

Acknowledgement of Representations

6.16 The Council will acknowledge the receipt of all responses by email or letter where contact details have been provided.

Assessment of Representations

6.17 Representations received by the Council will be assessed against national policy and legislation and their implications for the promotion of sustainable development.

6.18 The final decision on the Council's response to representations will be approved in accordance with the Councils constitution.

Further information

6.20 Further information on community Involvement in the production of local development documents, neighbourhood planning and CIL proposals can be obtained from Regeneration and Place Department by:

- visiting our web site: <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/community-involvement-local-planning/statement>
- by emailing us at forwardplanning@wirral.gov.uk; or
- by telephone on 0151 606 2000

7 The development management process

Development Management Service Customer Charter

7.1 The Wirral Council Development Management Service Customer Charter can be viewed at <https://www.wirral.gov.uk/planning-and-building/planning-permission/customer-charter>

Publicity Required by Law

Publicity by Local Planning Authorities

7.2 The Council is required by law to give publicity to all planning applications. Table 6 below sets out the required publicity for the various categories of applications as outlined in the Town and County Planning (Development Management Procedure) (England) Order 2015³².

7.3 All planning applications will be published on the Council's planning web pages as soon as possible following receipt of a valid application.

Table 6 – Statutory Publicity for Planning Applications³³

Type of Development	Publicity Required
Development where an application is accompanied by an Environmental Statement	 Press Notice  Site Notice
Development which would be a departure from the Development Plan	 Press Notice  Site Notice

³² Section 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

³³ Section 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

Type of Development	Publicity Required
Development which would affect a Public Right of Way	 Press Notice  Site Notice
Major ³⁴ development	 Press Notice  Site Notice
Minor and other development	 Neighbour Notification  Site Notice if necessary
Development affecting the setting of a Listed Building	 Press Notice  Site Notice if necessary

³⁴ Major development is defined as:

- for residential development, 10 or more dwellings or if the number of dwellings is not known, where the site area is 0.5 hectares or more;
- for other uses, where the floorspace is 1,000 square metres or more or the site area is 1.0 hectare or more;
- mineral working or use of land for mineral working deposits; and
- all waste related developments, including waste treatment, storage or transfer as well as tipping.

Type of Development	Publicity Required
Development affecting the character or appearance of a Conservation Area	 Press Notice  Site Notice
Applications for Listed Building Consent and planning permission for relevant demolition in Conservation Areas (formally known as Conservation Area Consent)	 Press Notice  Site Notice
Permitted development requiring prior notification to the planning authority (e.g. telecommunications)	 Site Notice posted by the developer

Neighbour Notification

7.4 The Council currently uses neighbour notification letters as a means of publicising planning applications. It has found that this is currently the most effective method, where small numbers of residents are likely to be affected by a development and enables people who have been unable to see a Press Notice to express their views.

7.5 Adjoining owners and/or occupiers will be notified as soon as possible following the receipt of a valid application.

7.6 Additional publicity, in the form of Site Notices and additional notification letters, may be given to developments likely to create wider concern at the discretion of the Case Officer, in consultation with the Development Management Manager. This may, for example, include applications for proposals with the potential to change the character of the area; cause noise, smell, vibration or other nuisance; activity or noise during unsociable hours; affect trees subject to a Tree Preservation Order; and other proposals giving rise to a similar level of wider than local impact.

7.8 The Council also has a system in place for notifying the relevant neighbouring local planning authority, to include any neighbours and/or residents that might also be affected by a cross-border planning application. This procedure will, however, normally only apply to major applications, for example, for retailing and housing developments.

7.9 The Council’s neighbouring local planning authorities have a similar system in place but the decision as to whether planning applications are referred to the Council and/or to local neighbours and residents in Wirral is the responsibility of the relevant adjoining local planning authority.

Periods of Notice.

7.10 It is a statutory requirement that the following periods of notice are given before a planning application is determined:

Table 7 – Statutory Periods of Notice for Planning Applications^{36 37}

Method of Publicity	Period of Notice
 Press Notice	21 days from the date of publication
 Site Notice	21 days beginning with date that the notice was first displayed
 Neighbour Notification	21 days beginning with the day on which the notification was delivered ³⁵
Development where an application is accompanied by an Environmental Statement	30 days

Revised Applications

7.11 Non material minor amendments to a planning application, required by the Council or by the applicant, will be accepted where the planning application has not

³⁵ This will be extended if a bank holiday fall within the consultation period

³⁶ Section 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

³⁷ For EIA applications the consultation period is 30 days as specified in Article 15 and 16 and Schedule 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

yet been determined. Re-notification and publicity will not be undertaken on minor amendments but the amended plans will be placed on the Council's website.

