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CV9 1BG

Your Ref:

Our Ref: PINS/R3705/429/3

Date: 6th March 2007

Dear Jodie,

NORTH WARWICKSHIRE BOROUGH COUNCIL STATEMENT OF COMMUNITY INVOLVEMENT EXAMINATION – INSPECTOR’S REPORT

I am pleased to enclose two copies the draft report prepared by Mr. David Robins BA PhD FRTPi following the written representations examination to consider the soundness of North Warwickshire Borough Council’s Statement of Community Involvement.

On behalf of the Inspector I would like to thank your Authority for its assistance. I feel sure that this has helped the Inspector minimise the time taken to produce this report that in turn has made an effective contribution towards achieving the Inspectorate’s objective of expediting its part of the overall Plan-preparation process.

Your Authority should now carry out a factual check of the draft report. Local Planning Authorities may request an amended report within 10 working days from the date of receipt of the Inspector’s draft report, although such amendments must be confined to matters of clarification, or omissions, which need to be resolved. The final report, with amendments from the draft where necessary, will be issued to you without additional charge to the LPA, within 20 working days of the Inspector being asked to consider any amendments. If you do not require clarification, would you please inform the Planning Inspectorate by the end of the 10 day period that you are prepared to accept the draft report as the final version.

The report will be binding upon the Local Planning Authority and will give specific recommendations as to how the Statement of Community Involvement must be changed. I would be grateful if you could notify the Inspectorate beforehand of the



date on which the Inspector's final report is to be published. I also welcome, in due course, 2 copies of the adopted Statement of Community Involvement.

Yours sincerely

Albert Tyson
Local Developments Framework Team

INSPECTOR'S REPORT

NORTH WARWICKSHIRE BOROUGH COUNCIL

STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: David Robins BA PhD FRTPI

Date: 6th March 2007

North Warwickshire Borough Council Statement of Community Involvement (November 2006)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the North Warwickshire Borough Council Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (the Act), as applied by s18(4) of the Act.
- 1.2 Section 20(5) indicates the two purposes of the independent examination in parts (a) and (b). With regard to part (a) I am satisfied that the SCI satisfies the requirements of the relevant sections of the Act, in particular that its preparation has accorded with the Local Development Scheme as required by s19(1) of the Act.
- 1.3 Part (b) is whether the SCI is sound. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.4 A total of 58 representations were received all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received, and these have been taken into account in the preparation of this report (see Appendix B).

Test 1

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004.
- 2.2 I am satisfied that this test is met.

Test 2

- 3.1 Section 3 recognises the links between the LDF, the SCI and the Community Strategy (The North Warwickshire Sustainable Community Plan). The SCI explains in Paragraph 3.3 the structure of the Local Strategic Partnership (The North Warwickshire Community Partnership) and the theme groups. Section 3 also shows that these existing groups will be utilised in the consultation on DPDs. I am satisfied that the Council recognise the links

between the strategies, the LDDs and the associated consultation exercises.

3.2 This test is met.

Test 3

4.1 The Council has set out in Section 4 and Appendices 2 and 3 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. It is stated at Paragraph 4.3 of the SCI that the Council will hold a database of consultees' details, and it is clear from Appendix 3 that this will be updated as necessary. Furthermore, Paragraphs 4.2 – 4.5 show that the Council will consult with additional local stakeholders where appropriate.

4.2 In the interest of clarity, reference to consultee lists in the SCI should be amended to better acknowledge that these are subject to change and I provide recommendations to this effect.

4.3 This test is met subject to the following recommendations:

Recommendations

(R1) Delete the third and fourth sentences of Paragraph 4.2 and replace them with the following:

"Please note that the lists of consultees provided in this Statement of Community Involvement are not exhaustive and also relate to successor bodies where re-organisations occur."

(R2) In Paragraph 4.3, replace the words "To assist this,..." with the following:

"As the list of consultees will be regularly updated,..."

Test 4

5.1 Paragraphs 6.7.2 to 6.7.4 shows that the Council will involve and inform people from the early stages of DPD preparation and Paragraph 5.1 sets out the range of methods the Council will employ to do this. The Council clarify in Section 6.7 the stages at which consultation will take place and who will be consulted at those stages. It shows that consultation will take place with the key stakeholders during the issues and options stage of DPD production in accordance with Regulation 25. I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.

