



**West Lancashire
Statement of Community Involvement
Consultation Report**

September 2020

Introduction

This Consultation Report (or 'Consultation Statement') has two sections:

Firstly, it sets out the comments received on the draft West Lancashire Statement of Community Involvement 2020 during the public consultation exercise held in spring 2020. It lists the representations received (sorted by SCI section order) and West Lancashire Borough Council's response to the points made – pages 3-37.

Secondly, it sets out the changes made to the SCI, both as a result of consultation responses, and for other reasons (e.g. to improve clarity) – pages 38-44.

The consultation on the draft SCI was initially scheduled for 27 February to 9 April 2020 (six weeks), but was subsequently extended to 31 May 2020 (a further seven and a half weeks) to take into account difficulties associated with COVID-19 and its associated restrictions.

An Addendum to the SCI has been prepared specifically to deal with COVID-19 and its implications. This Addendum is intended to apply whilst COVID-19 related restrictions are in force. The Addendum is not covered by this Feedback Report.

18 representations were received on the SCI from the following people / organisations:

Organisation	Abbreviation (if used in report)
Anglo International Upholland Ltd	AIUL
Aughton Parish Council	APC
Aughton Residents Group	ARG
Bickerstaffe Parish Council	BPC
Canal and River Trust	CRT
Conservation Area Advisory Panel	CAAP
CPRE	CPRE
Dalton Parish Council	DPC
Environment Agency	-
Highways England	-
Homes England	-
Lancashire County Council - School Planning Team	-
Lathom South Parish Council	LSPC
National Grid (Avison Young)	-
Natural England	-
Sefton MBC Planning	-
Two private individuals	-

Representations received during public consultation on draft SCI, 27 February – 31 May 2020 and WLBC response; sorted by SCI section

Organisation / SCI section	Comments	West Lancashire Borough Council response
General		
Aughton Residents Group (ARG) / Individual	<p>Since being formed in 2012 our Group, representing hundreds of Aughton residents have been keenly involved and interested in the various stages of the WLBC / Local Plan / Formulation and Inquiries. The Draft SCI – is considered a comprehensive document, no doubt covering all the statutory requirements under the various elements of current planning legislation. The Aughton Residents Group are however concerned that there is a danger that the document does leave the Council open to a repeat of the previous criticism that it was not robust enough in engaging with its community in a timely and informative manner.</p> <p>Our comments are made in a positive attempt to enable the SCI better reflect the needs of the local community and in particular to address the Council’s ambition to: <i>‘The Council also recognises that meaningful engagement with local communities and other ‘stakeholders’ can help in the planning process and can help increase public acceptance of developments’</i></p> <p>Summary During the development of the current Local Plan 2012 - 2027 many considered the council to be more aligned to the needs and wishes of the big developers than the local communities. This grew largely out of the failure to provide timely and informative updates to the public in the early stages. This issue, and others, reappeared during the more recent attempt to create a thirty year Local Plan. If the Borough Council really wants to get the community to help in the planning process and to increase public acceptance of developments then they need to ensure they do not repeat those mistakes. We suggest...</p> <ul style="list-style-type: none"> • Let the public know at the very earliest opportunity what it is that you are intending to do and why. • Do not hide behind the ‘Statutory requirements only say we have to do...’ excuse, it looks lame and lazy. The local press are desperate for stories and you have a great deal of influence with them. So use them. 	<p>Comments noted. The positive nature of the Respondent's comments are welcomed.</p> <p>In undertaking its planning consultation work, the Borough Council is required to meet minimum standards set by national legislation / Regulations, but where practicable and appropriate, the Council will seek to exceed these standards. However, the Council is increasingly subject to resource constraints and it would be unwise to commit to standards of consultation which it may not be able to meet in future. As such, this SCI sets minimum standards but these can always be exceeded, and often are.</p> <p>Borough Council Members make the Council's decisions. Proposals / draft documents need to be approved by Members before they are publicly consulted upon. To release details prior to approval by Members would be likely to cause unnecessary confusion, rumours and / or speculation. It is considered that the only practical way of preparing / consulting on a local plan is to release the details of the proposals at the stage that Cabinet (or Planning Committee) agendas go public. For local plan documents, this is often accompanied by a press release.</p>

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<p>Bickerstaffe Parish Council (BPC)</p> <p>CPRE</p>	<p>Do not let it appear, unjustly or otherwise, that you are consulting/planning with developers, ahead of the public. After the current crisis has finally subsided the public's trust in many institutions will be fragile.</p> <p>Thank you to WLBC for making this document accessible in plain English and for giving stakeholders the opportunity to engage in this process.</p> <p>Although some of the comments made below refer to the experiences of responding to the last version Local Plan, they are put forward as positive suggestions for the future Local Planning and Reviews.</p> <p>The extension for responses being extended to May 31st was beneficial. The previous 6 week period ending on April 30th would have been too short a notice period for the Parish Council. Therefore longer time lengths for consultation periods would be appreciated in future.</p> <p>General Note: Issues of enforcement have not been described in this SCI. This would be useful information to include. For example, Subway fast food outlet was built at the Starbuck's site at Four Lane Ends, Bickerstaffe without planning permission. It took over a year to sort this out but the building work went ahead anyway, much to local consternation.</p> <p>We welcome the opportunity to take part in this consultation.</p> <p>We welcome the clarity and use of clear, plain English in this draft. Also the tone of the document, ie <i>"acceptance of developments"</i>. Rather than <i>"support for developments."</i></p> <p>We especially welcome that the end date was extended in these unusual times and apologise for the unusual format of our submission. A Sunday end date is also welcomed, as it gives extra "out of work" time to the general public. We have never understood why they usually end on a Friday only to sit un viewed over a weekend. We assume that it is to comply with the minimum statutory consultation times. We would welcome the inclusions of the weekend in future consultations. We are unaware of there being maximum times for consultations.</p>	<p>It is agreed that the use of plain English is important and should be aspired to wherever possible.</p> <p>The positive and constructive nature of Bickerstaffe Parish Council's comments is gratefully acknowledged.</p> <p>Comments noted. The extension of the consultation period for the 2020 SCI was made in the light of Covid 19-related difficulties. The relationship between WLBC consultation periods and Parish Council meeting cycles needs to be borne in mind in setting consultation periods.</p> <p>It is not usual for public consultation to be undertaken on enforcement matters, which is why enforcement is not covered in the SCI, but it can be mentioned in the Development Management chapter (Chapter 4).</p> <p>Comments noted; the constructive feedback from CPRE is gratefully acknowledged.</p> <p>WLBC-run consultations tend to end on a working day (usually a Thursday rather than a Friday) because many comments tend to be submitted during the last few hours of the consultation period, often by consultants. If problems are encountered, officers need to be on hand to take phone calls / answer emails / check software, etc.</p>

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Lancashire County Council Schools Planning Team	<p>The document has been reviewed and comprehensively sets out the way the council will communicate with its residents and stakeholders. As a two tier authority it is important that the relationship with the borough and district councils is strong. Inclusion in to all consultations continues to ensure we can engage at the earliest opportunity. The relationship with borough council is good and with communication taking place at the right point in local plan preparation, and the review of Community Infrastructure Levy CIL.</p> <p>At this point of the consultation The School Planning Team are satisfied with the level of engagement and inclusion. For information, LCC School Planning Team update pupil projections twice per year and carry out school provision scoping annually, so the team is constantly reviewing and making informed judgement about school place requirements across west Lancashire.</p>	Comments noted
Lathom South Parish Council (LSPC)	<p>This draft mixes the requirements under law and the Council's own approach to community involvement, without differentiating between the two. As the Local Plan process requires the Local Plan itself to set out the Council's policies by reference to the law but without re-iterating the contents of every national (and even County) policy, it seems appropriate to adopt the same approach. However, if it felt necessary to quote these sources verbatim, maybe that should be done through appendices which link directly to the appropriate documents, keeping the local element to a much shorter main text. That would also have the benefit of clarifying the Council's areas of direct responsibility and removing areas over which the Council has no control.</p> <p><u>Other important Concerns</u></p> <p><u>Applications by third parties</u> for planning permission or for inclusion in the Call for Sites should always be notified directly to the owner of the land and to the local Councillor and the Parish Council concerned.</p> <p><u>Local Plan Proposals</u> for development of Green Belt sites should be notified to the local Councillor and the Parish Council as a consultation prior to publication. Such arrangements have existed in theory already but they failed to reveal the true extent of proposals in our area and in Bickerstaffe. Presumably, the same truncated process applied in other areas. This is another example of Parish Councils being regarded as peripheral to the main process, rather than being involved properly.</p> <p><u>Conclusion</u></p> <p>There is a wide, and widening, gap between residents' perceptions and the Council's claims about the value of local involvement. It needs to be addressed urgently, in line with the foregoing comments.</p>	<p>To extract all references to law from the SCI and move them to an appendix is unlikely to shorten the SCI to any significant extent.</p> <p>The text of the document can be looked at, and if there is any confusion between what is 'statutory' and what is 'optional' as a result of the wording, it can be changed to improve clarity.</p> <p>Planning applications on third party land require the owner to have been notified. The Call for Sites form asks whether the owner supports the proposed use of the site.</p> <p>Members and Parish Councils are informed when the resulting document goes public, but not at the point of submission in the Call for Sites.</p> <p>WLBC Members are briefed on proposed Green Belt release prior to documents going public as Members make the decisions (e.g. on consultation). Releasing sensitive information to others (e.g. Parish Councils) before publication of documents is not considered appropriate in general but may sometimes be done.</p>

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Chapter 1	Introduction	
1.2 BPC	<p>1.2 As stated, West Lancashire Borough Council, as the Local Planning Authority for the area, is responsible for producing planning policy documents and making a decision on most types of planning applications. However this does not include Mineral and Waste Applications, which come from Lancashire County Council initially.</p> <p>Bickerstaffe Parish Council (BPC) appreciates that parishes are not legal consultees for LCC Mineral and Waste Applications, but as these types of applications can potentially affect the wellbeing of residents because they could involve environmentally sensitive matters such as incinerators, landfill, Environmental Agency permits and licences for fracking for example, if any method for keeping residents more fully informed at a local level i.e. through notification to Parish Councils (PCs) on any such applications would be possible, it would greatly be appreciated.</p>	<p>Comments noted. It is agreed that early notification to the relevant Parish Council(s) on Minerals and Waste (and other, e.g. Nationally Significant Infrastructure Projects such as Whitemoss Landfill) would be beneficial. This is not always within the control of WLBC.</p>
1.3 Aughton Parish Council (APC)	<p>1.3 The change for a requirement for LPA's to update their Statement of Community Involvement at least every 5 years was welcomed (TCP Reg.10A(1)(b) as amended.</p>	<p>Comment noted.</p>
1.3 CPRE	<p>1.3 Welcome acknowledgement of the importance of social media.....would like to see that as a consistent throughout the document (see later comments)</p>	<p>Comment noted.</p>
1.4 APC	<p>1.4 A meaningful engagement with Parish Councils and local communities is essential to ensure public awareness/involvement in decision making/understanding and 'more acceptance' of development. Parish Councils, at grass roots level, tend to 'know their area', how the community will react to 'change', whilst balancing the reason for 'change' with the relevant planning policy/framework/the planning law.</p>	<p>Comments noted; it is agreed that Parish Councils know their local area and community well and that engagement with Parish Councils is valuable.</p>
1.4 BPC	<p>1.4 When the Government acknowledged the importance of involving communities in decision-making about planning matters when it empowered local communities to become involved in the planning decision making process through The Localism Act (2011), and this demonstrated the Government's commitment to this engagement.</p> <p>This key piece of legislation is important for parishes and their councils who seek to engage in all aspects of the planning process. Therefore it is hoped that public opinion will not be denigrated. The WLBC statement: <i>"It should be remembered that feedback from public consultation is just one of</i></p>	<p>The statement referred to is not intended to denigrate public opinion or pre-empt any decisions. It was attempting to highlight that sometimes decisions are taken contrary to the majority opinion of those who have responded to consultation exercises, because other planning factors weigh more heavily. What tend to be more influential are the</p>