7.12 Where an application has already been determined or significant amendments are proposed to a non-determined application, the Council will require a new application to be submitted. The new application will be subject to a new period of publicity and/or neighbourhood notification.

Publicity by Applicants

7.13 Under current legislation, applicants are only required to publicise planning applications in the following situations:

- where an environmental statement is submitted after the application; and
- where a developer has to apply in advance for a determination as to whether the Council's prior approval is required for certain details of the development.

7.15 In the second case, the Council will require that a Site Notice be posted. In both cases, developers have to complete a certificate to confirm that appropriate publicity has been undertaken.

7.16 Statutory provisions for developers to consult local communities and take their comments into account before submitting a planning application for certain types of development are included in section 61W of the Town and Country Planning Act 1990.

7.17 Further guidance on the procedures for publicising planning applications is available in the Council's Guidance for Publicity on Planning Applications³⁸.

Protocols for Public Involvement

7.18 The Council will send neighbour notification letters to inform neighbours that a planning application has been submitted and of the deadline by which comments should be submitted to the Council.

7.19 Weekly lists of planning applications that are departures from the Development Plan or which are required to be subject to a Press Notice in Table 6, will be published in the local press.

7.20 All planning applications will be made available for public inspection at the local planning authority's principal office during normal office hours and on the Council's website at <https://www.wirral.gov.uk/planning-and-building/planning->

³⁸ Which can be viewed on the Council's website at <http://www.wirral.gov.uk/my-services/environment-and-planning/planning/planning-advice-and-guidance>

[permission](#) . The website allows simple searches to be made by keyword, reference number, postcode or single line of address. The website also allows a more advanced search to be made by applicant name, application type, Ward, Conservation Area, development type and date of submission. Searches can also be made by Committee Date and Weekly/Monthly Lists at:

<https://planning.wirral.gov.uk/online-applications/search.do?action=simple&searchType=Application>

Consultation Responses

7.21 Comments on a planning application must be made in writing by letter or email or by using the Make a Comment facility online against the relevant application reference within the timescale indicated. Respondents are encouraged to submit their comments electronically online using the Make a Comment facility or by e-mail, where this facility is available. Statutory consultees will be allowed a longer period of time to comment on applications where this is prescribed by legislation.

7.22 Comments made in response to a planning application will be placed on the application file. The file is available for public inspection and the applicant will be able to see the comments that have been made. Comments will not normally be acknowledged due to the large volume of representations received on planning applications.

7.23 All representations, whether for or against the proposal, will be taken into account when the final decision is taken, in line with national and local policies, provided they relate to material planning considerations. More information about material planning considerations can be found on the Council's planning website: www.wirral.gov.uk/planning-and-building/planning/planning-decision-process/about-decision-process. When making a representation please avoid making any statements that could compromise the security of your premises (such as holiday dates or details of when your property is left empty).

Planning Decisions

7.24 Planning Committee meets every month to determine any planning applications where the Director responsible for the planning service considers it inappropriate to exercise delegated powers having regard the public representations received and consultee responses and other applications specifically reserved to the Planning Committee.

7.25 The following matters are to be determined at the Strategic Applications Sub-Committee:

- (i) Large-scale major developments (defined by the Ministry for Housing, Communities and Local Government (MHCLG) as those of 200 houses or more or 10,000 square metres of non-residential floor space) which, by their nature, (e.g. scale, location etc.) have wider strategic implications and raise issues of more than local importance;**

- (ii) Significant applications by Wirral Borough Council to develop any land owned by the Council, or for development of any land by the Council or by the Council jointly with any other person (Regulation 3 applications);
- (iii) Applications where it was proposed to make a decision that is a significant departure from the policies of the development plan, with the exception of domestic extensions;
- (iv) Decisions that would need to be referred to the Secretary of State with the exception of applications for Planning Permission and/or Listed Building Consent to Grade I listed buildings, where there are no objections on conservation grounds;
- (v) The Sub-Committee may also sit to have an informal briefing on a pre-application or application proposal with developers in relation to any matter which potentially may come before the Sub-Committee for later decision.

7.26 A protocol governing developer engagement with Members of the Strategic Applications Sub-Committee at pre-application and pre-decision stage was agreed in December 2020, which can be viewed here:

<https://democracy.wirral.gov.uk/documents/s50072001/Strategic%20Apps%20Sub%20Cttee%20reportmn.pdf>

7.27 Elected Members sitting on the Planning Committee and Strategic Applications Sub-Committee receive a written report prepared by Council Officers on each application to be considered, including a summary of details of the letters and comments that have been received, and a summary of the main points raised. If a letter or comment is received after the written report has been prepared, the main points will be summarised within a late addendum.

