



# Statement of Community Involvement

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## 1. INTRODUCTION

### **What is the Statement of Community Involvement?**

- 1.1 The Statement of Community Involvement (SCI) sets out how Cheltenham Borough Council (CBC) will seek the involvement of the community in the planning of the area. All Local Planning Authorities (LPAs) are required by law<sup>1</sup> to prepare a SCI. This SCI is a statement of CBC's policy for involving interested parties in matters relating to development in their area. The SCI sets out how CBC will involve the local community, businesses and interest groups in the planning process.
- 1.2 Paragraph 16 of the [National Planning Policy Framework \(NPPF\) \(2023\)](#) states, amongst other aspects, that *"Plans should... be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees"*. Paragraph 126 of the NPPF refers to the need for *"effective engagement between applicants, communities, local planning authorities and other interests throughout the (planning and development) process"*.
- 1.3 CBC's planning functions can be summarised broadly as follows:
- i. Plan-Making and production of guidance;
  - ii. Assistance with Neighbourhood Plan-Making;
  - iii. Decision-Making, e.g. determining planning applications; and
  - iv. Monitoring / Enforcement of planning permissions.
- 1.4 'Community' refers to all interested parties that live, work or do business in the area and includes residents, businesses, community and interest groups, neighbourhood planning forums, landowners, developers, adjoining local authorities, government agencies.
- 1.5 The planning system is plan-led, and any planning application must be determined in line with the Development Plan (Local and Neighbourhood Plans) unless material considerations<sup>2</sup> indicate otherwise.

### **Reviewing the SCI**

- 1.6 Regulation [10A\(1\)b of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#) requires that the SCI is reviewed every 5 years. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) reflect the reforms in the [Localism Act 2011 \(as amended\)](#). The previous SCI dates from 2014. There have since been changes to planning legislation that have brought new requirements and processes for producing

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<sup>1</sup> Section 18 of the [Planning and Compulsory Purchase Act 2004 \(as amended\)](#)

<sup>2</sup> The [Planningportal](#) gives an indication of what a material consideration could be

Plans and also for dealing with planning applications. Of relevance to the SCI is a simplified process for plan preparation and the recognition of the increased use of electronic communication as a way of notifying and consulting with communities.

### **Benefits of Consultation**

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

### **Principles for Community Involvement**

- 1.8 In order to meet the vision and enable future monitoring of the SCI the following principles have been set. CBC will:
- i. Ensure that the purpose of the consultation is clear;
  - ii. Ensure that consultation will be accessible to the community, through using plain English and highlighting that information can be provided in different formats or languages upon request and providing a point of contact;
  - iii. Engage with communities, including hard to reach groups, at the earliest opportunity including using community networks and forums as well as wider online media channels;
  - iv. Ensure that consultation methods are appropriate;
  - v. Ensure that consultation is meaningful;

- vi. Ensure processes are transparent, accountable and easy to understand; and
- vii. Be proactive about consultation and use a range of appropriate methods where these will widen the opportunity to contribute.
- viii. Notify engaged consultees in advance of key events and decisions in the consultation process.
- ix. Such notification will be through low-cost means only such as web postings and email.

### **Involving the Community**

- 1.9 The SCI aims to ensure that all interested members of the community get involved in the consultation process, whether that be responding to a planning application or commenting on a planning policy consultation.
- 1.10 In terms of plan-making and production of guidance, as well as assistance with Neighbourhood plan-making, the Council is required to consult certain organisations and bodies.
- 1.11 [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#) sets out a list of specific and general consultation bodies, to be involved in the consultation process when preparing Local Plans and Supplementary Planning Documents (SPDs). Under the Regulations, CBC consult with specific consultation bodies which they consider may have an interest in the subject and the general consultation bodies which it considers are appropriate. General consultation bodies are bodies representing the interests of certain parts of the local community. These bodies fall into a number of groups, as follows:
- i. Voluntary bodies;
  - ii. Racial, ethnic or national groups;
  - iii. Religious groups;
  - iv. Disabled persons groups; and
  - v. Business groups.
- 1.12 As well as the 'specific' and 'general' consultation bodies<sup>3</sup>, CBC will also consult "such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations"<sup>4</sup>. CBC recognise that

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<sup>3</sup> These are the consultation bodies as defined through [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#)

<sup>4</sup> Regulation 18(2)(c) of [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#)

many members of the community are hard to reach or engage with for a variety of reasons. We will try to modify traditional consultation methods where appropriate to engage with such groups and individuals. This includes:

- i. People belonging to race, cultural and ethnic groups;
- ii. People who are male or female;
- iii. People who intend to plan or undergo or who are undergoing or have undergone gender reassignment;
- iv. People of different ages, including children and older people;
- v. People with disabilities and / or mental health conditions;
- vi. People who have a religion or belief, or who do not;
- vii. People who are gay, lesbian, bisexual, heterosexual;
- viii. People who are married or in a Civil Partnership;
- ix. People who are pregnant or subject to maternity agreements;
- x. People who are living on low incomes.