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	<p>several factors that the Council takes into account when making its decisions” could appear to seek to pre-empt any decisions which do not take public views into account.</p> <p>It is envisaged that feedback from Public Consultation - through the third tier of Local Government i.e. Parish Councils - is given the weight it deserves through the tenets of the Localism Act; and it is appreciated that WLBC strives to make decisions in the spirit of this Act.</p> <p>This Consultation states that WLBC’s role is to <i>“balance competing interests and its final decisions will inevitably disappoint some stakeholders”</i>. Planning Officers and Councillors make decisions which directly affect people’s lives, for example whether applicants can build a granny flat to accommodate an aging / infirm parent who would otherwise have to go into care or not; or for a farm which has been worked and loved by a family for generations on grade 1 greenbelt is to be demolished and for the land to be built on. So it is worth stating that the end product of any amount of documentation, plans and consultations are actions which impact residents in a very direct way. To call it “disappointing” as this consultation does, not only suggests an attitude to public consultation which could be seen to trivialise it by not acknowledging the seriousness of the consequences of its decisions and how they can deeply affect residents rather than merely “disappointing” them.</p> <p>Consequently it is felt that a commitment to, and awareness of residents and their needs at a local level should continue to be given weight it deserves when the points made are related to planning regulations and criteria found within the National Planning and Policy Framework.</p> <p>It is hoped that planning officers will have knowledge of the localities for which they are making decisions when preparing the new Local Plan. For example, the name “Bickerstaffe” was not mentioned in the last version of the Local Plan, yet there are 1,180 people residing in Bickerstaffe, living in small hamlets with strong community identities, social bonds and family ties; one area within Bickerstaffe was only mentioned as a “small rural village” and was incorrectly named in the plan as “Stanley Gate”. This was not correct and seemed to reflect a lack of local knowledge. For an area to be described without reference to its parish name in this way shows a lack of regard for the electoral districts and their communities.</p> <p>Public confidence and trust in any consultation process will depend on any plans showing knowledge and understanding of locality.</p> <p>It is appreciated that the Borough Council needs to balance views of various parties and interests as noted in 1.4 where the SCI document states: <i>“It is important, however, that people understand that whilst all points of view made to the Council are considered, it is not always appropriate and / or</i></p>	<p>planning points made by the public (and other consultees). The sentence can be amended.</p> <p>It is agreed that a stronger word than 'disappoint' would be preferable, given the examples provided. This paragraph will be amended to reflect the comments made.</p> <p>Comments noted. It is agreed that planning officers should know the localities for which they are making proposals / decisions when preparing local plans. Given the extent of the development proposed in the Bickerstaffe Parish area in the now-abandoned Local Plan Review, it is acknowledged that Bickerstaffe should have been mentioned in the document.</p> <p>Comments noted</p>

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1.4 CPRE	<p><i>possible for the Council to accommodate every request for change, especially where two parties have opposite views!"</i></p> <p>(The exclamation mark, although only a grammatical point, does seem to denote a potential defensiveness and is therefore not helpful.) However, it is believed that views from Parish Councils should hold more weight than views from individuals or other parties e.g. landowners - as the PC's comments/requests are based on the views of the communities which they represent.</p> <p>Some criteria which Bickerstaffe Parish Council would request for consideration in this consultation process are as follows:</p> <ul style="list-style-type: none"> - to afford as much weight to a community's views as possible; and not to put WLBC's financial need over community wellbeing - which would include not changing the status of the greenbelt which affects farmers' livelihoods; - to declare pecuniary interests of any parties transparently in any planning negotiations and decisions, and that this information should be open to the public when developers and landowners are involved; - not to accept funding offered to the Borough Council from a landowner or any other source to develop any aspect of the Local Plan, as this will be questioned by public scrutiny; - confidential items on Council agendas regarding formulation of a Local Plan (where the information is not publicly available) could be investigated using Freedom of Information requests, and could arouse suspicion in light of the previous Local Plan process especially if they are stated as "economically sensitive". <p>We request that the following; <i><u>"The council will clearly document how decisions have been reached to demonstrate how all comments have been considered."</u></i> ... which is in the previous version of the SCI should be retained. Because without explanation as to why comments and suggestions have been accepted or rejected there is a lack of democratic involvement or "fairness."</p>	<p>The exclamation mark can be replaced with a full stop. It is agreed that as Parish Councils represent a body of people, their views should be given appropriate weight.</p> <p>It is important to state that the proposed change of designation and allocation of Green Belt land was not to improve WLBC's financial position; it was to meet housing needs and / or help secure infrastructure and / or attempt to increase the prosperity of the Borough as a whole.</p> <p>This information may be divulged as part of viability assessments, although individuals' pecuniary interests are not normally taken into account in planning decisions.</p> <p>'Gifts' will certainly not be accepted; contributions towards necessary infrastructure may be sought (through the Community Infrastructure Levy) although this tends to fall far short of the total infrastructure needed to support new development.</p> <p>Comments noted. Freedom of Information disclosure / confidentiality of committee reports are tied to national law and are outwith the Council's control.</p> <p>Add sentence to this section as follows: "It is the purpose of officers' reports on planning applications, and the 'evidence base' that backs up planning policy documents, to set out how planning decisions (or recommendations) have been arrived</p>

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1.5 BPC	<p>In the past members of our organisation were present at a Public Enquiry where the Inspector asked for an Officers Report appertaining to a specific decision only to be told that there was not one as the decision had been delegated. The inspector, quite firmly, told officers that this was an unacceptable interpretation of Planning procedure.</p> <p>...retention of the sentence we request, would remove any ambiguity over the decision making process for without explanation decisions may be interpreted as arbitrary or even corrupt.</p> <p>In the final paragraph of 1.4: <i>....not the number of comments registered but the relevance of planning-related arguments contained within them.....the Council needs to balance the views of all sides.....</i></p> <p>Where there is a fine balance the weight of public opinion should be acknowledged as part of that balance.</p> <p>1.5 The National Planning Policy Framework (NPPF) 2019 sets out the importance of community involvement and multi-agency consultation, and further emphasises the importance of co-operation across local authority boundaries.</p> <p>It is expected and stated that all surrounding councils would be approached by WLBC under the NPPF "Duty to Co-operate" when it comes to calculating matters such as projected housing need numbers across the region, brownfield site availability for potential development and Gypsy and Traveller sites. Documented evidence of such negotiations would be expected to be made publically available also for all the areas of South Ribble, Chorley, Wigan, St Helens, Knowsley, and Sefton, as well as Liverpool, Manchester and Fylde.</p>	<p>at, taking into account relevant planning-related points made, including those received during consultation."</p> <p>It is beyond the Council's resources to explain how every comments made has been addressed, especially where some comments are not material to the decision being made.</p> <p>Comments noted.</p> <p>Comments noted and agreed. This is done as a matter of course and Duty to Cooperate statements set out the engagement undertaken with neighbouring authorities.</p>
1.6 APC	<p>The Duty to Co-operate – whilst unpopular with many Parish Councils, the National Planning Policy Framework and TCP Regulations, Reg.4 were noted.</p>	<p>Comments noted.</p>
1.6 BPC	<p>1.6 We note WLBCs commitment to the duty-to-cooperate but in the spirit of disclosure, where officers undertake discussions with others parties there should be minutes taken and approved by both parties. These should form part of the DPD background files. This should also include discussions with other bodies such as Network Rail. Because where such discussions inform the direction and policies of the DPD they should be documented and transparent.</p>	<p>Formal minutes of Duty to Cooperate meetings with statutory bodies, where taken, can be disclosed if necessary.</p>

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Chapter 2	Preparing Planning Policy Documents	
2.0 APC	<p>2.0 Preparing Planning Policy Documents – the legal requirement to verify consultation on Development Planning Documents, including the Local Plan, to be carried out in accordance with the SCI, was noted.</p> <p>The foot-note on Page 4 giving a straightforward interpretation of the word ‘SOUND’ was NOTED (to be considered ‘sound’ a document should be ‘positively prepared, justified, effective, and consistent with National Policy’).</p> <p>2.0.1 Who do we consult? Appendix B: Specific Consultation Bodies (these incorporate Statutory Consultees – they may be replaced by successor bodies) – the list which included Parish Councils was NOTED.</p>	Comments noted.
2.0.1 Individual	<p>2.0.1 Who do we consult?</p> <p>The continued inclusion of parish councils within the list of statutory consultees is welcomed and should be maintained. Parish councils are the form of local authority closest to the people they serve and as such are often the first (and sometimes only) point of contact for residents concerned about local issues.</p>	Comments noted. It is agreed that Parish Councils play an important role and their input is appreciated.
2.0.2 BPC	<p>2.0.2 The document link showed - https://www.westlancs.gov.uk/planning/planning-policy/the-local-plan/local-planreview/local-development-scheme-lds.aspx could not be found and the link comes up with “Page Not Found”.</p> <p>As the principal DPD is the currently adopted West Lancashire Local Plan covering 2012-2027, this timescale for the Local Plan Review should be adhered to and the Parish Council feels strongly that it should not extended beyond 2027.</p>	We apologise that this link did not work – the website was amended after this link was put in the SCI. A working link will be provided in the final SCI. Comments noted. It is intended to adopt a new local plan by 2023 (COVID-19 and government changes to the planning system permitting).
2.1 APC	<p>2.1 Development Plan Documents – in the interests of best practice and positive public engagement, the Parish Council would wish to ensure consultation on an informal stage with the council, eg Options & Preferred Options Stages – Table 2.1 Stage 4. (ample time should be allowed for discussion and with cross party attendance if possible)</p> <p>2.1.3 How do we consult? – in order to ensure the public are made aware of each stage of consultation, posters should be made available for Parish Council noticeboards and websites plus Press Releases (Table 2.2)</p>	<p>At Local Plan consultation stages, it is usual practice to meet Parish Councils.</p> <p>Whilst posters are a good idea, the Borough Council is unlikely to be able to prepare these owing to resource constraints. However, Parish Councils are welcome to use BC material to make their own posters. Press releases are usually prepared.</p>

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ARG / Individual	<p>ARG 2.1 Section 2 - Preparing Planning Policy Documents, Table 2.1: provides a comprehensive schedule of the individual stages of the Development Plan preparation and when consultation is required. It also highlights when publicity is required. It is concerning that certain stages do not require either and in particular that during the critical Stage 4 Preferred Options process consultation and publicity are Optional. This element of the planning process has previously proven to be of major opportunity for the public to involve in and influence the final Plan. If this stage is excluded from consultation then it will seriously negate the desire to 'help increase public acceptance of developments'. Whilst we believe it is probably the council's intention to do so, based on previous experiences, not stating its intention to do so could be interpreted as a desire to avoid past difficulties. The ARG recommends that the council make it clear within the final document the commitment to consult and publicise with their community at the Preferred Options stage.</p> <p>Table 2.2: outlines consultation on emerging DPDs. The table lists four stages of preparation of its DPD and in the subsequent columns identifies what if any consultation will take place. It is disappointing that the basic step of a "Press release' is listed as optional at each stage. This makes it look as though the whole process, including adoption, could be arrived at without the general community being aware. The simple and most cost effective measure of publishing a press release would negate this concern and enable the council to demonstrate at any later stage that they had done so. The ARG recommends that the council make it clear within the final document the commitment to at the very least to publicise within their community at each stage in the preparation of the DPD. To save repetition this should also be applied regarding SPDs.</p>	<p>Comments noted. The Town and Country Planning Regulations do not require a Preferred Options stage (Regulation 18 simply requires consultation on 'Scoping') so Table 2.1 reflects this. It is agreed that some form of consultation, especially on site allocations, is necessary prior to the Publication (final draft) stage. Past experience shows that, once sites are proposed, this generates a lot of responses, not all of them constructive. This time, we intend to invite comments on all sites submitted to us, and to use the results of this in drawing up the proposed sites for allocation. It is hoped this will be preferable to a Preferred Options consultation in terms of sites.</p> <p>Comments noted. It is certainly not the Council's intention to prepare a plan without public engagement (and in any case, this would be illegal). It is agreed that press releases are simple and cost effective, although it should be borne in mind that the press may sometimes choose not to publish press releases. The SCI can be amended to commit to preparing a press release at the mandatory consultation stages of a DPD. As SPDs can sometimes cover matters that are less weighty / of less interest to the public, it is not considered that a press release is needed for each preparation stage of an SPD.</p>
2.1 CPRE	<p>2.1 We consider it important that consultation takes part at all stages, be they statutory or not. Particularly the <i>'Issues and Options'</i> and <i>'Preferred Options'</i> stages. Because without this consultation there is a lack of democratic involvement or "fairness." There is a risk that without view of the emerging Plan, between Scoping and Publication with Publication being the first opportunity to comment, it may be that the steering committee is so far</p>	<p>See comments above regarding the Preferred Options stage. It is agreed that consultation between the 'Scoping' and 'Publication' stages is not just desirable, but</p>