7.28 The Council allows the Committee to be addressed by members of the public when a petition with 25 or more signatories has been received before noon on the Monday prior to the Committee meeting³⁹. A representative of the petitioners will then be allowed to address the Committee for five minutes. In the event that more than one petition has been received, the allotted time may be divided between the petitioners or one person may present the views of all petitioners. A representative of objectors may address the Committee only if the application is before the Committee on the basis of there being 15 or more individual objections within the consultation period.

7.29 The applicant or agent will be invited to address the Committee, also for a maximum of five minutes. Ward Councillors also have the right to address the

³⁹ Twenty five signatures are required for a petition to qualify.

Committee in support or against an application but without any time restriction. Members of the Planning Committee will then debate the proposal and a decision will be taken by vote, following the consideration of each application. See: <https://democracy.wirral.gov.uk/documents/s50070338/PROTOCOLS%20RELATING%20TO%20DETERMINATION%20OF%20PLANNING%20APPLICATIONSmnfinal71020.pdf>

and <https://democracy.wirral.gov.uk/ieListDocuments.aspx?CId=157&MId=8707>

Post Application Procedures

7.30 People who have submitted comments on the application will not normally be advised of the final decision in writing. People who have submitted comments are encouraged to keep up to date with the application via the Council's website. You can register with the website which can provide you with updates in relation to an application including when the decision has been made.

7.31 The applicant/agent will receive a decision notice detailing the conditions and reasons for approval or the reasons for refusal. A copy of the decision notice is kept on file and is available to view at the Council's Regeneration and Place office.

7.32 All decision notices will normally be displayed on the Council's website within 24 hours of the decision having been made.

Appeals

7.33 In the case of an appeal, the Council will write to all those who were notified of the original application, all the individuals and organisations that commented on the planning application, Ward Members and the Chair of Planning Committee, to inform them that an appeal has been submitted, so that they can make further representations to the Planning Inspector appointed to handle the appeal.

7.34 The Planning Inspector will copy the final decision to the appellant, the Authority and to any third parties who request in writing a copy of the appeal decision.

Pre-Application Procedures

Pre-Application Community Involvement

7.35 The Council strongly encourages landowners and developers to undertake pre-application community consultation, especially for large, complex or controversial proposals and for proposals that will be contrary to the Development Plan.

7.36 The advantages of early engagement with the local community include:

- allowing proposals to be explained before minds are made up on the basis of what can often be inaccurate second-hand information;
- assistance in gauging community support and obtaining accurate local information;

- clarification of the issues at debate, providing greater certainty and transparency, saving time later in the decision-making process; and
- the delivery of a more acceptable development.

7.37 Developers will be encouraged to contact the Council before commencing a community involvement exercise, to agree the scope of the exercise and the types of method that will be employed.

7.38 The consultation exercise should seek to explain the policy and other background to the proposals and address issues related to the type and scale of development, including its siting, layout, design and access arrangements. If necessary, it should also consider the matter of alternative sites.

7.39 A report of the consultation undertaken, the responses received and how the comments have been addressed, should then be submitted alongside the final planning application.

7.40 The types of proposal that the Council believe would be most likely to benefit from pre-application community involvement are set out in Table 8 overleaf:

Table 8 – Thresholds for Pre-Application Community Involvement

Type of Proposal	Threshold
Industrial and commercial development, including retail New build and change of use in or adjacent to a Primarily Residential Area	1,500 square metres or above
Residential development	100 dwellings or sites of 3.0 hectares or above
Development affecting a Conservation Area or Listed Building	Proposals for 10 or more dwellings or on sites of 0.5 hectares or above Other proposals of 1,000 square metres or above or on sites of 1.0 hectare or above
Major infrastructure projects such as roads, pipelines or overhead power lines	All proposals
New educational or institutional proposals	All proposals for new sites Extensions of 1,000 square metres or above
Mineral extraction proposals	All proposals
Waste processing	All proposals

Further information

7.40 As the legal processes surrounding planning decisions, permitted development and publicity are subject to regular change, the Council will publish any amendments to these procedures on the Council’s website at www.wirral.gov.uk/my-services/environment-and-planning/planning

7.41 Further information on community involvement associated with the development management process, can be obtained from Regeneration and Place Department by:

- emailing us at planningapplications@wirral.gov.uk or

- telephone on 0151 606 2000.