1.13 A database is maintained, which contains contact details of individuals, groups and other bodies that wish to be kept informed of consultations relating to planning policy documents. People can request that they are added to the consultation database.

1.14 Cheltenham BC will make use of different methods of consulting, which may include those listed below.

Consultation Methods	Details
Webpages	Containing links to all consultation documents
Digital engagement methods	May include digital engagement platforms; Online polling / surveying; Webinars/online events; Digital collaboration tools; Map based and spatial tools

Emails or letters	Sent to contacts in database
Surveys and questionnaires	To be completed online or on paper
Public events	Designed for residents and other interested parties
Stakeholder workshops	To inform and to gain feedback from various stakeholders
Member briefing session	Elected members
Press releases	Information provided to media outlets
Social networking sites and online present	e.g. Facebook, Instagram, LinkedIn and Twitter
Using existing networks	e.g. Local Nature Partnership

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

1.16 For Neighbourhood Planning, [The Neighbourhood Planning \(General\) Regulations 2012 \(as amended\)](#) set out various requirements, including those relating to Neighbourhood Development Plans.

### **Role of Councillors**

1.17 Councillors play an important role in the preparation of and final decision-making on local planning policy as well as in decision-making such as determining some planning applications. Councillors on the Planning Committee are under a specific duty to determine applications based on material considerations.

## **2. LOCAL PLANS**

### **Introduction to Local Plans**

- 2.1 As set out in the glossary to the NPPF, Local Plans are “A Plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two”.
- 2.2 CBC will maintain a Local Development Scheme which, amongst other matters, will specify a timetable for the preparation of any Local Plan. CBC will also keep under review the matters which may be expected to affect the development of their area of the planning of its development. CBC may also keep under review matters in relation to any neighbouring area to the extent that those matters may be expected to affect the area of the authority.
- 2.3 CBC will consult beyond statutory consultees and will aim for a town wide consultation by holding public consultation events at appropriate stages in the plan-making process.

### **Consultation Requirements**

- 2.4 All consultations on Local Plans will comply with the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#) by achieving the following as a minimum:
  - i. There will be at least two formal consultation periods, known as the ‘Regulation 18’ consultation stage(s) and ‘Regulation 19’ pre-submission representation stage(s);
  - ii. Each consultation will have published on the website a statement that sets out any consultation that has already taken place and how comments / representations to the consultation can be made. The statement is for information and is not itself being consulted upon.;
  - iii. All formal consultation periods will be open to comments for a minimum of six weeks;
  - iv. Consultation documents will be made available at the Council office and public libraries through free access to a computer and the internet. Documents can also be provided in other formats and languages upon request;
  - v. To enable assistive technologies and avoid digital exclusion, public comments will be accepted through the provided internet portal, in writing and by email; and
  - vi. CBC will also ensure that the relevant evidence base documents are accessible online.

### **Regulation 18 Stage**

- 2.5 This stage is primarily intended to be an open discussion of the issues and options that relate to



the topic. This stage provides an opportunity to influence the direction of the Plan at an early point in the plan making process. The discussions should reflect that freedom. A range of approaches can be appropriate at this stage, in order to be able to explore the issues in detail. There can be more than one phase of consultation at this stage.

- 2.6 Responses received on social media (twitter and Facebook for example) will not be considered as formal representations in relation to consultations.

### **Regulation 19 Stage – Proposed Submission**

- 2.7 This stage is important to ensure that everyone expresses their formal view on a ‘Proposed Submission’ draft of the Plan and then potentially to be heard at a Local Plan examination which will be presided over by an independent planning inspector.
- 2.8 Responses received on social media (twitter and Facebook for example) will not be considered as formal representations in relation to consultations. Consultation responses made at this stage will be made publicly available in full.