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	<p>out of step with public opinion and their own wider political parties that they run the risk of the entire process up to that point being costly, wasted and risking time delays meaning the existing plan becomes out of date. Also this leaves the Publication open to being interpreted by some as arbitrary, unjustified, none representative or even corrupt. With particular acknowledgement of the substantial public interest in the recently withdrawn Local Plan proposals. (see also comments on table 2.1)</p> <p>2.1.1 Footnote 4 “<i>the terms ‘DPD’ and Local Plan are used interchangeably....</i>” Could this be explained within the text somehow. Abbreviations and terminology can be very confusing to the layperson (we note and welcome acknowledgement of this in 7.1 Equality and Diversity). CPRE West Lancs has experience of members of the Planning Committee struggling with such terminology and confusing the Development Plan Framework DPF, which is effectively a wish list, timetable with DPD, which is a legal document. It may help to explain in the introduction that the term “Development Plan Document” (DPD) is now used in place of the previous term “Local Plan”. To the lay person the term Development Framework may be interpreted as land usage allocation within the Borough.</p> <p>Table 2.1 We would like to see the comment made in stage 3 repeated at stage 4 In the last two boxes. (<i>i.e. not required.....but the Council may choose to publicise at this stage</i>) We refer to our comments at 2.1 above.</p> <p>2.1.4 We ask that the word <i>may</i> is at all points replaced with <u>will</u>. Feedback is important to Members and officers alike. It helps them to make informed decisions and recommendations. If there is no reporting of the issues and points raised, then there is no point in consulting in the first place.</p> <p>Can we point out that responses coming forward at the last Local Plan review were published in a database format that was extremely difficult to read. There were no paragraphs, with all the text running into one long column ... we understand that officers are aware of this issue. We hope that in the future the format will be changed so that it is more readable.</p> <p>We welcome that the database was largely searchable which was very useful, with one caveat: Reports were entered into this data base as attached documents in such a way that they were not</p>	<p>necessary. The Publication stage is subject to strong scrutiny, including by central government. Please note the Local Plan Review involved both an Issues and Options, and Preferred Options stage.</p> <p>Whilst there appears to be merit in the suggestion, it makes the main text more difficult to read and understand. It is considered that it is simpler to keep the comment in a footnote and leave the paragraph as it is.</p> <p>Government legislation that refers to local plans, development plan documents, and local development documents can be confusing even to professionals!</p> <p>This change can be made as requested. Rather than writing "(... but the Council may choose to publicise at this stage)", put "(As above)".</p> <p>The point is acknowledged that it the Council undertakes public consultation, this needs to be reported to Members and / or to any other decision-makers (unless the document in question is being 'ceased' or abandoned). The paragraph can be amended to reflect this (although not every 'may' will become a 'will').</p> <p>Comments noted; it is agreed that the 'database format' was difficult to read. This was a feature of the software used and was beyond our control, but such issues can be fed back to the software supplier to seek improvements.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
Individual	<p>searchable. CPRE West Lancashire commissioned their own Demographic Report which was extremely difficult to find. Indeed could only be found attached at the end of the CPREs introduction to it and then only if one knew exactly where to look for it. We hope that any future databases addresses this problem and that all submissions are equally accessible and searchable.</p> <p>The redacting of personal information was excessively employed with the names of independent experts redacted.....this was unnecessary and inappropriate. Concerns over inclusion or redaction of personal information could be covered by asking responders at the point of submission whether or not a respondent gives their permission for inclusion of their personal information and implementing their wishes.</p> <p>2.1.1 When do we consult? WLBC's view that statutory consultation stages may not provide adequate opportunity for views to be fed back is sensible and pragmatic. Early informal consultation adds transparency to a process that can be regarded with suspicion and save time in the long run. In particular, adequate consultation at the issues and preferred options stages would be desirable. This is particularly the case given the unprecedented interest and ultimate withdrawal of the most recent local plan review.</p> <p>2.1.3 How do we consult? The value of drop-in sessions should not be underestimated within the list of methods. Their interactive nature gives added value. The prevalence of social media among the community should ensure that this is a compulsory rather than optional method of consultation.</p> <p>2.1.4 How will we report the results? This understates the importance of feedback. The feedback report (consultation statement) should be an integral part of the consultation process if transparency and confidence in the process is to be maintained.</p>	<p>The sanctions for breaches of the General Data Protection Regulation are severe for local authorities. The Council considers it better to err on the side of caution in this respect.</p> <p>Comments noted. It is agreed that, whilst government Regulations require consultation only at the 'Scoping' and 'Publication' stages, at least one extra stage of consultation would be valuable.</p> <p>It is agreed that drop-in sessions can be valuable (e.g. as for the Local Plan Review Preferred Options consultation). It is not known that the Council will always have the resources to staff these and so they are down as optional.</p> <p>Comments noted and accepted. Paragraph 2.1.4 will be changed to reflect this.</p>
2.2 APC	2.2.1 Supplementary Planning Documents – consultation stages (Table 2.4) noted.	-
CPRE	<p>2.2 We welcome acknowledgement of consultation r (<i>sic</i>) wishes above the minimum required by legislation and refer to our comments at 2.1 and Table 2.1 with particular acknowledgement of the substantial public interest in the recently withdrawn Local Plan proposals.</p> <p>Table 2.2 (Pg. 9) We would like to see this table amended to reflect the opportunities for consultation above the minimum. Ref. comments at 2.1 and 2.2.</p>	<p>Comments noted.</p> <p>Please see WLBC response to CPRE comments on 2.1 (page 11-12 above).</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
Individual	<p>2.2 Supplementary Planning Documents Current SPDs cover subjects which are of particular relevance to rural parishes, such as Green Belt policy. The option for consultation which may go beyond minimal requirements is therefore welcomed.</p> <p>2.2.4 How will we report the results? The importance of feedback is re-iterated.</p>	<p>Comments noted</p> <p>Noted</p>
2.3 APC	Development Briefs – Table 2.5 – consultation stages noted.	-
CPRE	<p>2.3 We are concerned at the premise that because a DB is for a very specific site that “<i>extensive consultation is considered inappropriate.</i>” We agree that extensive is unnecessary unless the site is of particular borough wide importance for some reason. However localism is expressly encouraged by government policy and it will be people local to a site that have the knowledge specific to that site that may bring about the best of planned solutions. So to exclude any local involvement at the evidence gathering stage may mean that important aspects ie of ecology or archaeology are missed.</p> <p>Table 2.5 It would be better if at stage 1 “<i>Will we consult</i>” & “<i>Will we publicise</i>” were changed to: <u>Optional</u> rather than “<i>No</i>” Reason....“<i>No</i>” precludes officers from consulting ever, whereas Optional allows for minimal local where relevant.</p> <p>Table 2.6 (pg. 14) While understanding that there are cost and sustainability implications in leafleting, it would be better if against the method “<i>Leaflets</i>” - “<i>No</i>” was changed to: Optional. Reason....“<i>No</i>” precludes officers from leafleting ever, whereas Optional allows for leafleting or posters where relevant. It is limiting to exclude this ever being considered.</p>	<p>Comments noted – add 'usually' to the third paragraph of 2.3 to read: 'Due to the localised nature of most development briefs, extensive consultation is not usually considered to be appropriate.'</p> <p>Point acknowledged – change 'No' to 'Optional' in Table 2.5 stage 1.</p> <p>Point acknowledged – change 'No' to 'Optional' in Table 2.6 for the 'Leaflets' row.</p>
Individual	<p>2.3 Development Briefs It is appreciated that Development Briefs are usually of a localised nature but it is also important that the wider strategic importance of such developments be taken into account when assessing the need for consultation. Larger scale developments in particular can have consequences beyond the immediate locality, particularly in terms of impact on infrastructure and services.</p> <p>2.3.2 How do we consult? The points made at 2.1.3 are re-iterated.</p>	<p>Comments noted; it is agreed that sometimes consultation may need to extend beyond the local area. Add 'usually' to third paragraph of section 2.3 (as per CPRE response above).</p> <p>Comments noted.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
2.4 APC	<p>2.4.1 Methods for publicity and consultation – support for the methods including/especially ‘by Letter’ – in an ageing Parish population, not all local residents are ‘on-line’ and appreciate notification by post.</p> <p>Additional methods may include:</p> <ul style="list-style-type: none"> • Neighbour letters – whilst letters may be sent to properties neighbouring (immediately adjacent to) a development site to notify them about the preparation of a planning document – an extension to this method to include ‘others’ in the wider community who would be affected and impacted upon by the development should be considered. • Press Releases – supported. • Local Newspapers supported (but not necessarily a ‘wrap-around’ due to many complaints about this style from West Lancashire residents in 2012). • Leaflets – should be used when significant policy documents (strategic development sites) may impact on the wider area. • Local Exhibitions – to display proposals and allow question and answer session with planning team. • Attendance at Parish Council Meetings, during Public Forum, to display proposals and allow question and answer session with planning team. <p>2.4.2 How we will accept representations. ‘Paper Based’ – important to retain this method for those unable to use internet.</p>	<p>Comments noted; this is why letters are still used in consultation exercises (subject to unusual events / circumstances such as COVID-19).</p> <p>Point acknowledged. However, it would be very difficult to determine case-by-case whom to notify by letter, and so is considered better not to commit to this in the SCI.</p> <p>It is difficult to find a better alternative than a wrap-around (in conjunction with leaflets posted to those who don't receive the free local newspaper).</p> <p>Attendance at Parish Council meetings can be considered, but timing / resources may not permit this.</p> <p>Comments noted and agreed.</p>
AIUL	<p>2.4 METHODS FOR PUBLIC CONSULTATION</p> <p>We note that this consultation exercise commenced prior to the proliferation of the COVID-19 pandemic and then the subsequent enactment of secondary legislation to facilitate the completion of necessary consultation for Local Plan activity and those in relation to development management applications (including EIA and Listed Building Consents).</p> <p>We would encourage that the Council reconsider section 2.4 to ensure that it provides the opportunity to undertake consultation using methods “as practicable”. This would include the following revisions (revisions highlighted red):</p> <p>2.4.1 Change text as follows: Methods to be used as a minimum (where practicable to do so):</p>	<p>Comments noted. The SCI consultation deadline was extended to take account of COVID-19 although it is acknowledged that AIUP's representation was received prior to the original consultation deadline. The suggested alteration is appreciated, but the Council has prepared an SCI Addendum to take account of COVID-19. 'Where practicable' may imply the Council will not use the minimum methods.</p> <p>Instead, reference to the Addendum could be made at this point in a footnote.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
ARG / Individual	<p>2.4.2 HOW WE WILL ACCEPT REPRESENTATIONS This section suggests that the Council will accept submissions that utilise electronic forms or paper-based copies of the same. It adds that the Council will not accept representations made by email or through a format that is inconsistent with the electronic based forms. We find this entirely inappropriate. In our experience, the pro-forma documents do not provide a consistently effective vehicle for the submission of robust representations with (if used in isolation) a substantive risk to the representor of a failure of comments to be duly made (if there is a processing failure) and with no alternate evidence to show that representations have been duly made. We would recommend that email and letter submissions should still be accepted, subject to them clearly responding to the individual set questions from the consultation exercise.</p> <p>2.4 ARG Making Representations Page 17 Para 2.4.2 The experience of both the ARG and other individuals/groups of the 'bespoke web-based software' for public consultations was not positive and if not already undertaken action to make the system more user-friendly would be a positive step. A major flaw was the inability of individuals to easily check if their submission had been recorded or check on other representations without trawling through the whole lists.</p>	<p>The reason for precluding email is that a significant number of respondents (often consultants) have submitted lengthy reports by email, effectively 'ignoring' the questions and structure of the pro-formas prepared for the consultation. Dealing with such representations has taken many hours of officer time and can delay the process. In practice, the Council may accept email submissions in certain cases, especially if they are responding point-by-point to the set questions, but it is considered better not to offer this 'concession' in the SCI as it could lead to abuse. People with email will also have access to the internet and so should be able to access and use the online consultation software.</p> <p>Points acknowledged, in particular regarding the need to confirm electronic submissions. This will be looked at as we develop our future consultations.</p>
BPC	<p>2.4.1 The listed methods for publicity and consultation for keeping the public and stake-holders informed is very comprehensive and much appreciated.</p>	<p>Comments noted</p>
CPRE	<p>2.4 & 2.4.1 (pg. 15) - These could be amalgamated with 2.4 being the opening paragraph and the content of 2.4.1 coming after it.</p> <p>2.4.1 Availability of documents on deposit..... Please note that previously copies have been deposited at local Post Offices from where they could be borrowed overnight....this proved to be a well used resource and we would like to see this continue.</p>	<p>2.4 is a 'higher order heading'. The title for 2.4 can be changed to 'Publicity and Consultation' so that it is different from the title for 2.4.1.</p> <p>Several Posts Offices have closed over recent years, or have greatly reduced opening hours. The Council took the decision a while ago to 'generally' remove Post Offices from our 'on-deposit venues'; this is part of a corporate push to moving online.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
Individual	<p>Neighbour letters. (pg. 16) We note that the council policy and practice with notification of planning applications is to only notify neighbours whose boundaries are contiguous with the application site. This is a bare minimum and we feel very strongly that notification should be extended to cover neighbours who are affected directly...ie across a footpath or road or on the approach to a site. The wording (<i>immediately adjacent to</i>) should be removed and replaced with: <u>who will be most impacted</u> or <u>most affected by.</u> The thinking behind this will be expanded on in later place</p> <p>Social media (pg. 17) We welcome this as it is immediate and accessible. It is an area that can be developed as social media changes and matures. In the following sentence “<i>the council may seek to arrange additional events, where reasonably feasible</i>” please change <i>may</i> to <u>shall</u> as the word <i>may</i> implies that even where feasible, it may not necessarily be considered.</p> <p>2.4.2 (pg. 15) It will be noted that this submission is by way of email rather than via the “<i>web-based software</i>” That is because the software on the website is not interactive with a tablet....in these times of lockdown the respondent has no other means of submitting. Increasingly people rely on tablet rather than laptop or desk based computer. Many homes have no access to a printer. Provision is made in the second bullet point for paper based submissions. These would often be hand written and transcribing laborious and costly to the council. Email could be cut and pasted by the Council officers. While not ideal this would surely be preferable to paper based via the post. The non-acceptance of email would render this current submission unacceptable. However if printed and handed in on paper it would be acceptable. This does not make sense and would be a barrier to those without complex office equipment. This sentence Quoted above should therefore be removed.</p> <p>Paper based (pg. 17) We welcome the acknowledgement that not all are computer literate and that provision is made for them. Could Post Offices please be added to places that these forms are accessed from. Also the mobile library if that does not already happen.</p> <p>2.4.1 Methods for publicity and consultation It is noted that methods include those for the less IT literate in society and this is appreciated provided they are accompanied by adequate publicity of their availability. Staffed exhibitions and</p>	<p>Comments acknowledged but the suggested wording leaves the Council open to challenge – it is subjective and it may be difficult to agree 'where to draw the line' in terms of who will be most impacted / affected by a proposal. Remove the word 'immediately' and add a footnote to refer to 'across a footpath or road, or on the access to a site'.</p> <p>Comments noted and agreed.</p> <p>Rather than change 'may' to 'shall' (or 'will'), remove 'where reasonably feasible'.</p> <p>See comments made regarding email submissions above (p16). The SCI consultation did not use web-based consultation software, and so the point about email submissions not being accepted did not apply. Web-based software should always work on a tablet computer. The Council still needs to allow for paper-based submissions for those with no internet access.</p> <p>Please see comments regarding Post Offices at p16 above. If it is straightforward to place documents in the mobile library, this will be investigated.</p> <p>Comments noted.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
	<p>drop-in sessions have added value related to their interactive nature. Communication via social media has particular relevance in the modern era and can be particularly effective.</p> <p>2.4.2 How we will accept representations It is important that non-electronic forms of communication are maintained if sections of the community are not to be disenfranchised. Access to paper-based forms should be as wide as feasible and not restricted to town centre locations. Demographic groups that are less computer literate may well be more socially isolated, particular within rural parishes (e.g. the elderly).</p>	<p>Paper-based forms can be provided to those without internet capability. Forms can be posted to those who ask for them.</p>
2.5 APC	<p>APC 2.5 Neighbourhood Plans – the Neighbourhood Plan consultation exercise/responsibilities was helpful and noted. NP’s could, however, only be undertaken if there was real community interest, human resources for undertaking such a project, costs available, etc. The community-led framework for ‘a vision for a particular community area’ could not be undertaken to try and stop development but must conform to the Borough Local Plan and the National Planning Policy Framework.</p>	<p>Comments noted.</p>
ARG / Individual	<p>2.5 Neighbourhood Plans The ARG have previously discussed the development of a Neighbourhood Plan with Aughton Parish Council who formed a working group. The findings of the APC working group was that an Aughton Neighbourhood Plan was not necessary due to there being a current Local Plan. In recent times APC has again voiced their opinion that an Aughton NP was not a viable proposition due to the amount of effort required, the costs and the timescales. It should also be noted that there has not been a ‘take up’ for such a proposition by local residents. From the perspective of the ARG we understand that NPs have to be developed in accordance with the Local Plan and endorsed as such by WLBC before adoption. It is for that reason that ARG have not pursued this matter or demonstrated a willingness to become involved in an Aughton NP as we envisage that our group will be at odds with and making representations relating to certain sites and policies which are likely to be included in the new emerging Local Plan.</p>	<p>Comments noted. It is agreed that preparing a Neighbourhood Plan takes considerable effort.</p>
CPRE	<p>2.5.1 & 2.5.2 (pg. 18) We welcome any move that encourages the production of Neighbourhood Plans and thank officers for their support in our endeavours to encourage these.</p>	<p>Comments noted.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
Chapter 3	Community Infrastructure Levy	
<p>3.0 Anglo International Upholland Ltd (AIUL)</p> <p>3.1 AIUL</p>	<p>This section sets out the various regulatory requirements which must be responded to in order to enact a CIL Charging Schedule. The earliest part of this is the Regulation 16 Draft Charging Schedule. We would respectfully request that the Regulation 16 Draft Charging Schedule expressly addresses the matters of Discretionary Relief and Exceptional Circumstances, to clarify whether the Council does intend to enact such a policy and to properly justify that decision including Impact Assessment.</p> <p>3.1.1 Who do we consult</p> <p>We would respectfully request that the Council ensure that they consult Historic England on the Regulation 16 Draft Charging Schedule which (as above) should very clearly highlight the Council’s position (and justification) in relation to matters of Discretionary Relief and Exceptional Circumstances. The Council should give strong weight to the representations of Historic England as a statutory consultee with respect to the historic built environment.</p> <p>3.1.5 Review of a Charging Schedule</p> <p>We note that the current CIL Charging Schedule came into force in July 2014 and conclude that it would be appropriate for it to now be reviewed.</p> <p>Through the production of the existing CIL Charging Schedule, we submitted representations to highlight that the accompanying viability analysis had only had regard for a limited range of scenarios (which excluded those relating to the conversions of listed buildings or other schemes requiring conservation specification construction). Whilst we argued that the Council should retain the DREC policy that was included within the Charging Schedule from Regulation 16 through to Regulation 21 (and was amended at a very late stage with no revisions to viability analysis) the Council declined to do so. Nevertheless, the Schedule was found sound subject to (unrelated) amendments.</p> <p>The Council should ensure that the viability analysis undertaken to inform the review of the CIL Charging Schedule is genuinely “policy on” in approach and does include consideration of a range of development scenarios including those with atypical cost parameters such as those relating to enabling development and related conversions of listed buildings. We confirm that we would be happy to share our evidence in terms of feasibility testing to secure the sustainable future use of St Joseph’s College at Upholland. This may well provide the evidence necessary to either introduce a Discretionary Relief policy or potentially a levy specifically tailored to enabling development to address a conservation deficit.</p>	<p>Discretionary relief for exceptional circumstances is governed by CIL Regulation 55, and sets no requirement for consultation to have been undertaken – instead, it is for the charging authority to determine whether exceptional circumstances are justified, and whether it is expedient to introduce discretionary relief. The powers to offer relief can be activated and deactivated at any point after a charging schedule is published by publishing a notice specifying the date it will apply.</p> <p>It is the Council's intention to undertake a Viability Assessment for the Local Plan, and the CIL charge will be reviewed accordingly at a future point deemed appropriate by the Council.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
3.2 CPRE	<p>3.2.1 (pg. 23) Publicity and consultation. Please include Post Offices and social media to this list of methods.</p> <p>The statement is made <i>We will accept comments - online through a dedicated portal</i>. The shortcomings of this have been made in this representation 2.4.2 Please consider them equally relevant to 3.2.1 This organisation had considerable difficulties responding to the Viability Assessment consultation last year as the software was not accessible to Apple users. We ended up having to borrow a computer in someone's private office (in lockdown this was not available). In the interests of consistency, acceptable methods of consultation should be the same.</p> <p>We reference your own document 7.1 Equality & Diversity. In the interested of inclusivity Email and paper based submissions should be acceptable.... The likelihood is that responses to the likes of the CIL consultations will be low and the majority will probably be via the portal. So cost implications would be small. Potential inclusivity would be high, whether achieved or not.</p>	<p>The Council took the decision a while ago to 'generally' remove Post Offices from our 'on-deposit venues'; this is part of a corporate push to moving online.</p> <p>Social media will be added to the list of publicity methods.</p> <p>Comments noted regarding accepting paper based, as well as email, submissions.</p>
3.3 BPC	<p>3.3 Parish Councils receive 15% of CIL funding from developments in their parish as stated in the SCI documentation. There have been articles in local government periodicals latterly reporting that parishes in other counties have not always received this percentage of CIL funding.</p> <p>It is requested that WLBC does not diminish this percentage and that assurances are given within the documentation stating that WLBC is committed to giving the full 15% (or 25% where there is a Neighbourhood Plan) to the parish.</p>	<p>The CIL Regulations 2010 (as amended) stipulate exactly how neighbourhood CIL amounts are to be apportioned and administrated, including to Parish Councils, and the Borough Council adheres to these legal requirements. The Borough and Parish Councils are required to report their Neighbourhood CIL receipts and expenditure annually in the interests of full transparency.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
<p>Canal & River Trust (CRT)</p> <p>CPRE</p> <p>Highways England</p>	<p>the advice given by the Planning Officer to the Applicant and this is extremely helpful to Parish Councils when submitting comments. However, after receiving advice, not all applicants fill in this box when submitting their applications. It should therefore be compulsory for these details to be submitted and the application delayed until compliance by the applicant. Any other form of 'viewing' this advice on-line for Parish Councils, would be most helpful. This can only achieve a better standard of application in compliance with Local Plan Policy, particularly in Conservation Areas.</p> <p>4.3.3 How will the Council consult on pre-application enquiries? Community consultation may not always be necessary for small scale applications but any consultation with developers can only benefit themselves and nearby neighbours who may be affected by the development – support for this procedure.</p> <p>Section 4.3.3 (page 28). The Canal & River Trust would be happy to provide pre-application comments for major developments adjacent to our waterways. We do not currently charge for this service.</p> <p>4.3.3 (pg. 29) We would welcome clarification here about access to pre consultation advice, at what stage it becomes subject to public access. This is important as it does not automatically appear as a planning application Document on the council website. Usually only seen if an applicant submits it as part of their application. Though the existence of a pre application document may be referenced in documents on the website. This may lead to feelings that planners and developers have reached agreements already and excluded those affected from the consultation process. This could be clarified and avoided by pre application advice being automatically disclosed as part of planning application documentation.</p> <p>4.3.2 & 4.3.3 We don't have any particular comments to make other than on the above paragraphs, which refer to Pre-Application enquiries. Highways England welcomes pre-application enquiries, particularly those that are submitted via the local planning authority. In paragraph 4.3.3 refers to the Council seeking advice from external consultees on major applications; some of which have their own pre-application services, such as Lancashire County Council.</p>	<p>make pre-application advice available. The details of any pre-application enquiry and responses given are treated in confidence. Whilst the Council encourage developers to consult on pre-application proposals, there is no legal requirement for them to carry it out.</p> <p>Comments noted</p> <p>Comments noted; the Canal & River Trust can be referred to in section 4.3.3.</p> <p>All information relevant to the process of determining planning applications is made publicly available on the Council's website. This includes all information submitted with the application, full Consultee and Neighbour Representations, the Officer's Report and Decision Notice. There is no legal requirement for local planning authorities to require applicants to make pre application advice available. The details of any pre-application enquiry and responses given are treated in confidence.</p> <p>Comments noted.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
Individual	<p>Highways England also offers a pre-application service, and so it would be useful if we could be referred to in this paragraph. We feel it may also be beneficial for the Council to consider advising prospective applicants to existing policy and guidance that we have that may assist in the preparation of pre-application enquiries; namely the DfT Policy Circular (currently Circular 02/2013), but particularly the Highways England document <i>'The Strategic Road Network: Planning for the Future – a guide to working with Highways England on planning matters'</i>, which are both available online.</p> <p>4.3 Pre-Application Advice This is currently the most secretive part of the planning application process and is rarely published. The advice may well contain information that is useful to consultees and could reassure potential objectors, thereby helping to streamline the process and improve public confidence.</p>	<p>Highways England can be referred to in paragraph 4.3.3 and the HE document referred to in a footnote.</p> <p>Comments noted; however, there is no legal requirement for local planning authorities to require applicants to make pre-application advice available. Details of any pre-application enquiry and responses given are treated in confidence.</p>
Sefton MBC	<p>4.3.3 It is noted that as a neighbouring authority and statutory consultee Sefton Council would be consulted on development plan documents and Supplementary Planning Documents. It is also noted that the 7th paragraph of section 4.4.2 'How will we consult?' states that: <i>"We consult neighbouring Councils where appropriate and also consult directly any properties in other boroughs which directly adjoin an application site"</i>.</p> <p>A similar approach should be taken to pre-application consultation carried out by developers. The second paragraph of section 4.3.3. 'How will the Council consult on pre-application enquires' states that: <i>"During pre-application discussions officers will also advise developers on whether or not we feel the proposals would benefit from a process of community involvement before the application is submittedThe Council understands that different developments will require public consultation to be tailored to suit the individual circumstances but on significant schemes a public meeting, exhibition and / or leaflet drop in the local area may be required...."</i></p> <p>The third paragraph of section 4.3.3 says that: <i>"For wind energy development, pre-application consultation with the local community is mandatory for all onshore wind development of more than two turbines or where the hub height of any turbine exceeds 15 metres¹⁴".</i></p> <p>It would be helpful to clarify that this pre-application public consultation should extend to relevant local communities across the West Lancashire boundary; for example for sites adjacent to the West</p>	<p>Consideration can be given to consulting Sefton MBC on relevant pre-application enquiries on a case-by-case basis; this can be clarified in a footnote.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
4.4 APC	<p>Lancashire boundary, and for other major development on sites close the boundary (dependant on the proximity and scale and type of proposals) including wind energy development (where consultation is mandatory as above). Such clarification could be in the main text or in footnotes.</p> <p>4.4 Managing Development</p> <p>4.4.2 How will we consult? Neighbour notification by letter is an essential method on all planning applications not only to immediate neighbours but also to those in the wider community if the development will impact on residential amenity. Continuation of Weekly Lists of all planning applications to Parish Councils is supported.</p> <p>4.4.3 Notifying you of amendments. Consultation with Parish Councils plays an important part of the Planning Application consultation and must be retained including re-notification of Amendments.</p> <p>4.4.4 How to comment on a planning application. Due to the timescale for Parish Council Meetings, most 4-weekly but some every 5 weeks, if the date for consultation period is due to expire, an extension of time should be considered for Parish Councils providing sufficient notice is given to the case Planning Officer.</p> <p>4.4.5 Appendix E: Valid Planning Considerations – impact on the highway and highway safety: (It is noted that the Borough Council can only take account of material planning considerations – however, regarding conditions on planning consents, WLBC should either publish a list of mandatory working conditions including permitted hours such as restricted hours at weekend and bank holidays, or attach these routinely to each consent. These should also deal with the positioning of skips and banning these on major roads or thoroughfares – they should be kept on the applicant’s property and skips on minor roads should be properly lit and positioned sensibly; the impact of construction work deliveries in the vicinity of a school (due to parking and traffic issues at school opening and closing times) should also be considered when conditions are imposed on planning permissions, in the interest of health and safety.)</p> <p>Also, planning objections by neighbours etc do not seem to be getting on the Planning Website/Portal quickly enough.</p>	<p>Comments noted. The Borough Council as a planning authority goes beyond the requirement for publicising and making available information under the planning regulations including individual letters, site notices, and press notices.</p> <p>Comments noted and agreed.</p> <p>On most occasions planning case officers are able to extend the period for consultation responses, but there is a balance with determining applications within the legal time periods.</p> <p>Comments noted. With regard to [construction] working hours, the Council does not generally impose conditions on planning permission which seek to control hours of construction. This is based on the NPPF paragraph 183 and national Planning Policy Guidance which states: 'Conditions requiring compliance with other regulatory regimes (e.g. Building Regulations, Environmental Protection Act) will not meet the test of necessity and may not be relevant to planning.'</p> <p>All comments by neighbours have to be checked by the nominated Case officer to ensure comments meet data protection rules and to ensure they are not libellous. Officers have large caseloads and</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
BPC	<p>4.4.6 Applications referred to Planning Committee. Representation to speak at Planning Committee Meetings is supported. Perhaps the Parish Council representative should take precedence to speak first over a local resident or the applicant's representative (to prevent duplication of comments).</p> <p>4.4.5 Planning Law requires that decisions should be taken in accordance with the development plan unless there are material considerations that indicate otherwise. Sometimes when similar planning applications are made in the parish, comparisons are made by residents and the PC on the decision outcomes. It is requested that consistency be paramount. For example, if one planning application for an extension in the parish is passed and a similar one is not, and to all intents and purposes they appear similar, questions will be asked. Then when the answer is that "each application is dealt with on its own merits" and no material reasons are given, this could appear to be subjective. Sometimes the reason given to some applicants in the parish of Bickerstaffe is that their plan has been refused on the grounds that "the development is 'unsustainable'", despite the fact that people have lived there for centuries and therefore it clearly is sustainable; but then when questioned further the response was that buses no longer run past the house, and this is the reason it is "unsustainable", this does not seem to be a satisfactory criterion for residents who live in this rural community especially when buses did run there until recently.</p>	<p>flexible work patterns so there may be delays in processing all comments before publication</p> <p>Comments noted; other Parish Councils have asked to speak last, to have the last word.</p> <p>Comments noted. All information relevant to the process of determining planning applications is made publicly available on the Council's website. This includes all information submitted with the application, full Consultee and Neighbour Representations, the Officer's Report and Decision Notice. The Officers' Reports explicitly address policy issues in their assessment of material planning consideration which differ from site to site, hence each application is dealt with on its own merits according to different site characteristics. This can be a tricky concept to grasp, but is a fundamental characteristic of planning.</p>
CPRE	<p>4.4.2 We note that "<i>Neighbour notification is the principal method of consultation on most planning applications.</i>" We agree with this statement and wish to emphasise the inadequacy of only neighbour notifying properties that immediately adjoin application sites. While this be the legal minimum, the Council should aim higher and notify those most impacted by a potential application for example; directly across a roadway or footpath. Bizarre situation occurs where for example a house on another street is notified about an application for a new driveway at the front of the property they back onto, which they will not be affected by. But the house in the same street and next door to the application site, which may be significantly impacted is not notified as a small public footpath runs between the two houses. This is also important to where nearby and affected properties are outside of the Borough. Relying on site</p>	<p>Comments noted. The Borough Council as a planning authority goes beyond the requirement for publicising and making available information under the planning regulations including individual letters, site notices, and press notices. It is agreed, however, that a common sense approach should be taken in situations such as where there is a small footpath between two houses. Whilst we are only required by legislation to consult neighbouring properties adjoining an application site, we do adopt the practice of notifying across the road, etc. where</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
	<p>notices is unsafe as they are frequently removed. We can supply several examples if required. This is especially important because if an application is heard at Planning Committee only those neighbour notified have the right to speak.</p> <p>Ref 4.4.6 We refer you to 1.4 and the importance of fairness in planning.</p> <p>Table 4.1 (pg. 32) On this table we would like the Publicity and Consultation column to be changed at every point where the term “<i>Immediate neighbours adjoining the site</i>” occurs,..... to read: <u>immediate neighbours, those adjoining and those most likely to be impacted by the proposed development.</u></p> <p>This point arises a significant number of times at Parish Council meetings across the Borough and for relatively small effort the dissatisfaction that the current system of adjacent properties only brings could be alleviated.</p> <p>Addendum at base of table 4.1 (pg. 33) It is disappointing that minimum standards are aspired to. Please replace with “<i>....will meet and aim to exceed, the minimum requirements for consultation.</i>” Because West Lancs should aspire to more than a minimum.</p> <p>4.4.4 (pg. 34) We note the statutory obligation of maintaining a planning register and would like to point out that documents on this register are made public at the discretion of the Case officer who “releases” the document. There have been significant delays in documents appearing over recent times. When the document is released it does not go to the bottom of the list but appears in the date order at which it was inputted to the system but not released. This makes it difficult for interested parties to know that new information is available. If documents were given a number when inputted then their existence would be known to the public if not their content. This may be a resource issue, but it is important that not only the legal requirement for all documents to be released prior to a decision is complied with, but that there is transparency and aiding interested parties to make fully informed consultation responses. Thereby getting the best decisions possible.</p> <p>4.4.5 (pg. 35) In the final paragraph; it is important that at the point where the agenda is published, that all documents have been made publicly available. Unless they are legally exempt and redacted where necessary. This does not always happen.</p>	<p>this is appropriate, for example a front / side extension / dormer extensions to the front.</p> <p>It is considered that 'those adjoining' are 'immediate neighbours' by definition. To commit to notifying 'those most likely to be impacted' leaves the Council open to challenge – such a judgment is very subjective.</p> <p>Comments acknowledged. The suggested change can be made after Table 4.1.</p> <p>Comments noted. All information relevant to the process of determining planning applications is made publicly available on the Council's website. This information goes well beyond the legal requirement. The software does not permit 'numbering' and it adds material in date order; unfortunately this cannot be changed.</p> <p>All documents sent to Planning Support are indexed promptly. Any documents which need checking by an officer for slanderous / inappropriate content are indexed as sensitive by Planning Support until the Planning Officer changes them to Public.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
<p>CRT</p> <p>Dalton Parish Council (DPC)</p>	<p>4.4.6 (pg. 36) We note the certain people can address the Planning Committee. Anyone objecting to an application who has been notified under the neighbour notification process by the council, or his/her representative. This illustrates the importance of neighbour notification not being limited to those immediate adjacent but extended to those potential impacted by an application...please see points made regarding 4.4.2 and Table 4.1</p> <p>In the interest of fairness should those neighbour notified and commenting on rather than objecting to, also be extended the right to speak....what is the justification for only objectors and not supporters?</p> <p>Time allowed is 3 minutes. For a lay person, unused to public speaking the Council Chamber and associated audience can be very intimidating. Other authorities allow longer times and apply discretion. We ask that the time allowed is extended to 4 minutes and it is written into this document, that this may be extended at the discretion of the Chairperson.</p> <p>Section 4.4.1 (page 29). We welcome reference to the Trust here as a statutory consultee. Please can our correct registered name be used 'Canal & River Trust' (ampersand instead of 'and').</p> <p>4.4 /30 Parishes affected by development in a nearby area should be consulted directly and not left to read through the weekly list of Borough wide applications. For example, developments at Whalleys, or at Beacon Golf Course, have direct effect on Dalton Parish but because they are not within the parish they are not highlighted by public notice by WLBC. There should also be an automatic right to speak at Planning Committee meeting about these 'neighbouring' applications without being made to apply to the Chairman of the meeting for permission. If a development has an effect on a parish, the parish ought to have a voice.</p>	<p>The issue of public speaking at Planning Committee will be reviewed as part the Development Management Service Review. This will include who can speak, time periods and order of speaking.</p> <p>This change will be made (p30).</p> <p>The Borough Council does not / never has consulted adjoining Parishes (or wards) on applications. Parish Councils receive the weekly planning list and Members can also register on the Public Access System to receive updates on any applications anywhere within the Borough, not just their own Parish. Notification of applications is not required to go on an adjoining Parish Council's Public Notice as this is for applications only within that Parish. If an application falls across two Parishes, it is publicised across both, and the Public Notice reflects this.</p> <p>The issue of public speaking at Planning Committee will be reviewed as part the Development Management Service Review. This will include who can speak, time periods and order of speaking.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
Individual	<p>4.4 Managing Development</p> <p>Perhaps the most common complaint received by parish councils from residents in relation to planning applications is the restricted nature of neighbour notification. This is probably the most common issue resulting in suspicion and loss of public confidence in the planning process. The policy of notifying only adjoining properties is ill-conceived as it pre-judges the possible local interest in an application. This defeats the purpose of consultation. Site notices are inefficient insofar as they require footfall in the immediate vicinity of the site and some pre-awareness of their existence and purpose in order to be noticed. They are also vulnerable to removal by the elements and applicants. Most parish councils meet on a monthly basis. This means that a 21 day consultation period can close before the Council has chance to consider an application. In practice planning officers are appreciative of the difficulty if informed and will extend the consultation period. However, it would be useful if this problem is given formal recognition.</p> <p>Opportunities for a parish council to address the committee should not be restricted to the parish clerk as a parish councillor could have a deeper understanding of the issues. It is also my experience that there can be considerable advantage in being the last to speak, a position that appears to be reserved for the applicant/agent. Giving applicants the final word adds to their list of advantages particularly as objectors have no subsequent right to appeal.</p>	<p>Comments noted. The Borough Council as a planning authority goes beyond the requirement for publicising and making available information under the planning regulations including individual letters, site notices, and press notices.</p> <p>It is agreed, however, that a common sense approach should be taken in situations such as where there is a small footpath between two houses. Whilst we are only required by legislation to consult neighbouring properties adjoining an application site, we do adopt the practice of notifying across the road, etc. where this is appropriate, for example a front / side extension / dormer extensions to the front.</p> <p>The issue of public speaking at Planning Committee will be reviewed as part the Development Management Service Review. This will include who can speak, time periods and order of speaking.</p>
LSPC	<p><u>4.4 Neighbour notification</u></p> <p>It is blatantly wrong that individual planning officers seem to make their own decisions about the “neighbours” who should be notified directly of an application and those who should not. These decisions have varied widely from officer to officer and there is a need for greater consistency of approach. This is especially important, in view of the different rules that apply with regard to speaking at Planning Committee meetings but it also affects the view taken of written comments (those not notified individually having their comments given less weight, it seems). However significant numbers of <i>applications</i> (which, by definition, are not for permitted development) affect an area, rather than just an individual property. This is brought into contrast by the fact that a property directly opposite an application site is not considered worthy of being notified, even though the impact on that property might be greater than that on a property that happens to share a boundary with the application site. Also, there might only be a footpath between properties but that would mean the next door neighbour is not consulted.</p>	<p>Please see comments and Borough Council responses above and elsewhere regarding neighbour notification. There are strict rules to follow, but room for flexibility in certain cases to allow a 'common sense' approach. To extend notification to 'those who will be most affected' leads to subjectivity and invites the kind of criticism alluded to in LSPC's comments on SCI Section 4.4.</p> <p>Comments received by the Borough Council should be given equal weight, whether made by someone notified individually or someone not notified. What counts are the planning arguments made.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
	<p><u>4.4.6 Speaking at Planning Committee Meetings</u></p> <p>It is impossible for a speaker about a major application to do justice to his or her case within three minutes. Major applications embody a whole range of reports and developer proposals which can be worthy of verbal comment. We know the Councillors do not study the contents of all cases put before them and justice can only be served by participants knowing that they have spoken directly to the decision – makers.</p> <p>Parish representatives (mainly Clerks) have to receive comments and distil them into a concise speech covering the most relevant points. But a concise speech can also take more than three minutes unless it is delivered at such a fast rate that councillors do not pick up on major points. Parishes are the truly local representatives of significant populations and so should be afforded the courtesy of being heard at a reasonable pace, so as to allow the points made to be absorbed. It is ridiculous, especially for non-parished areas, that residents’ organisations’ nominees have to be nominated by one of the very narrow range of people who have been notified by post of an application before being allowed to speak. It is also ridiculous that organisations covering environmental and/or ecological matters across a wide area of the Borough are denied an opportunity to put their concerns <i>directly</i> to the Committee.</p> <p>In these days when far fewer applications are being referred to Planning Committee it is absurd to insist on rules that deny justice to objectors at the decision-making stage and then for the law to deny objectors a right of appeal against successful applications decided by the Planning Committee. It leads to the Council being brought into disrepute. Shorter agendas should enable slightly longer representations (say up to five minutes). We know that some speakers keep their contributions short because they have only one or two specific matters to raise.</p> <p>Although the application by Parishes to be allowed a longer period to speak was rejected, we believe that the decision should be reversed, in order to counter the increasing concern that Parish Councils’ views are routinely ignored by the Borough Council on spurious grounds. The Borough Council stands accused of pandering to business interests, the officers of believing that they are untouchable and the Planning Committee of appearing to be routinely scared of ruling in favour of valid objections if officers have recommended members to approve an application, even on very debatable grounds.</p> <p><u>Local Presentations and Displays of Development Proposals</u></p> <p>Although the Council already has a stated policy of involving local communities by encouraging developers to carry out such presentations and displays, there is not much evidence of the matter being taken seriously. Developers seem more intent on “keeping their cards close to their chests” by</p>	<p>The issue of public speaking at Planning Committee will be reviewed as part the Development Management Service Review. This will include who can speak, time periods and order of speaking.</p> <p>Comments noted. The Borough Council can only encourage, not force, developers to carry out pre-application presentations and displays.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
	withholding information prior to submitting an application or of producing glamorised versions of their proposals. There needs to be much more emphasis placed during pre-application discussions with planning officers on involving communities and their representatives as <i>a part of</i> pre-application arrangements.	
Chapter 5	Works to Trees	
5.0 APC	Notification to Parish Councils on works to trees/tree preservation orders is welcomed and supported (sufficient time to be given for it to be displayed on monthly agendas)	Government's advice is that TPO applications should be determined within 8 weeks. It may not be possible, due to timings of Parish Council (PC) agendas, to wait for resolutions / responses following PC meetings. In such cases, it may be possible to negotiate an extension of time with the applicant.
BPC	There is no mention of the procedure for protecting trees with Tree Preservation Orders on them, or of the protocols for enforcement of the TPOs. It would be useful to include this information as a TPO is of little significance unless it is backed up.	For legal reasons, the Council would not be able to consult on ongoing investigations into unauthorised works to TPO trees. The Council could publicise (successful) prosecutions, and / or report to Planning Committee.
CPRE	It would be helpful if TPO applications were published in a weekly list in the same way that other Planning Applications are. This would enable a wider consultation. Without this how can a wider population ever know there is such an application.	The Council publishes TPO decisions but not new applications. There is no requirement to publish; this would make the process quite onerous. We do consult where it is deemed that there is a wider public interest, including with Parish Councils.
5.4 CPRE	We feel it would be useful to outline here what type of hedge-works require permission.	The SCI can state: Hedge works do not require any permissions other than those relating to The Hedgerows Regulations 1997.
5.5 CPRE	Reference is made to <i>English Heritage</i> on the penultimate line. We think this should be <u>Historic England?</u>	Agreed; change reference to Historic England