8 Consultation bodies and consultees

8.1 Examples of the type of bodies and organisations that are currently consulted regarding the preparation of local plans and supplementary planning documents are illustrated in the lists below:

Specific Consultation Bodies ⁴⁰	
Adjoining Local Planning Authorities* Liverpool City Region Combined Authority Sefton Council Liverpool City Council Cheshire West and Chester Council Flintshire County Council	Other Public Bodies and Agencies Environment Agency* Highways England Homes England* Historic England* Marine Management Organisation* Natural England* Merseyside Police and Crime Commissioner Wirral NHS Clinical Commissioning Group* Network Rail
Adjacent Parish Councils Neston Town Council	Service Undertakers Electricity Companies Gas Companies Telecommunications Companies Water Undertakers Sewerage Undertakers

General Consultation Bodies ⁴¹	
Wirral Community Networks Voluntary Community Action Wirral Wirral Federation of Tenants & Residents Associations New Brighton Community Partnership Seacombe Community Partnership Tranmere Alliance	Environmental Groups & Societies Wirral Green Space Alliance (WGSA) ⁴⁰ Cheshire Wildlife Trust Wirral Wildlife Cheshire RIGS Group Dee Estuary Conservation Group Mersey Estuary Conservation Group Merseyside & West Lancashire Bat Group

⁴⁰ Defined in Section 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Bodies to which the additional duty to co-operate also applies under Regulation 4 are indicated with an asterisk*

⁴¹ Defined in Regulation 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as voluntary bodies some or all of whose activities benefit any part of the area; bodies which represent the interests of different racial, ethnic or national groups in the area; bodies which represent the interests of different religious groups within the area; bodies which represent the interests of disabled persons within the area; and bodies which represent the interests of persons carrying on business within the area. Bodies to which the additional duty to co-operate also applies under Regulation 4 are indicated with an asterisk *

	<p>RSPB Wirral & Cheshire Badger Group Wirral Barn Owl Trust Wirral Environmental Network Woodland Trust CPRE Lancashire, Liverpool City Region & Greater Manchester Campaign to Protect Rural England (CPRE) Cheshire</p>
<p>Faith Groups Church Commissioners Diocese of Chester Diocese of Shrewsbury Bridgewater Meeting Room Trust Jehovah's Witnesses Allerton Trust</p>	<p>Local Civic Societies Bromborough Society Heswall Society Hoylake & District Civic Society Irby, Thurstaston & Pensby Amenity Society New Ferry & Rock Ferry Conservation Society Rock Park Estate Management Committee Wirral Society Wirral Green Belt Council Barnston Conservation Society Greasby Green Belt Action Group Upton Village Community Group</p>
<p>National Bodies & Agencies National Trust Natural Resources Wales Sport England Forestry Commission Health and Safety Executive National Farmers Union Home Builders Federation The Theatres Trust</p>	<p>Heritage & History Societies National Museums Liverpool Cheshire Gardens Trust Garden History Society Bidston Preservation Trust Birkenhead History Society Wirral History and Heritage Forum Wirral Archaeology</p>
<p>Regional Bodies & Agencies NW Inshore Fisheries and Conservation Authority NW Sea Anglers</p>	<p>Disability Groups WIRED Wirral Disability Action Forum Together All Are Able</p>
<p>Sub-Regional Bodies & Agencies Liverpool City Region Local Enterprise Partnership* Liverpool City Region Local Nature Partnership* Merseyside Environmental Advisory Service</p>	<p>Elderly Persons Groups Age UK Wirral Older People's Parliament <i>Emergency Services</i> Merseyside Police Merseyside Fire and Rescue Service North West Ambulance Service HM Coastguard</p>

Merseyside Recycling and Waste Authority	Royal National Lifeboat Institute
National Health Service Wirral Hospitals NHS Trust	Higher Education Wirral Metropolitan College
Utilities & Service Operators National Grid Bell Ingram Pipelines Scottish Power United Utilities Dwr Cymru Welsh Water	Local Business Associations Wirral Investment Network Wirral Chamber of Commerce Birkenhead Market Tenants Association Birkenhead Town Centre Forum Heswall & District Business Association
Transport Bodies & Operators Local Highway Authorities* Office of Rail Regulation* Merseytravel* Sustrans Merseyside Cycling Campaign Cycling Project for the NW Wirral Footpaths and Open Spaces Preservation Society Wirral Transport Users Association Civil Aviation Authority* National Air Traffic Control Services Liverpool Airport Hawarden Airport (Airbus) General Aviation Awareness Council Merseyside & West Cheshire Ramblers Arriva North West Limited	Local Businesses Registered Business Consultees Wirral Chamber of Commerce
Registered Social Housing Providers	Local Residents
Consultants, Solicitors and Agents	Local Residents Associations
Land and Property Owners	Friends Groups
Gypsy and Travellers Organisations	Developers and House Builders
Black and Ethnic Minority Groups	Conservation Area Advisory Committees

8.2 Requests to be added to the contacts database for local plans and supplementary planning documents should be directed to the Regeneration and Planning Service: forwardplanning@wirral.gov.uk

8.3 The Council's Forward Planning Privacy Statement can be viewed on the Council's website at www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/forward-planning-privacy-notice

8.4 Requests to be added to the contacts database for planning applications and development management decisions should be directed to the Technical Support Unit: planningapplications@wirral.gov.uk. We will then contact you to discuss the type of applications and the best way that we can assist you in engaging with the planning application process.