5.2 For the sake of completeness, the SCI should refer to the additional consultation required for site allocations representations under Regulations 32 and 33.

5.3 This test is met subject to the following recommendation:

Recommendation

(R3) At the end of Paragraph 6.7.7, add a further sentence to read:

“An additional period of 6 weeks consultation is allowed after submission but before the examination in the event of site allocation representations being made.”

Test 5

- 6.1 Section 5 sets out the methods that the Council propose to use to involve the community and stakeholders. These cover a range of recognised consultation techniques that will present information via a range of different media. The Council acknowledge the benefits and disadvantages of the different methods and indicate at what stages of LDD preparation the various methods might be employed.
- 6.2 The SCI acknowledges that the Council may have to provide extra support to facilitate consultation with certain groups or individuals, and proposes (in Paragraph 4.5) how they might do this. Paragraphs 4.4 to 4.7 explain how the Council will make their information accessible to all members of society.
- 6.3 Information on the availability of documents in alternative formats should be included within the body of the SCI and I provide a recommendation to this effect.
- 6.4 Specific reference should be made in the SCI to the Disability Discrimination and Race Relations Acts and I recommend accordingly.
- 6.5 I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.
- 6.6 Subject to the following recommendations, this test is met.

Recommendations

(R4) Following Paragraph 4.7, add a new numbered paragraph to read as follows:

“This and other Local Development Framework documents are or will be made available in large copy print, audio cassette, Braille or languages other than English. If you require the document in one of these formats please contact: Forward Planning Team, North Warwickshire Borough Council, PO Box 6, The Council House, South Street, Atherstone,

Warwickshire, CV9 1BG. Tel: 01827 719499/250 E-mail:
localplans@northwarks.gov.uk”

(R5) At the end of Paragraph 4.7, add a further sentence as follows:

“The Council will make every effort to meet the requirements of the Disability Discrimination Act 1995 and the Race Relations Act 2000.”

Test 6

7.1 Paragraphs 5.2 – 5.4 of the SCI explain how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. I am satisfied that the Council is alert to the resource implications of the SCI.

7.2 This test is met.

Test 7

8.1 Paragraph 6.8.7 explains how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council also propose to prepare reports at the end of the consultation period explaining how views have been considered and documents changed in light of the community involvement. The SCI states at the end of Paragraph 6.8.7 where these will be made publicly available.

8.2 This test is met.

Test 8

9.1 Section 13 of the SCI provides information on monitoring and review and confirms the Council’s intent to review the SCI on an annual basis. This states that the success and effectiveness of the SCI will be reviewed through the Annual Monitoring Report (AMR).

9.2 I am satisfied that the Council has mechanisms for reviewing the SCI and have identified potential triggers for the review of the SCI.

9.3 This test is met.

Test 9

10.1 The SCI at Sections 9 - 12 clearly describes the Council’s policy for consultation on planning applications. Section 9 meets the minimum requirements and provides additional methods of consultation. This distinguishes between procedures appropriate to different types and scale of application, and includes information on how the consultation results will inform decisions.

10.2 This test is met.

Conclusions

- 11.1 The Council have set out in Appendix D of their Representations Statement a number of proposed changes to the SCI in response to representations received on the submission document. These suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore agree that they be included and they are listed as Appendix B of this Report.
- 11.2 Whilst I have attempted to identify as many consequential amendments as possible that may follow from my recommendations, it seems inevitable that issues of consistency may arise. In the event of any doubt, please note that I am content for such matters, plus any minor spelling, grammatical or factual matters to be amended by the Council, so long as this does not affect the substance of the SCI.
- 11.3 Subject to the recommendations set out in this Report, the North Warwickshire Borough Council SCI (November 2005) is sound.

Recommendation

(R6) The Council should implement their proposed changes to the SCI as listed in Appendix B of this Report.

(R7) The Council should remove all references to previous stages of this document.

INSPECTOR

David Robins

David Robins BA PhD FRTPI

APPENDIX A
TESTS OF SOUNDNESS

Examination of the soundness of the statement of community involvement

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;¹
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

From: Planning Policy Statement 12: Local Development Frameworks

¹ The Town and Country Planning (Local Development) (England) Regulations, 2004.