Organisation / SCI section	Comments	West Lancashire Borough Council response
Chapter 6	Conservation of the Historic Environment	
6.0 AIUL	<p>We note that there is no mention within this section in regard to Buildings at Risk. We would encourage the Council to consult upon any proposals to update the Buildings at Risk Register (which has not been updated since 2010). The consultation methods should include dialogue with stakeholders (including owners) of affected properties by revisions to the Register.</p> <p>This would be addressed by revising Table 6.1 to include reference to Buildings at Risk Register updates.</p>	<p>It is accepted that the Buildings at Risk Register is 10 years old and we can look at updating it. However, this updating work is not considered to be 'public consultation' and is not deemed worthy of inclusion in the SCI.</p>
Conservation Area Advisory Panel (CAAP)	<p>Can CAAP be reconvened to assist the planning process and administration of heritage assets?</p> <p>The Conservation Area Advisory Panel provided advice to the Heritage and Environment Manager at WLBC until mid-October when it was dissolved without notice by the then Director of Development and Re-generation. There was no consultation with the Panel, and having spoken to many Councillors it seems that Political groups were also unaware of that decision. No explanation was given to members of the Panel, who had served the Council consistently, on a voluntary basis, since 1975.</p> <p>In the 6 months that have followed, the restructuring of the management at the Council has resulted in both the Director of Development and Re-generation (John Harrison) and the Heritage and Environment Manager (Ian Bond) no longer working at WLBC. I now understand a new Conservation Officer has been appointed to manage the heritage work in the Borough.</p> <p>The CAAP would like to continue its advisory role as local voluntary stewards of the heritage buildings, conservation areas and historic landscape. When the Panel was dissolved it had 12 members, all with a deep interest in protecting the heritage of West Lancashire, and all were residents in the Borough. The CAAP had the following expertise: an archaeologist; 2 members of West Lancashire Civic Trust; a member of the Campaign to Protect Rural England; a member of Ormskirk District Historical Society; 2 representatives of Parish Councils; a member of the Royal Town Planning Institute; a member of the Royal Institute of Chartered Surveyors; a member of the Royal Institute of British Architects (AABC accredited); and 2 ex officio members. The professional background of CAAP member would be collectively valuable to the authority. These backgrounds cover a wide range of professions, all directly relevant to heritage work, and it would be cost free. If required CVs can be provided. The Panel also has a Chairperson and a deputy. It has always met monthly (except during Council vacations) and received an Agenda for each meeting from the</p>	<p>The issue and future of the Conservation Area Advisory Panel will be reviewed as part the Development Management Service Review.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
APC	<p>Heritage and Environment Manager for planning applications for Listed Buildings and Conservation Area consents, usually half a dozen or so per month.</p> <p>The Heritage and Environment Manager always emphasised that advice be given on each application on its merits and whether the Listed Building suffered harm from the changes proposed, and with Conservation Areas whether the changes requested from the applicants harmed the openness or character of the building or area. The final decisions on all applications were made by the Planning Committee or by the Director of Development and Re-generation, not by the Panel.</p> <p>The latest draft Statement of Community Involvement SCI 2020 makes reference to changes being made to SCI 2016 protocols (page 40 and 41) for Listed Buildings and Conservation Areas and the CAAP would like to be involved in discussions on how it can continue to serve WLBC as before.</p> <p>The potential benefits to WLBC of “tapping into” the cumulative expertise of CAAP members would surely outweigh the costs of technical support to the panel. The CAAP brought a wealth of expertise from a wide professional background. Representatives were the eyes and ears of those interested in the heritage of the Borough, fulfilling a valuable role in consultation on a monthly basis. In the past, when officer time was under pressure, members have aided in fieldwork prior to Conservation Area re-appraisals. The West Lancashire Design Awards scheme was well respected within the Borough, and the envy of other Boroughs. Members were always at hand to advise, help and take part on an annual basis.</p> <p>If preferred, the panel’s comments could be made more detailed and explanatory than previously in order to provide stronger justification for recommendations made.</p> <p>The Chairman of the CAAP (Del Ellis) and another CAAP representative look forward to meeting with a senior officer at WLBC in the near future to see how a new method of working can be reconvened. The last Chairman’s report, which includes Terms of Reference is appended for your information.</p> <p>6.0 Conservation of the Historic Environment. (Sometimes the approach being taken by a Planning Officer on applications in Conservation Areas is somewhat arbitrary so there needs to be more consistency in decision making.) Consideration should be given to the reinstatement of the Conservation Area Advisory Panel – a group of volunteers with a wealth of knowledge in their wide ranging fields including a Parish Council representative. This particular group was always helpful to Parish Clerks when considering barn conversions, development in the Green Belt and especially during Conservation Area Reviews.</p>	<p>The issue and future of the Conservation Area Advisory Panel will be reviewed as part the Development Management Service Review.</p>