8.5 The Council's Development Management Privacy Notice can be viewed at www.wirral.gov.uk/planning-and-building/planning-permission/development-management-privacy-notice

⁴⁰ Wirral Green Space Alliance (WGSA) is a consortium of 31 local groups including:

1. Barnston Village Conservation Society
2. Bebington Residents
3. Bidston Village Conservation Area
4. Bromborough Society
5. Campaign to Protect Rural England (CPRE) Cheshire
6. CPRE Lancashire, Liverpool City Region & Greater Manchester
7. Claremont Group
8. Conservation Areas Wirral (CAW)
9. Defend Wirral's Green & Open Spaces
10. Eastham Village Preservation Association
11. Frankby Conservation Area Advisory Committee
12. Friends of Birkenhead Park
13. Greasby Community Association
14. Hamilton Square Conservation Area
15. Heswall Society, Irby Cricket Club
16. Irby, Thurstaston & Pensby Amenity Society (ITPAS)
17. King's Gap Conservation Area
18. Meols Drive Conservation Area
19. Mountwood Residents
20. Oxton Society
21. Saughall Massie Conservation Area
22. Stop Hoylake Golf Resort Action Group
23. Storeton Residents Association
24. The Caldby Society
25. The Ramblers Wirral Group
26. The Wirral Society (CPRE Wirral)
27. Thornton Hough Community Trust Ltd
28. Thornton Hough Conservation Area Society
29. Wirral and Chester Wildlife
30. Wirral Barn Owl Trust
31. Wirral Footpaths and Open Spaces Preservation Society

9 Glossary

Terminology	Explanation
Adoption	The decision of the Council to make the final version of a local development document legally operative.
Appeal	An independent review of a Council decision to refuse or fail to determine a planning application.
Case Officer	The Council officer responsible for processing the determination of an individual planning application.
Community Compact Code	A local agreement between the Council and the voluntary and community sector to partnership working.
Conservation Area	An identified area designated by the Council to allow the character and appearance of that area to be protected.
Consultation Questionnaire	A series of questions intended to indicate the areas where comments are particularly being invited.
Corporate Customer Care Standards	A series of guidelines that set out the overall quality of service that can be expected when dealing with the Council.
Council Resolution	A formal recorded decision of the Council.
Decision Notice	The written notice of the Council's formal decision on an individual planning application.
Deposit	The formal placing of documents in locations where they can be inspected by the public free of charge.
Development Plan	A document that sets out the Council's statutory policies for the use and development of land, which individual planning decisions must normally follow.
Development Team Approach	A multi-disciplinary team of Council officers assembled to advise on all aspects of a major development proposal.
Duty to Co-operate	A legal duty to co-ordinate land use planning activities across local authority boundaries.
Environmental Statement	A written statement that must explain the impact of certain categories of development proposal on the environment.

Terminology	Explanation
Equality Statement	A written statement prepared as part of a process designed to ensure that a policy, project or scheme does not discriminate against any disadvantaged or vulnerable people.
Focus Group	A small representative group of people invited to discuss and test the merits of ideas or proposals.
Full Council	The public meeting of all the Local Councillors elected as members of the Council.
General Consultation Body	The types of organisation that should normally be consulted when a local development document is being prepared.
Independent Examination	The process undertaken by a Planning Inspector appointed by the Secretary of State to test the soundness and legal compliance of a proposed local plan.
Independent review panel	A panel of local groups and experts invited to check the quality of the local sustainability appraisal process.
Initial Consultation	The early stages of deciding on the scope and content of an emerging document in consultation with local stakeholders.
Judicial Review	The opportunity to challenge the legality of a planning decision in the High Court.
Legal Agreement	A commitment by a developer to undertake the works necessary to make a development acceptable.
Legal compliance	A test that ensures that all the legal requirements for the preparation of a local plan have been followed and met.
Local Councillor	A community representative elected as a member of the Council as a result of Local Government Elections.
Local Development Document	A document prepared by the Council to guide future development within the Borough as part of the Local Development Framework for the Borough.
Local Development Scheme	A document setting out the timetable for the preparation of local plans and other local development documents.
Local Plan	A local development document that will form part of the statutory Development Plan for the area.