APPENDIX B
COUNCIL'S PROPOSED CHANGES

Appendix D: Summary of Representations Received with suggested response to the Issues Raised

No Comment									
Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
001	Amanda Smith	English Heritage	-	No Comment	-	I write to confirm that English Heritage does not wish to make any further comments on the document.	Noted	No change	n/a
002	Miss Sarah Victor	Environment Agency	-	No Comment	-	The Environment Agency has reviewed the details submitted and can confirm that we have no additional comments to make at this stage. The Environment Agency notes that we have been identified as a Specific Consultee within the Statement of Community Involvement. We fully support our inclusion as a consultee within both the Development Plan System and the Development Control System (where relevant).	Noted	No change	n/a
003	Sophie Davies	Leicestershire County Council	-	No Comment	-	On this occasion we have no response.	Noted	No change	n/a
004	Beth Gardner	Warwickshire Wildlife Trust	-	No Comment	-	At this stage we have no comments we wish to make with regard to the document, but would like to continue to be kept informed as the Local Development Framework process progresses	Noted	No change	n/a
005		Wm Morrison Supermarkets Plc c/o Peacock & Smith	-	No Comment	-	At this stage the Company does not have any particular comment to make about the SCI, however, it is keen to ensure that it is consulted at the future stages of document preparation.	Noted	No change	n/a

Sound									
Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
006	Mr. K. L. Simmons	C/o Mr. P. G. Stonehouse Stonehouse Chartered Surveyors	-	Sound	-	-	Noted	No change	n/a
007	Mrs M Hillier	Curdworth & Wishaw Residents Association	-	Sound	-	-	Noted	No change	n/a
008	Alan Vaughton	Curdworth Parish Council	-	Sound	-	Please note that this Council has no further comments to add. We look forward to taking part in future consultations in line with the provisions of the SCI	Noted	No change	n/a

Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
009	Mr Steve Staines	Friends, Families & Travellers	-	Sound	-	We are pleased that the North Warwickshire SCI does mention Gypsies and Travellers as one of the hard to reach groups. The council area does have a number of caravans on SRL sites and also 7 caravans on unauthorised sites. Thus it is likely that there will be a need for sites to meet this extant demand and the consequent need for consultation over potential site location.	Noted	No change	n/a
010	Colin Mercer	Highways Agency	-	Sound	-	I am satisfied that the changes reflect the comments made in my letter of 24th July and consider the SCI to be sound.	Noted	No change	n/a
011	Mr Matthew Ferguson	Parkhill Estates Ltd	-	Sound	-	-	Noted	No change	n/a
012	Mr Bob Sharples	Sport England	-	Sound	-	-	Noted	No change	n/a
013	Rose Freeman	The Theatres Trust	-	Sound	-	We are unable to examine your appendices to check whether we are included but are pleased to note that SCI explains at 4.3 that you will be setting up and maintaining an LDF mailing list for consultations. We support your SCI and assume we are included on your LDF mailing list.	The Theatres Trust are on our LDF mailing list and are included in Appendix 3	No change	n/a
014	Mr Justin Milward	The Woodland Trust	4.2 and Appendix 3	Sound	-	We are pleased to see the Woodland Trust included in Appendix 3 as a consultee in the development planning process.	Noted	No change	n/a
015	Mr Phil Ward	Warwickshire Rural Community Council	-	Sound	-	-	Noted	No change	n/a
016	Miss Rachel Lim	West Midlands RSL Planning Consortium, c/o Tetlow King Planning	Section 1	Sound	-	We support the Council's Introduction to the Borough	Noted	No change	n/a
016	Miss Rachel Lim	West Midlands RSL Planning Consortium, c/o Tetlow King Planning	Section 4, Para 4.4	Sound	-	We support the Council's intention to reach 'hard to reach groups'	Noted	No change	n/a
016	Miss Rachel Lim	West Midlands RSL Planning Consortium, c/o Tetlow King Planning	Section 6	Sound	-	We welcome the opportunity to comment on other LDF documents as and when they are produced	Noted	No change	n/a

Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
016	Miss Rachel Lim	West Midlands RSL Planning Consortium, c/o Tetlow King Planning	Section 7	Sound	-	We consider that the information regarding the planning application process is helpful and will guide individuals through the complex process.	Noted	No change	n/a