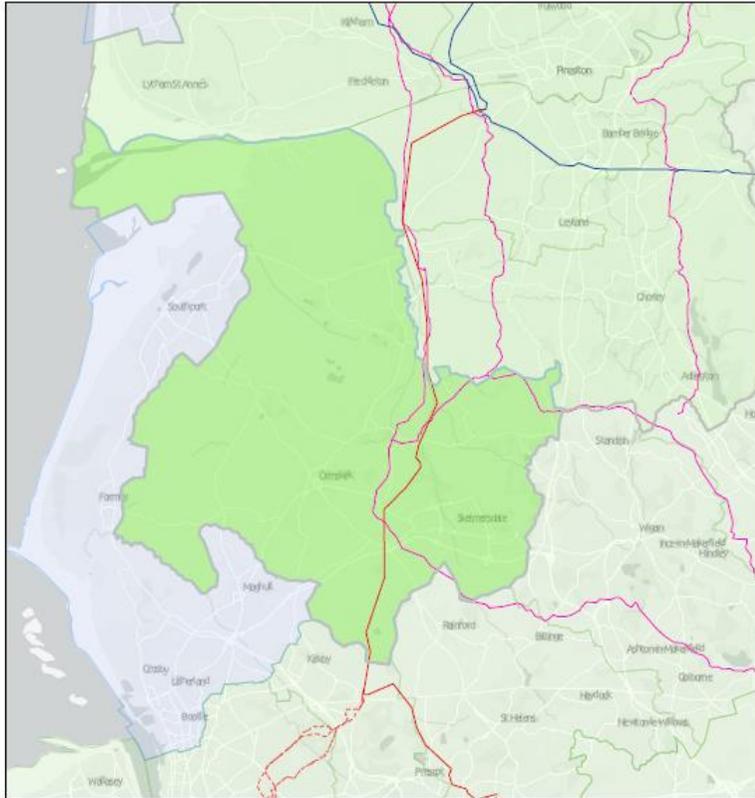
Organisation / SCI section	Comments	West Lancashire Borough Council response
CPRE	<p>6.0, 6.1 & 6.2 (pg. 40)</p> <p>WLBC has always had pride in its rich history and heritage. Formerly a senior officer was employed and dedicated to conservation and heritage matters. Design Awards were given on a biannual basis. A voluntary Conservation Area Advisory Panel (CAAP) had been in existence since 1975. This Panel met monthly and reviewed various heritage and conservation projects, relevant planning applications, Conservation Area reviews, supplied a member of the Design Awards panel and undertook other related tasks as was relevant.</p> <p>All this came to an end last year when, what appeared to be a unilateral decision to disband the CAAP was made without consultation or notice, by a soon to be departed senior officer. At the same time the Heritage Officer was made redundant. Having spoken to several local councillors at that time we find they were unaware of these decisions. Those we have consulted have generally been supportive and often very complimentary of CAAP and its reinstatement. CPRE West Lancashire branch has had a representative on this panel since its early days. We are well aware of the contribution made by the individuals on this panel, many of whom were highly qualified professionals in their fields and all of whom had a long standing commitment to the Heritage of West Lancs. We understand that a new Conservation Officer has been, or is about to be appointed. Given that their experience is unlikely to be West Lancashire specific, the Panel could bring a wealth local knowledge and experience, freely given.</p> <p>To address the aspirations in 6.0, 6.1 & 6.2 we ask that consideration is given to CAAP being reinstated. We understand that all former members contacted are willing to reform, in either the previous or an amended format. Sadly a former Chairman, David Dunn recently died following some months of illness.</p> <p>Table 6.1 (pg. 41)</p> <p>We ask that in anticipation of the CAAP being reinstated another column be added to this table headed <u>CAAP</u> and ticked in each box.</p>	<p>The issue and future of the Conservation Area Advisory Panel will be reviewed as part the Development Management Service Review.</p>
DPC	<p>6/40 Dalton Parish Council is of the opinion that West Lancashire Borough Council does not adequately discharge the duty of care to ensure preservation and enhancement of conservation areas without having a Conservation Area Advisory Panel. In order to prove commitment to conservation, this Council requests that this panel be re-instated.</p>	<p>The issue and future of the Conservation Area Advisory Panel will be reviewed as part the Development Management Service Review.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
<p>Individual</p> <p>LSPC</p>	<p>Conservation areas are important heritage assets that contribute to well-being and give an important sense of place and civic pride to many residents of the Borough. I am aware that many parish councillor colleagues across West Lancashire were shocked and disappointed to hear of the dissolution of the Conservation Area Advisory Panel which has performed a valuable service over many years. This was unexpected, did not involve consultation, and is one of the most unpopular aspects of re-organisation within WLBC. Consideration should be given to re-instatement of the panel which brought extensive and valuable local knowledge to this important subject.</p> <p><u>Conservation Area Advisory Panel</u> This recently abolished panel gave valuable insight into Conservation Area Reviews, as well as planning and listed building applications. If the Council is concerned about its credibility in making decisions on these matters it should immediately resurrect the Panel. Otherwise it will be accused of being disinterested in conservation matters and only interested in the quantity of new development at the expense of retaining the essential character of the Borough's varied landscape. Such "dumbing down" would be detrimental to the tourist industry, as well as to people's pride in living in the Borough.</p>	<p>The issue and future of the Conservation Area Advisory Panel will be reviewed as part the Development Management Service Review.</p> <p>The issue and future of the Conservation Area Advisory Panel will be reviewed as part the Development Management Service Review.</p>
Chapter 7	General Considerations	
7.1 CPRE	<p>7.1 We welcome acknowledgement of the differences within our population. We particularly welcome acknowledgement of the importance of printed documents in an environment where people still do not necessarily have access to computers, nor the skills to use them. We ask that consideration be given, where relevant, to the deposition of documents outside of the prescribed locations, including Post Offices and Village Halls.</p>	Comments noted. The issue of Post Offices is covered in comments above (Chapters 2 and 3).
7.3 CPRE	<p>7.3 It would be relevant here to separately reference the '<u>Local Government (access to Information) act 1985</u>' Which outlines what and how Local Authority information should be available to the public without making a "freedom of information" request, outlining what documents should be freely available and what rights the public have regarding witnessing Council meetings.</p>	Comments agreed. Reference will be made to the Local Government (Access to Information) Act 1985.