Terminology	Explanation
Local Planning Authority	A body responsible for undertaking local planning functions under the Town and Country Planning Acts.
Material Consideration	A consideration related to the development and use of land that can be taken into account when taking planning decisions.
Monitoring Report	A report setting out the Council's progress on the preparation and implementation of local development documents.
National Planning Policy Framework	A document that sets out the Government's national planning policies for the operation of the land use planning system.
Neighbour Notification	A letter sent to the immediate neighbours of land subject to a site-specific development proposal.
Neighbourhood Development Plan	A statutory development plan prepared by a local community and endorsed by a local referendum.
Neighbourhood Development Order	A statutory order prepared by a local community to allow types of development endorsed by a local referendum.
Open Day	An open meeting to which the public can "drop in" to hear a presentation or view consultation materials and where Council officers will be available to answer questions on a one-to-one basis.
Permitted Development	Development that can be undertaken without the need to apply to the Council for planning permission.
Planning Application	The documents and plans that form part of an application for planning permission.
Planning Committee	A group of Local Councillors appointed by the Council to make decisions under the Town and Country Planning Acts.
Planning Inspector	A person appointed by the Secretary of State to carry out an independent examination of a local plan or to consider an appeal against the Council's refusal of planning permission or non-determination.
Pre-Application Consultation	Consultation undertaken on a development proposal before a planning application has been submitted.
Press Notice	A notice published in the local press to inform the public of certain categories of development proposal.

Terminology	Explanation
Prior Notification	The requirement to formally notify the Council of the intention to carry out certain types of development.
Public Meeting	A meeting held in public to which the public are invited to hear about planning proposals.
Representation	A comment submitted in writing in response to public consultation.
Scheme of Delegation	The published rules for allowing Council officers to issue decisions on behalf of Planning Committee.
Secretary of State	The person appointed by the Prime Minister to have overall responsibility for operation of the national planning system.
Site Notice	A notice that must be placed in public view at or near the site subject to a development proposal.
Soundness	A test that ensures that a local plan will comply with national planning policies.
Specific Consultation Body	A person or organisation that should normally be consulted when a local development document is being prepared.
Stakeholder	A person or organisation with an interest in the future planning and development of the Borough.
Statement of Community Involvement (SCI)	A statutory document which sets out the way the council will involve the local community, stakeholders and statutory bodies in the preparation and revision of planning policy documents, neighbourhood planning proposals and the determination of planning applications.
Statutory Consultee	A person or body that must be consulted by law.
Statutory Notification	A notice to people or organisations that must be issued by the Council by law.
Strategic Environmental Assessment	A written assessment of the likely significant effects on the environment.
Submission	The process of sending a local plan to the Secretary of State for independent examination.

Terminology	Explanation
Sustainability Appraisal	A written appraisal of the likely social, economic and environmental impacts of a policy or proposal.
Targeted Consultation	Consultation directed towards obtaining a response from specific groups of people.
Tree Preservation Order	An Order issued by the Council to protect an identified tree or group of trees.
Workshop	A meeting of people invited by the Council to obtain their ideas on how to address a particular topic or issue.
Written Representations	The process by which an appeal or independent examination is decided through the exchange of written correspondence.

ANNEX: COVID-19 STATEMENT

1 Background and purpose

1. This Annex presents the Council's approach to conducting community involvement during the Covid-19 pandemic, taking into account of the Covid-19 related restrictions on movement and social interaction, to ensure that effective community involvement will continue to take place during the pandemic.
2. During these unprecedented times, the Council will be unable to fulfil some of the commitments set out in its adopted Statement of Community Involvement related to how it consults on a variety of application types and policy documents. This Annex adjusts the Council's approach to community involvement to take account of the Covid-19 related restrictions on movement and social interaction, ensuring that effective community involvement will continue to take place in relation to the production of local development documents⁴² and to support development management decision making.
3. The temporary changes outlined have been made to protect the health of Wirral's communities and follows national advice and guidelines. The changes are set out below.

2 Impacts of the Covid-19 pandemic on community involvement processes in the Wirral

4. The Covid-19 pandemic has resulted in the Government setting restrictions on people's movement and social interaction in order to control the spread of the coronavirus. Whilst these restrictions remain in place, they impact on the scope and nature of community involvement that can take place, and therefore the ability of the Council to ensure that all of the requirements within the Council's current SCI can be achieved.
5. The Government has issued advice on the importance of progressing local plan production and continuing development management services during the Covid-19 pandemic in order to support the country's economic recovery. Through Planning Practice Guidance (PPG) and advice provided by the Ministry for Housing, Communities and Local Government (MHCLG), the Government has recommended that where necessary, local planning authorities should review their SCI processes to allow plan making and

⁴² Local Development Documents (LDD) include Development Plan Documents (which form part of the statutory development plan, such as the local plan and neighbourhood plans) and Supplementary Planning Documents (which do not form part of the statutory development plan). LDDs collectively deliver the spatial planning strategy for the local planning authority's area.

development management processes to continue. This should be undertaken by making temporary amendments to community involvement processes which allow public consultation to continue, for example, by maximising the use of online, telephone, and written engagement methods, engaging people without access to the internet through representative groups, targeting communities in most affected areas, and liaising with selected nominated individuals who can present the views of the community.