### **Examination Stage**

- 2.9 When CBC submit the plan to the Secretary of State<sup>5</sup> for examination, CBC will submit a ‘statement of consultation’ that, amongst other aspects, will summarise the main issues raised through representations. There may need to be further formal consultation carried out during the examination stage on potential modifications to the Plan. This is at the discretion of the planning inspector<sup>6</sup>.

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<sup>5</sup> The Secretary of State will appoint a planning inspector

<sup>6</sup> The Planning Inspectorate produce a ‘[Procedure Guide for Local Plan Examinations](#)’, which is described as a “*Guide aimed at all those involved in the process and concerned with the procedural aspects of examining a local plan*”

### 3. NEIGHBOURHOOD PLANS

#### Introduction to Neighbourhood Plans

- 3.1 Neighbourhood Plans are produced by Qualifying Bodies (QB)<sup>7</sup>, rather than CBC. The QB and CBC follow various requirements, including those within [The Neighbourhood Planning \(General\) Regulations 2012 \(as amended\)](#), to progress a Neighbourhood Plan. The QB follow various requirements to progress a Neighbourhood Plan and must carry out their own consultation before they submit it to CBC. CBC must then publicise the document and invite representations before sending it to independent examination.
- 3.2 [The Neighbourhood Planning Act 2017 \(as amended\)](#) sets out that the SCI is required to set out the Council’s policies for giving advice or assistance to the QB in preparing a Neighbourhood Development Plan or Development Order. The table below sets out the support that Cheltenham Borough Council will provide in terms of neighbourhood planning.

<b>Neighbourhood Planning Stage</b>	<b>Responsibility</b>	<b>Cheltenham Borough Council Support</b>
Deciding to prepare a neighbourhood plan or development order	Parish Councils or Designated Neighbourhood Forum in non-parished areas (Qualifying Body	We will discuss your ideas for doing a neighbourhood plan to establish if a plan is suitable for your community. We will outline some initial aspects to help you consider whether to proceed. If you are in a non-parished area, we will tell you how to apply to be a Designated Neighbourhood Forum.
Designating the Neighbourhood Area	Qualifying Body	We will review the application and make the necessary arrangements to designate the neighbourhood area. Where necessary, the

<sup>7</sup> Section 38A (12) of the [Planning and Compulsory Purchase Act 2004 \(as amended\)](#) sets out that a “‘qualifying body’ means a parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area...”

		Council will undertake a consultation on the proposed area.
Preparing the Neighbourhood Development Plan	Qualifying Body	
Public consultation on a draft Neighbourhood Development Plan (Regulation 14)	Qualifying Body Responsible for the consultation arrangements on the draft plan and for bringing it to the attention of people who live, work or run a business in the designated neighbourhood area.	We will review the plan for environmental assessment requirements and other legislation including whether the NDP is likely to meet the legal requirements, i.e. the basic conditions, which include whether the NDP is in general conformity with the adopted Development Plan.
Submission of the draft neighbourhood plan to the local authority (Regulation 16)	Qualifying Body submits the plan.  Cheltenham Borough Council responsible for next steps	We will make the arrangements to publicise (consult on) the plan for a minimum of 6 weeks and will, in conjunction with the Qualifying Body, appoint the independent examiner.
Examination of the Neighbourhood Plan	Cheltenham Borough Council / Examiner	We will make any necessary arrangements for the holding of the examination. On receipt of the examiner's report, we will work with the Qualifying Body to incorporate any recommended changes to the plan
Referendum	Cheltenham Borough Council	Responsible for arranging and holding the

			referendum
Neighbourhood formally 'Made'	Plan	Cheltenham Council	Borough We will hold a Council meeting, providing more than 50% of those taking part in the referendum vote in favour of the plan being made part of the Development Plan, for the Neighbourhood Plan to be formally made provided none of the legislative exceptions apply.  We will publish details of the plan and notify the Qualifying Body, and anyone known to have an interest in it

### **Consultation Requirements**

- 3.3 With regard to applications made to the LPA relating to the Neighbourhood Plan, as long as the QB satisfies various requirements then CBC will publicise the plan proposal. CBC will comply with the following as a minimum:
- i. There will be one formal consultation period, known as 'Regulation 16'<sup>8</sup>;
  - ii. The consultation period will be open to comments for a minimum of six weeks;
  - iii. To enable assistive technologies and avoid digital exclusion, public comments will be accepted through the provided internet portal, in writing and by email; and
  - iv. Consultation documents will be made available at relevant Councils' offices and public libraries through free access to a computer and the internet.
- 3.4 Responses received on social media (twitter and Facebook for example) will not be considered as formal representations in relation to consultations.