Sound With Comment

Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
017	Judy Vero	Atherstone Civic Society	-	Sound with Comment	-	<p>Although parts of the SCI are unsatisfactory, the document appears to meet the minimum standards of 'soundness'. We have some comments which we would like to have taken into account.</p> <p>1) The Council should allow public speaking at planning meetings, as is normal elsewhere.</p> <p>2) In other authorities it is normal for developers to undertake public consultation before submitting an application. In North Warwickshire we have seen cases where developers have been dissuaded from doing this. Do not understand why the Council does not encourage pre-application consultation as it can ease public concern and opposition, remove items of contention before the application is submitted and save officer time.</p> <p>3) Resources required to effectively manage community involvement in a dispersed rural community are great. Question whether the Council has those resources. Balance needs to be struck - thorough consultation vs costs to the community. With the high cost of service delivery implied by a dispersed community, should be assistance from central government, eg through the PDG.</p>	<p>1) The introduction of public speaking needs to be a decision made by the Council. This issue has been recently considered and a decision has been made to not pursue public speaking at the present time</p> <p>2) Planning officers do encourage pre-application consultation - see paragraphs 8.7 and 8.9</p> <p>3) Noted</p>	No change	Not Specified

Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
018	Mr Christopher Foster	Atherstone Town Council	Para 5.1	Sound with Comment	-	Parish Newsletters - This is welcomed but the process is not explained. Additional item should include information provided to local faith and community groups including presentations, the importance of face to face contact should be considered when allocating staffing resources.	The process need not be explained in the SCI, the Council will contact Parish and Town Councils to see how this method can be best utilised. The list at paragraph 5.1 is associated with methods of consultation, not who to consult. Face to face methods such as presentations are already included in the list	No change	Written Reps
018	Mr Christopher Foster	Atherstone Town Council	Para 6.7.6	Sound with Comment	-	Explanation required as to why representations received during the consultation period will not be taken forward for consideration during the independent examination.	Agree	Insert new paragraph 6.7.7 after 6.7.6 "The Town and Country Planning (Local Development) (England) Regulations 2004 require only the the representations received during the consultation on the submitted document to be sent to the Planning Inspectorate. However the Council must give consideration to comments received during earlier consultation periods and set out how they have addressed them in the consultation statement that must be provided at submission stage." Re-number following paragraphs accordingly.	Written Reps
018	Mr Christopher Foster	Atherstone Town Council	Para 6.8.2	Sound with Comment	-	Adoption process for Supplementary Planning Documents must take note of the importance of Parish Plans. Parish Plans can be produced to fit requirement of SPD's.	The SCI is not the place to go into the details of Parish Plans can becoming SPD.	No change	Written Reps
018	Mr Christopher Foster	Atherstone Town Council	Para 6.8.4	Sound with Comment	-	Consultation at production stage. Allowing 4-6 weeks for public consultation does not take into account Parish Council meetings timetables and therefore limits response from Town and Parish Councils	In practice, officers will endeavour to give longer if possible. However, consultees should be aware of when consultation is due as it will be set out in the Council's LDS	No change	Written Reps

Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
018	Mr Christopher Foster	Atherstone Town Council	Para 8.9	Sound with Comment	-	Pre-application discussions on major developments should include discussion with Town and Parish Councils on possible section 106 requirements to take into account very localised needs.	There has been a misunderstanding by the Town Council on the scope of S106 obligations. They are only appropriate to the site and planning related impaces, not to solve local issues. Additionally, the Council will prepare S106 guidance once the Government has settled on its preferred policy.	No change	Written Reps
018	Mr Christopher Foster	Atherstone Town Council	Para 9.22	Sound with Comment	-	Officers do attend parish council meetings to explain planning applications. However it is suggested that opportunity for officers to explain decisions on major planning applications should be available.	Officers recommendations are readily available electronically on each file to view. Specific requests on particular applications can be followed up.	No change	Written Reps
018	Mr Christopher Foster	Atherstone Town Council	Para 9.3	Sound with Comment	-	The Town Council is concerned over the weakness of the statement 'racial abuse will be disregarded'. The Council considers that a more positive response should be made in such cases.	Noted	Delete final sentence of paragraph 9.3 and replace with "The Council will be mindful of its duties under the various equality and diversity legislation (e.g.Race Relations Amendment Act 2000, Disability Discrimination Act, Sex Discrimination Act) and will disregard any objection which contains unlawful discrimination or discriminatory comments."	Written Reps
018	Mr Christopher Foster	Atherstone Town Council	Para 9.5	Sound with Comment	-	Refers to 28 day response period - this does not match the actual time allowed to the Town Council	Applications are now available to view online in real time, ensuring a 28-day response	No change	Written Reps
018	Mr Christopher Foster	Atherstone Town Council	Para 9.8	Sound with Comment	-	The Town Council does not receive electronic mailing of planning lists	It is noted that the Town Council does not receive electronic copies of the weekly list, although this is something that they may wish to consider in the future.	Amend paragraph 9.8 by removing the work 'electronically'.	Written Reps

Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
018	Mr Christopher Foster	Atherstone Town Council	Para 9.11	Sound with Comment	-	Response period quoted for substantive plans is 21 days. Experience does not match this claim.	Individual cases can be pursued. The Town Council can always ask if an extension is required.	No change	Written Reps
018	Mr Christopher Foster	Atherstone Town Council	Para 13.1	Sound with Comment	-	States that the Council will review use of consultation methods and make changes. Does not state that the review of methods itself will be based on consultation with the community. The community must be able to comment on the effectiveness of the SCI and any proposed changes to consultation methods.	Any review is unlikely to take place without consultation	No change	Written Reps
018	Mr Christopher Foster	Atherstone Town Council	Appendix 4 Item 4	Sound with Comment	-	What outcomes are wanted from the policy. A more robust and positive outcome would be that there is better provision of what the community wants, not just an understanding of community needs.	Noted	No change	Written Reps
019	Stephen Hill	Birmingham International Airport Ltd		Sound with Comment	-	<p>The Airport Company welcomes the inclusion of Birmingham International Airport Limited in Part B - Consulting on Planning Applications, Section 9 - Consultation During the Application Process, Paragraph 9.4 - Statutory Consultation and Publicity, in terms of the Airport Company's role as a statutory consultee for Aerodrome Safeguarding.</p> <p>The Airport Company also welcomes the inclusion of BIA Ltd in Appendix 2, however in terms of the easy use of the first part of Appendix 2, it may be more appropriate if the list was in alphabetical order.</p>	<p>Noted</p> <p>Agree</p>	Arrange first part of Appendix 2 into alphabetical order.	Not Specified
020	Judy Vero	Campaign to Protect Rural England	-	Sound with Comment	-	We have read the Draft and find that it is clearly written and meets the minimal requirements of the tests of 'Soundness'. However, it is disappointing that North Warwickshire Borough Council persists in refusing to allow members of the public to address planning meetings as is normal in other Warwickshire local authorities.	The introduction of public speaking needs to be a decision made by the Council. This issue has been recently considered and a decision has been made to not pursue public speaking at the present time.	No change	Not Specified