Organisation / SCI section	Comments	West Lancashire Borough Council response
Appendices		
Appendix A Homes England	Appendix A: Duty to Co-Operate Bodies refers to The Homes and Communities Agency. Please can this be updated to Homes England.	This change will be made
Appendix C Canal & River Trust	Appendix C (and B) Page 46 and 47 Appendix C includes a list of 'General consultation bodies'. The Canal & River Trust is however a statutory consultee in the Development Management process (although not for planning policy). We therefore query whether we should instead be listed in Appendix B or do these appendices relate solely to planning policy consultation requirements? In which case they would be correct. A link to our statutory consultation buffer and 'open data' can be found here. https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/planning-applications/our-notified-area	Appendix B is concerned with the local planning process. The title will be amended to reflect this. Comments noted
CPRE	We note and welcome our inclusion in this list.	Comments noted.
Appendix E CPRE	We note and welcome the content of this and suggest that it may be appropriate to make it accessible directly from the Council website in the context of Planning application. This may enable lay people to make more informed responses to planning applications.	Comments noted. Similar information is on the Council's website at: https://www.westlancs.gov.uk/planning/planning-applications-enforcement/applying-for-planning-permission/the-planning-application-process/publicity-and-consultation.aspx
National Grid (Avison Young)	National Grid assets: Following a review of the consultation event, we have identified one or more National Grid assets within the Plan area. Details of the National Grid assets are provided below. National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.	Comments and information noted.