6. To enable planning processes to continue in the Wirral during the Covid-19 pandemic, this Annex presents alternative temporary community involvement measures which will be used while Covid-19 restrictions remain in place.
7. Given the complex and wide-ranging implications of the Covid-19 pandemic, Government guidance on approaches to public involvement is regularly being updated. Where necessary, the Council will update this Annex to include any new information provided by the Government on the approach to community involvement during the Covid-19 pandemic, taking into account any amendments to the relevant regulations or legislation. This Annex supersedes the existing Covid-19 related Addendum to the Council's 2014 SCI.
8. The Council will be guided by public health advice provided by the Government and other relevant bodies to determine how the Covid-19 related community involvement measures contained within this document will be applied.

3 Community involvement measures when Covid-19 related restrictions are in place

9. When public health advice results in Covid-19 restrictions impacting on people's movement and social interaction, the Council will undertake the following changes to community involvement processes outlined within the Wirral Statement of Community Involvement.

a) Public consultation events

10. The Covid-19 restrictions on people's movement and social interaction have a significant impact on the ability to undertake public consultation events such as meetings and workshops which involve meeting in person. To support the production and progression of local plans and decision making during the Covid-19 pandemic, the Government has recommended the use of alternative methods of community involvement which can take place while adhering to restrictions on social interaction.
11. While restrictions on social interaction do not allow community events to take place, the Council will instead seek to engage with the local community

through online meetings and telephone discussions. The Council will liaise with representatives of community groups to determine an appropriate approach to engagement which meets the specific requirements of the community, whilst also adhering to Government restrictions and guidance on social interaction and hygiene.

b) Local plan and neighbourhood plan examination hearings

12. The Covid-19 restrictions will have a significant impact on the ability to undertake local plan and neighbourhood plan related public examination hearings in person. The Government is currently engaging with the Planning Inspectorate on the use of virtual hearings and written submissions which will allow examinations to proceed whilst adhering to Covid-19 related restrictions on movement and social interaction.
13. Where necessary, the Council will update this Annex to include any new information provided by Government on the approach to undertaking examination hearings during the Covid-19 pandemic.

c) Provision of deposit copies of consultation, submission and examination documents

14. The Regulations⁴³ require the Regulation 19 submission version of a Local Plan to be made available for physical inspection at the Council's principal office. In accordance with the Regulations, the Council's SCI proposes to make consultation documents available for inspection at a principal office and at other such places as appropriate during normal office hours, in addition to publishing the consultation documents on the Council's website.
15. In relation to the Covid-19 restrictions the Government has published the Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020 which temporarily remove requirements under Regulation 35 and 36 of the 2012 Regulations⁴⁴ to make copies of documents available for public inspection at a principal office and to provide hard copies of documents.
16. In accordance with the updated Regulations, the Council will not be making consultation hard copy documents available for physical inspection during the period when Covid-19 restrictions apply. The updated Regulations will apply until 31st December 2021. After this period, the Council may consider the implementation of an appointment system for the public inspection of consultation documents where Covid-19 related restrictions still apply.

⁴³ Town and Country Planning Regulations 2012 and the Neighbourhood Planning Regulations 2012

⁴⁴ Town and Country Planning Regulations 2012

17. All other consultation documents associated with the Regulation 18 version of the Local Plan, Supplementary Planning Documents, neighbourhood planning documents, and other documents associated with examinations and monitoring reports, will therefore only be available for inspection online on the Council's website during Covid-19 relation restrictions.
18. The Council will provide a copy of relevant documentation by email to members of the public who request one. For those without internet access, the Council will also provide a copy of relevant documentation by post on request, subject to a reasonable charge to cover the costs of providing this service. The Council will also provide a telephone number where members of the public without internet access can make factual enquiries about the documents.

d) Physical inspection of planning applications

19. The physical inspection of planning applications during the Covid-19 pandemic has not been possible due to the closure of Council offices. The Government has introduced temporary changes to the publicity requirements for planning applications within the Town and Country Planning Regulations 2020 which gives local planning authorities greater flexibility in how planning applications are publicised where the normal statutory requirements cannot be achieved as a result of the Covid-19 restrictions.
20. While Covid-19 restrictions remain in place, all planning application documentation will only be made available on the Councils website and will not be available for physical public inspection.

e) Planning committee

21. To ensure that planning related decisions can continue to be made during the Covid-19 pandemic, the Government has made new Regulations⁴⁵ which enable all planning committees to be undertaken through virtual online meetings. While Covid-19 related restrictions remain in place, the Council will undertake planning committee meetings through virtual online meetings.
22. The public can watch and participate in accordance with the Council's constitution in virtual online committee meetings. For further information please contact planningapplications@wirral.gov.uk

f) Publicity for Planning Applications

23. Planning applications are available on the online planning register and advertised in the local press (when publication occurs) in the normal way.