Comment									
Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
021	Alan Sykes	Ericsson	-	Comment	-	Page 4, Paragraph 1.5 - The population of the Borough should read 62,000 not 62,00. Page 36, Section 11 - Missing the date of the Local Government Act Appendix 3 - Coleshill Grammar School should read 'The Coleshill School'	Noted	Amend paragraph 1.5 to read 'Nearly 62,000 people...' Paragraph 11.1 - delete '???' and insert '1972' into brackets Appendix 3 - in the Education section, replace 'Coleshill Grammar School' with 'The Coleshill School'	Not Specified
022	Jane Ware	Government Office for the West Midlands	-	Comment	-	It is pleasing to see that most of the comments we made on the Consultation Draft SCI have been taken on board. As you are a two tier area, you could make reference to the fact that Waste and Mineral Planning LDD's and Planning Applications will be covered by the Warwickshire County Council SCI which has been adopted.	Agree	Insert new paragraph 2.6 "Warwickshire County Council are responsible for producing the Waste and Minerals Local Development Frameworks and determining waste and minerals planning applications. The County Council have produced a Statement of Community Involvement covering these areas. This document is available at www.warwickshire.gov.uk ."	Not Specified
022	Jane Ware	Government Office for the West Midlands	-	Comment	-	In Section 3: Links With Other Plans and Policies, references are made to the North Warwickshire Sustainable Community Plan. We consider some text from the Draft SCI could be usefully reinstated to refer to other strategies of particular importance e.g. North Warwickshire Corporate Plan and the North Warwickshire Framework for Rural Action.	Previous objections were concerned at the short list of documents, asking why others had not been included, so it was considered better not to include the list.	Re--insert text from previous drafts of the SCI: "Other documents of particular importance are the latest North Warwickshire Corporate Plan and the North Warwickshire Framework for Rural Action."	Not Specified
022	Jane Ware	Government Office for the West Midlands	Para 1.5	Comment	-	Typographical error we believe the number of people living in the Borough to be 62,000 rather than 62,00	Agree	Amend paragraph 1.5 to read 'Nearly 62,000 people...'	Not Specified
022	Jane Ware	Government Office for the West Midlands	Para 4.4	Comment	-	The last sentence would be clearer if reworded "...to ensure that no equalities groups are excluded...".	Agree	Reword third sentence of paragraph 4.4 to read "The Council wants to ensure that no equalities groups are excluded from public consultation exercises that it carries out."	Not Specified
022	Jane Ware	Government Office for the West Midlands	Para 6.6	Comment	-	The LDS sets out a timetable for LDD's i.e. both DPD's and SPD's. For completeness the first sentence could be usefully amended.	Agree	Amend paragraph 6.6 to read '...sets out a timetable for the DPDs and SPDs....'	Not Specified

Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
022	Jane Ware	Government Office for the West Midlands	Para 6.7.4	Comment	-	As Table 1 has been amended, references to methods labelled A-I need amending to A-H and J-L need amending to I-K. Similar amendments are also needed in paragraphs 6.7.5 and 6.7.7.	Agree, similar amendments also required in paragraph 6.8.4	Amend paragraph 6.7.4 to read "This will include those methods labelled A-H in Table 1, and those labelled I-K where appropriate and subject to resources." Amend paragraph 6.7.5 to read "...employ the consultation methods A-H as highlighted in Table 1, as well as those labelled I-K where appropriate and subject to resources." Amend end of paragraph 6.7.7 to read "...using the consultation methods A-H in Table 1." Amend end of paragraph 6.8.4 to read "...employing the consultation methods A-H in Table 1."	Not Specified
022	Jane Ware	Government Office for the West Midlands	Para 6.7.6	Comment	-	The number 6.9 needs deleting before this paragraph.	Agree	Delete the number 6.9 in front of paragraph 6.7.6	Not Specified
022	Jane Ware	Government Office for the West Midlands	Para 6.8.6	Comment	-	For consistency, the heading Consultation Methods should be in bold and the paragraph re-numbered 6.9.	Agree	Change Title ' Consultation Methods' on p23 to bold and renumber paragraph below to 6.9 from 6.8.6	Not Specified
022	Jane Ware	Government Office for the West Midlands	Para 6.8.7	Comment	-	For consistency the paragraph should be re-numbered 6.10	Agree	Re-number paragraph from 6.8.7 to 6.10	Not Specified
022	Jane Ware	Government Office for the West Midlands	Para 9.2	Comment	-	It may be wise to redraft the first sentence	Agree	Delete first sentence of paragraph 9.2 and replace with "In all cases, only representations that relate to relevant planning considerations will be taken into account by the Council. Too often, comments received relate to considerations that are not planning matters."	Not Specified
022	Jane Ware	Government Office for the West Midlands	Para 11.1	Comment	-	The date of the Local Government Act needs to be inserted	Agree	Paragraph 11.1 - delete '???' and insert '1972' into brackets	Not Specified

Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
022	Jane Ware	Government Office for the West Midlands	Appendix 1	Comment	-	Local Development Scheme (LDS) - This section could be updated with the date when the Revised LDS (31 July 2006) came into effect	Noted	The updated date of the LDS could be included in Appendix 1, although there are concerns now that having a date included may render the SCI out of date if and when the LDS is updated again.	Not Specified
022	Jane Ware	Government Office for the West Midlands	Appendix 2	Comment	-	North Warwickshire Primary Care Trust needs amending to Warwickshire Primary Care Trust and the Strategic Rail Authority needs to be added.	It is understood that the SRA was wound up in 2005	In Appendix 2, delete 'North Warwickshire Primary Care Trust' and replace with 'Warwickshire Primary Care Trust'	Not Specified
022	Jane Ware	Government Office for the West Midlands	Appendix 5	Comment	-	For Completeness it would be useful to include the fact that, before a decision can be made, it is occasionally necessary to refer a Planning Application to the Secretary of State via GOWM.	Agree	Amend Appendix 5 to make reference to the necessity on some occasions to refer an application to the Secretary of State via GOWM.	Not Specified
022	Jane Ware	Government Office for the West Midlands	Para 6.7.4	Comment	-	You may wish to make clear that although there are three periods of consultation during the preparation of DPD documents it is only at the latter two stages, Preferred Option and Submission that the consultation is statutory and representations concerning the tests of Soundness are required.	Agree	Add extra text to paragraph 6.7.1 (or new paragraph 6.7.2). "There are three periods of consultation during the preparation of a DPD: at issues and options stage, preferred options stage and submission stage. However it is only during the latter two stages that the consultation is statutory and representations concerning the tests of soundness are required".	Not Specified

Sound With Errors

Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
018	Mr Christopher Foster	Atherstone Town Council	Para 5.3 Table 1	Sound with Errors	-	Should this have an item L as the rest of the document refers to it	Table L no longer has an item 'L'. References to this in the SCI need amending	<p>Amend paragraph 6.7.4 to read "This will include those methods labelled A-H in Table 1, and those labelled I-K where appropriate and subject to resources."</p> <p>Amend paragraph 6.7.5 to read "...employ the consultation methods A-H as highlighted in Table 1, as well as those labelled I-K where appropriate and subject to resources."</p> <p>Amend end of paragraph 6.7.7 to read "...using the consultation methods A-H in Table 1."</p> <p>Amend end of paragraph 6.8.4 to read "...employing the consultation methods A-H in Table 1."</p>	Written Reps
018	Mr Christopher Foster	Atherstone Town Council	Section 9.2	Sound with Errors	-	The sentence starting on page 28 and continuing to page 29 does not make sense. It appears part is missing?	Agree	Delete first sentence of paragraph 9.2 and replace with "In all cases, only representations that relate to relevant planning considerations will be taken into account by the Council. Too often, comments received relate to considerations that are not planning matters."	Written Reps
018	Mr Christopher Foster	Atherstone Town Council	Section 11	Sound with Errors	-	Page 36 - There are three question marks in relation to the date for the Local Government Act. Presumably 1972?	Agree	Paragraph 11.1 - delete '???' and insert '1972' into brackets	Written Reps

Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
023	Miss Ruth Bradford	Warwickshire County Council		Sound with Errors		Paragraph 6.7.5 - There is no 'L' in Table 1 so the sentence that mentions the consultation methods should read 'J and K' not 'J-L'	Amendments required to paragraph 6.7.5, as well as paragraphs 6.7.4, 6.7.7 and 6.8.4	Amend paragraph 6.7.4 to read "This will include those methods labelled A-H in Table 1, and those labelled I-K where appropriate and subject to resources." Amend paragraph 6.7.5 to read "...employ the consultation methods A-H as highlighted in Table 1, as well as those labelled I-K where appropriate and subject to resources." Amend end of paragraph 6.7.7 to read "...using the consultation methods A-H in Table 1." Amend end of paragraph 6.8.4 to read "...employing the consultatio methods A-H in Table 1."	Not specified
						Para 11.1 - 3 question marks in brackets	Agree	Paragraph 11.1 - delete '???' and insert '1972' into brackets	

Unsound									
Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
024	Mr. Brian E. Franklin	-	All	Unsound	5	NWBC is not looking to involve the community. It's wish is to remove as many objectors as possible. It is doing itself a protection plan, ie you have to come to use not the Council to the public. The way forward is to involve the whole community by removing the watchdogs telling who to do what and how	No comment	No change	Written Reps
025	Ms Christine Hemming	British Waterways	Section 9.4	Unsound	3	Appendix 2 places British Waterways as a company or business. It is a statutory public corporation established by the Transport Act 1963, as amended and supplemented by the Transport Act 1968 and other legislation. In these circumstances British Waterways would wish to be classified either as a statutory consultee in Appendix 2 or as 'other' under the General consultee list in Appendix 3.	Agree	Amend Appendix 3 - move British Waterways to the 'other' category	Written Reps
025	Ms Christine Hemming	British Waterways	Section 9.4	Unsound	-	British Waterways also observes that the Royal Fine Arts Commission is omitted from either appendix	Agree	Add Royal Fine Arts Commision to Appendix 3	Written Reps

Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
025	Ms Christine Hemming	British Waterways	Section 9.4	Unsound	-	The body English Nature is included in the paragraph of 9.4 but included in the appendix 1 under its newly revised name of Natural England	Agree	Amend list in paragraph 9.4 - change 'English Nature' to 'Natural England'	Written Reps
025	Ms Christine Hemming	British Waterways	-	Unsound	-	British Waterways would respectfully point out that does not incorporate a section on how stakeholders can be involved in developing planning obligations and relevant policies.	The Council intend to prepare S106 guidance once the Government has settled on its preferred policy direction.	No change	Written Reps
026	Mr Lance Wiggins	David Wilson Homes	Para 8.3	Unsound	9	Applications should only be put 'on hold' if they are not valid submissions in terms of the legislation, not simply if further information is needed. If the case officer considers further information is needed to accompany a valid application this should be requested under Regulation 4 of the Town and Country Planning Regulations 1988 within 28 days of the submission of a valid application. If this information is not subsequently received, the authority can then take a view on whether it's absence warrants a refusal on the basis of a lack of information on a particular issue.	Reference to Regulation 4(b) of the The Town and Country Planning (Applications) Regulations 1988 and Section 62 of the Town and Country Planning Act 1990. Additional information requested under Regulation 4 to verify particulars of that application (and Section 62) is needed before validation can take place (see the Encyclopaedia of Planning Law 3B-442). The whole thrust of government guidance through its best practice note and forthcoming mandatory national and local requirements for validation of applications is geared towards the idea that additional information can be required before validation.	No change	Participate at Oral Examination

Ref	Name	Organisation	Section / Paragraph	Sound / Unsound	Test	Representation	Council's Response	Suggested Change to SCI	Examination
026	Mr Lance Wiggins	David Wilson Homes	Para 8.9	Unsound	9	In relation to pre-application consultation by applicants, the reference to this simply being undertaken by the applicants on major applications is not a clear description of policy on this issue. Guidance on any desire that such consultation be carried out should specify the type of publicity / event which is envisaged eg public presentation / exhibition and should specify a threshold relating to the number of dwellings or site size for both residential and commercial applications. It is not considered that applicants would have the resources to undertake such consultation events for all major developments and a threshold of 50 dwellings (or 1.5 hectares if the number of dwellings is unknown). Recognising that North Warwickshire is a predominantly rural district, it seems reasonable to adopt a similar threshold to other predominantly rural areas such as Harborough District where the threshold is 50 dwellings.	Initial pre-application discussion will include agreement on the scope and scale of consultation. This will change on a case by case basis and therefore the SCI should not be prescriptive on this subject. Such a process is also more likely for major applications.	No change	Participate at Oral Examination
026	Mr Lance Wiggins	David Wilson Homes	Para 10.4	Unsound	9	In relation to prior-approval applications, it is considered that the wording 'goes ahead by default' is inappropriate and should be replaced by 'is entitled to go ahead'.	Agree	Amend final sentence of paragraph 10.4 to read "If it does not, then the proposal is entitled to go ahead".	Participate at Oral Examination
014	Mr Justin Milward	The Woodland Trust	9.4	Unsound	9	The Woodland Trust would like to see appropriate planning authority consultation of non-statutory consultees in relation to significant planning applications. Specifically, the Woodland Trust would like to be consulted on all planning applications that affect the irreplaceable semi natural habitat of ancient woodland. Some local authorities have already listed non-statutory consultees for planning applications in their draft SCI's, such as Lichfield District Council, the City of Wolverhampton and Bridgnorth District Council. The Woodland Trust would therefore like to see a similar commitment in this SCI.	Agree	Include a list of non-statutory consultees who will be consulted where appropriate	Written Reps