Organisation / SCI section	Comments	West Lancashire Borough Council response
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West Lancashire BC - Statement of Community Involvement Apr-May 20



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1:144,136
 0 1.5 3 6 mi
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Contains OS data © Crown Copyright and database right 2019
 Contains data from OS Zoomstack.

<https://www.nationalgridet.com/document/130626/download>

Electricity assets
 Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.
 National Grid's *'Guidelines for Development near pylons and high voltage overhead power lines'* promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here:

Organisation / SCI section	Comments	West Lancashire Borough Council response
	<p>The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.</p> <p>National Grid's statutory safety clearances are detailed in their <i>'Guidelines when working near National Grid Electricity Transmission assets'</i>, which can be downloaded here: www.nationalgridet.com/network-and-assets/working-near-our-assets</p> <p>Gas assets</p> <p>High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.</p> <p>National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.</p> <p>National Grid's <i>'Guidelines when working near National Grid Gas assets'</i> can be downloaded here: www.nationalgridgas.com/land-and-assets/working-near-our-assets.</p>	

Appendix

Schedule of changes made to the West Lancashire SCI following public consultation undertaken February – May 2020

Additional inserted text is shown in blue and underlined. Deleted text is shown in blue and ~~struck through~~. Changes have been made either as a result of representations received on the SCI during the public consultation exercise, or in order to improve the clarity of the document. An Addendum has been added to the SCI; the text of the Addendum is not listed below.