⁴⁵ The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

24. The minimum publicity as set out in planning legislation only requires either a site notice or a neighbour notification for most types of applications. In normal circumstances a site notice is required for certain applications i.e. for development affecting a public right of way; listed building or character of a conservation area; development representing a departure from the development plan; or applications for EIA development accompanied by an environmental statement.
25. Due to Covid-19 restrictions, the Government have issued regulations that allow the Council to suspend the posting of site notices for these types of applications where it is not reasonably practicable to do so for reasons connected to the effects of Covid-19, including restrictions on movement. This suspension currently runs until 30 June 2021. As such, the Council will continue to install site notices for those developments listed above where it is reasonably practicable to do so. Where it is not practicable to do so, for reasons connected to the effects of Covid-19, the Council will ensure these applications continue to be publicised by way of neighbour notification and advertisement in the local press.

4 Summary of the methods of community involvement which will be undertaken by the Council in the production of local plans and supplementary planning documents

26. The following tables outline how the Council will undertake community involvement while the Covid-19 related restrictions on movement and social interaction remain in place.

Table 1 – Methods of community involvement in the production of a Local Plan

Stage	Methods of community involvement during the Covid-19 pandemic restrictions
<p>Initial Consultation (Regulation 18)</p>	<p>Notification letters / emails to registered contacts and statutory consultees</p> <p>Neighbour notification letters / emails for site specific development proposals only</p> <p>Online / telephone meetings</p> <p>Online consultation questionnaires, use of social media</p> <p>Publication of all documents on the Council website</p> <p>Provision of copies of documents by email or by post</p> <p>Telephone number for enquiries about the documents</p>
<p>Proposed Submission Draft (Regulation 19)</p>	<p>Notification letters / emails to statutory consultees and previous respondents</p> <p>Neighbour notification letters / emails for site specific development proposals only</p> <p>Online consultation questionnaires, use of social media</p> <p>Publication of all documents on the Council website</p> <p>Provision of copies of documents by email or by post</p> <p>Telephone number for enquiries about the documents</p>
<p>Submission (Regulation 22)</p>	<p>Notification letters / emails to statutory consultees and previous respondents</p> <p>Publication of all documents on the Council website</p> <p>Provision of copies of documents by email or by post</p>

Stage	Methods of community involvement during the Covid-19 pandemic restrictions
	Telephone number for enquiries about the documents
Public Examination (Regulation 24)	Notification letters / emails to statutory consultees and previous respondents Publication of all documents on the Council website
Inspectors Report (Regulation 25)	Notification letters / emails to statutory consultees and previous respondents Publication of all documents on the Council website
Adoption (Regulation 26)	Notification letters / emails to statutory consultees and previous respondents Publication of all documents on the Council website
Monitoring (Regulation 34)	Publication of monitoring reports on the Council website

Table 2 – Methods of community involvement in the production of a Supplementary Planning document

Stage	Methods of community involvement during the Covid-19 pandemic restrictions
Initial Consultation (Regulation 12)	Notification letters / emails to registered contacts and statutory consultees Neighbour notification letters / emails for site specific proposals only Online / telephone meetings Online consultation questionnaires, use of social media Publication of all documents on the Council website Provision of copies of documents by email or by post Telephone number for enquiries about the documents

Stage	Methods of community involvement during the Covid-19 pandemic restrictions
<p>Draft SPD (Regulation 13)</p>	<p>Notification letters / emails to statutory consultees and previous respondents</p> <p>Neighbour notification letters / emails for site specific proposals only</p> <p>Online consultation questionnaires, use of social media</p> <p>Publication of all documents on the Council website</p> <p>Provision of copies of documents by email or by post</p> <p>Telephone number for enquiries about the documents</p>
<p>Adoption (Regulation 14)</p>	<p>Notification letters / emails to statutory consultees and previous respondents</p> <p>Publication of all documents on the Council website</p> <p>Provision of copies of documents by email or by post</p> <p>Telephone number for enquiries about the documents</p>
<p>Monitoring (Regulation 34)</p>	<p>Publication of monitoring reports on the Council website</p>