Page	Change(s) to text	Reason for change
Front Cover	Draft West Lancashire Statement of Community Involvement ¶ <u>September</u> 2020	To reflect updated document.
Contents page	Renumber paragraphs in Chapter 1 from 1.1, 1.2, etc. to 1.0.1, 1.0.2 etc.	For consistency with paragraph numbering in other chapters of the SCI.
After contents page	Add in paragraph about the Addendum to the SCI as follows: <u>Addendum</u> <u>The Addendum to the West Lancashire SCI 2020 has been prepared in the light of COVID-19 and its associated restrictions on public life. It reflects [temporary or otherwise] changes to legislation and national planning practice guidance, and will apply for a temporary period whilst the COVID-19 related restrictions and changes are in place. As such, the provisions of the 2020 SCI Addendum take precedence over the provisions of the 2020 SCI during the temporary period that the Addendum is in force.</u>	To highlight the existence and purpose of the SCI Addendum.
2	1.0.4: Remove exclamation mark from end of the first sentence of the second paragraph.	The use of an exclamation mark rather than a full stop was considered unhelpful.
2	1.0.4: Amend second and third sentences of second paragraph as follows: Part of the Council's role is to balance competing interests and <u>whilst it is accepted that the Council's</u> its final decisions <u>on planning matters will directly affect people's lives, it will inevitably disappoint</u> some stakeholders . should also be remembered that feedback from public consultation is just one of several factors that the Council takes into account when making its decisions. <u>Sometimes decisions</u>	To add clarity to the paragraph and acknowledge the effect of planning decisions on individuals.

Page	Change(s) to text	Reason for change
	<p>may be made contrary to the views of people who have responded to consultation because other factors weigh more heavily in the overall planning balance.</p>	
2	<p>1.0.4: Add final sentence to second paragraph as follows: It is the purpose of officers' reports on planning applications, and the 'evidence base' that backs up planning policy documents, to set out how planning decisions (or recommendations) have been arrived at, taking into account relevant planning-related points made, including those received during consultation.</p>	<p>To further highlight that relevant comments received in consultation are taken into account when planning decisions are made.</p>
5	<p>2.0.2: Amend web link to: https://www.westlancs.gov.uk/planning/planning-policy/the-local-plan/the-local-plan-2038.aspx</p>	<p>To replace a link that was removed earlier in 2020 and which no longer works.</p>
7	<p>Table 2.1: Stage 2 (Scoping), Stage 3 (Issues and Options), Stage 4 (Preferred Options) – replace, 'comments received will inform the preparation of the next stage' with 'comments received will be taken into account in preparing the DPD.'</p>	<p>For clarity; there may be confusion over what is 'the next stage' as not all of the stages listed in Table 2.1 may be consulted upon. The revised wording more closely reflects the Town and Country Planning (Local Planning) (England) Regulations 2012.</p>
7	<p>Table 2.1: Stage 4 (Preferred Options) – amend final two columns to read: Optional (as above)</p>	<p>To add clarity.</p>
7	<p>Footnote 6: add 'at the Publication stage' to the end.</p>	<p>To add clarity.</p>
8	<p>2.1.2: Amend final sentence of first paragraph to read: We normally consult on the SA/SEA alongside the DPD at each significant stage (i.e. Regulation 18, Regulation 19) of the DPD's preparation.</p>	<p>To add clarity.</p>
9	<p>Table 2.2: For the 'Press Release' line, in each of the four columns (Stage of preparation of DPD), change 'Optional' to '✓'</p>	<p>To commit to preparing a press release at each stage of a Local Plan / DPD preparation.</p>

Page	Change(s) to text	Reason for change
9	<p>2.1.4: Amend paragraph to read:</p> <p>Following public consultation on emerging DPDs, the Council may will prepare a Feedback Report (or Consultation Statement), summarising the issues and main points raised through the representations. It may also set out how the Council has responded to them in points raised, and what has been changed in the DPD as a result of the comments. This The Feedback Report will be shared with Members to inform their decisions on the next stage of the DPD's preparation, and may be published on the Council's website. The Council is not bound to respond to each individual submission / representation to consultation on DPDs.</p>	To commit to preparing a Feedback Report following public consultation on emerging DPDs.
9	<p>Footnote 7: Amend to read:</p> <p>i.e. if consultation is undertaken, it is optional to publicise on the website. undertaking consultation is optional; if undertaken, it will be published on the Council's website.</p>	To improve clarity.
13	<p>Section 2.3, third paragraph, first sentence: Add 'usually' to read:</p> <p>Due to the localised nature of most development briefs, extensive consultation is not usually considered to be appropriate.</p>	To reflect that there may be times that extensive consultation is appropriate for a development brief, e.g. for a site of Borough-wide importance.
13	Table 2.5, Stage 1: Change 'No' to ' Optional ' in columns 5 and 6.	To allow for flexibility: 'No' precludes officers from consulting ever, whereas 'Optional' allows for consultation where necessary / relevant.
14	Table 2.6, 'Leaflets' row: Change 'No' to ' Optional ' in columns 2, 3, 4 and 5.	To allow for flexibility: 'No' precludes officers from consulting ever, whereas 'Optional' allows for consultation where necessary / relevant.
15	2.4: Amend heading to: Methods for p Publicity and Consultation	To distinguish between the overall section title and the title of sub-section 2.4.1
15	<p>2.4.1: First sentence: Add link to footnote; footnote to read:</p> <p>11 Please see Addendum to 2020 SCI for temporary amendments to these methods for publicity and consultation, to apply whilst restrictions on public movement / meeting, etc. are in place.</p>	To advise that these methods may temporarily be changed in the light of the provisions of the 2020 SCI Addendum.

Page	Change(s) to text	Reason for change
16	<p>2.4.1: Fifth bullet point: Change to:</p> <ul style="list-style-type: none"> • Neighbour letters. Letters may be sent to properties neighbouring (immediately adjacent to¹²) a development... <p>And add footnote to read:</p> <p><u>12 e.g. sharing a boundary, and / or across a footpath or road, and / or on the access to the site</u></p>	To improve clarity
17	<p>2.4.1: 'First' paragraph (p17), final sentence: Amend to:</p> <p>Where demand is high and events are over-subscribed, the Council may seek to arrange additional events where reasonably feasible.</p>	This phrase is not considered necessary in the light of the qualification provided by the word 'may' earlier in the sentence.
23	<p>3.2.1: Second paragraph, first sentence: Amend to:</p> <p>Annual CIL Funding Programmes will therefore focus on smaller scale projects requiring £100,000 of CIL funding or less, and limit expenditure of CIL on those projects to £1200,000 each year <u>consider how we spend some of our CIL monies on 'small' schemes. Each year we will allocate up to £200,000 of CIL monies to smaller scale projects that individually require £100,000 of CIL funding or less.</u></p>	To reflect changes to CIL procedure for West Lancashire Borough Council and to improve clarity.
23	<p>3.2.1: Third paragraph: Amend to:</p> <p>In any year where the £4£200,000 cap is not reached, the remaining balance will be moved into the larger-scale schemes fund.</p>	To reflect changes to CIL procedure for West Lancashire Borough Council.
23	<p>3.2.1: Publicity and consultation: Add in third method, as follows:</p> <ul style="list-style-type: none"> - Dedicated pages on the Council's website (<u>www.westlancs.gov.uk/cfp</u>) - Press advert in the free press (Champion paper, or equivalent) - <u>The Council's social media</u> - Mail-out to those registered for electronic and paper updates on consultations - Placing all materials on deposit at West Lancashire Council Offices and libraries 	To commit to the use of social media in CIL-related consultations.

Page	Change(s) to text	Reason for change
26	4.0: Add final sentence to paragraph: This also includes matters of enforcement where there has been a breach of planning rules (public consultation is not carried out on enforcement matters).	To refer to enforcement, but to advise that consultation on enforcement matters is not carried out.
27	4.2: Add final sentence to first paragraph: In some cases, for example in conservation areas, the Council may remove permitted development rights. This is done through a legal tool called an Article 4 Direction.	To highlight that permitted development rights may sometimes be removed.
29	4.3.3: Amend second sentence of first paragraph: However many of these external agencies offer their own direct pre-application advice service e.g. Lancashire County Council as highway authority, Highways England¹⁶ , the Canal & River Trust , the Environment Agency and Merseyside Environmental Advisory Service. Add footnote (referenced from 'Highways England') as follows: ¹⁶ Highways England advises applicants to view their document, 'The Strategic Road Network: Planning for the Future – a guide to working with Highways England on planning matters', available online.	To add reference to relevant statutory consultees who offer a pre-application advice service.
29	4.3.3: Final paragraph: Add footnote after 'discussing proposals with neighbours who may be affected by the development ¹⁸ ' to read: ¹⁸ 'Neighbours' can include a neighbouring Council for certain types or sizes of development where the proposed site is adjacent or close to the authority boundary.	To confirm that neighbouring authorities may sometimes be consulted on pre-application proposals.
30	4.4.1: Second bullet point: Canal and & River Trust	To correct a typographical error.
33	Table 4.1: Add final row to cover 'Permission in Principle' as follows:	In order that the Table cover Permission in Principle.

Page	Change(s) to text	Reason for change			
	<table border="1"> <tr> <td data-bbox="297 236 499 587"> Permission in Principle </td> <td data-bbox="499 236 1093 587"> This is an alternative way of obtaining planning permission for housing-led development. It has two stages: (1) 'Permission in principle stage' - establish whether a site is suitable in-principle; and (2) 'technical details consent' – assessment of the detailed development proposals are assessed. </td> <td data-bbox="1093 236 1487 587"> Stage (1) <u>Post site notice;</u> <u>Consult relevant statutory and non-statutory consultees;</u> <u>Publish on weekly list.</u> Stage (2) <u>All of the above plus notify neighbours and include on the Parish Council public notice.</u> </td> </tr> </table>	Permission in Principle	This is an alternative way of obtaining planning permission for housing-led development. It has two stages: (1) 'Permission in principle stage' - establish whether a site is suitable in-principle; and (2) 'technical details consent' – assessment of the detailed development proposals are assessed.	Stage (1) <u>Post site notice;</u> <u>Consult relevant statutory and non-statutory consultees;</u> <u>Publish on weekly list.</u> Stage (2) <u>All of the above plus notify neighbours and include on the Parish Council public notice.</u>	
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34 (was 33)	<p>Amend paragraph following Table 4.1 to read:</p> <p>The types of application listed in Table 4.1 above are not intended to be exhaustive. There may be other types of planning related development for which planning permission or prior approval may be obtained and which may require consultation in line with government Regulations. In such scenarios the Council will meet and aim to exceed the minimum requirements for consultation, as set out by the relevant government Regulations.</p>	To add clarity.			
36	<p>4.4.6: Penultimate paragraph:</p> <p>Add footnote to final sentence as follows:</p> <p>Each speaker has no more than three minutes²⁰.</p> <p>20 A service review of the Development Management section is to take place after the adoption of this 2020 SCI. The Service Review will cover the matter of public speaking at Planning Committee, including who can speak, how long for, and in what order speakers appear.</p>	Several objectors expressed concerns about opportunities to address Planning Committee. These concerns will be considered in a forthcoming review of the Council's development management function. This change advises of this fact.			
39	<p>5.4: Amend paragraph to read:</p> <p>Hedge works do not require any permissions other than those relating to <i>The Hedgerow Regulations 1997</i>. Under the <i>Hedgerow Regulations 1997</i> these Regulations, the LPA is required to consult the local Parish Council upon receipt of a 'Hedgerow Removal Notice'. The time given for a response is a minimum of 42 days.</p>	To advise about works to hedges.			

Page	Change(s) to text	Reason for change
39	5.5: Final sentence: Change 'English Heritage' to ' Historic England '.	This organisation has changed name.
44	7.3: Add final sentence as follows: The Local Government (Access to Information) Act 1985 sets out what local authority information should be available to the public, how it can be obtained, and the rights of the public with regard to witnessing Council meetings.	To add clarity.
46	Appendix B: Amend title as follows: Appendix B: Specific Consultation Bodies (Local Plans) Bullet point 13: Amend to: <ul style="list-style-type: none"> • Homes and Communities Agency England 	To add clarity and to reflect the organisation's name change.
47	Appendix C: <ul style="list-style-type: none"> • CPRE (formerly 'Campaign to Protect Rural England') 	To reflect the organisation's name change.