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<sup>8</sup> As per [The Neighbourhood Planning \(General\) Regulations 2012 \(as amended\)](#)

## **4. SUPPLEMENTARY PLANNING DOCUMENTS (SPDs)**

### **Introduction to SPDs**

- 4.1 Supplementary Planning Documents (SPDs) add further detail to the policies in the Development Plan. As set out in the glossary to the [NPPF](#), *“They (SPDs) can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan”*.

### **Consultation Requirements**

- 4.2 All consultations on SPDs will comply with the following as a minimum.
- i. There will be at least one formal consultation period, known as the ‘Regulation 12’<sup>9</sup> stage;
  - ii. Each consultation will have published on the website a statement that sets out any consultation that has already taken place and how comments / representations to the consultation can be made. The statement is for information and is not itself being consulted upon;
  - iii. All formal consultation periods will be open to comments for a minimum of four weeks;
  - iv. To enable assistive technologies and avoid digital exclusion, public comments will be accepted through the provided internet portal, in writing and by email;
  - v. Consultation documents will be made available at CBC’s office and public libraries through free access to a computer and the internet; and
  - vi. CBC will also ensure that all the relevant evidence base documents are accessible online.

### **Regulation 12 - 13 Stage**

- 4.3 Regulation 12 is the only consultation stage for SPDs although there can be more than one phase at the discretion of CBC. This stage provides an opportunity to influence the direction of the SPD.
- 4.4 Responses received on social media (twitter and Facebook for example) will not be considered as formal representations in relation to consultations. Consultation responses will be made publicly available in full.

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<sup>9</sup> [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

## 5. PLANNING APPLICATIONS AND RELATED APPLICATIONS

### Introduction to Planning Applications and related applications

- 5.1 Development management is the “process whereby a local planning authority receives and considers the merits of a planning application and whether it should be given permission having regard to the development plan and all other material considerations”<sup>10</sup>. Whilst the focus for community engagement in planning is at the plan making stage, as part of the process to determine these applications, it is important that community have the opportunity to have their say. Whilst planning applications are the main type of applications, there are other types of applications including listed buildings and tree applications.
- 5.2 Planning applications usually consist of stages:
- i. Pre-application discussions between the applicant and CBC. However, this is not a public matter;
  - ii. Pre-application public consultation by the applicant which, whilst not usually mandatory<sup>11</sup>, is strongly encouraged by CBC;
  - iii. Submission of the planning application;
  - iv. Publicity and consultation by CBC on the planning application;
  - v. Determining the application and making the decision available; and
  - vi. Discharging planning conditions where relevant.

### Pre-application Discussions

- 5.3 There is no requirement on CBC to consult during the pre-application stage. However, applicants for planning permission should consider consulting widely with the community.
- 5.4 The [NPPE](#), under the heading of ‘Pre-application engagement and front-loading’ sets out the advantages of early engagement. Paragraph 40 states *“Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications”*.

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<sup>10</sup> From the glossary on the [Planningportal](#)

<sup>11</sup> Exceptions include the installation for the harnessing of wind power for energy production subject to certain criteria

5.5 CBC encourages all potential applicants to discuss their proposals with CBC and all other relevant statutory and non-statutory bodies before submitting their planning application. CBC have produced a [‘Planning: Pre-Applications Services Guidance Note’ \(October 2022\)](#), which, amongst other aspects, sets out the benefits of seeking pre-application advice as well as the fee schedule.

### **The Planning Application**

5.6 Once a planning application has been found to be valid, details of the application, including the application form, plans and accompanying documents are placed on CBC’s website.

5.7 Notifications giving links to further information about planning applications are sent to consultees with a request for their comments. CBC will consult statutory consultees as required by the [Town and Country Planning \(Development Management Procedure\) \(England\) Order \(DMPO\) 2015 \(as amended\)](#), Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), and where relevant the [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017 \(as amended\)](#) and may consult other non-statutory consultees depending on the type, nature, scale and location of the proposed development.

5.8 CBC is required by law to bring all planning applications to the attention of the public. The Council must accord with the methods of publicity specified in the DMPO 2015 (as amended).

5.9 The DMPO 2015 (as amended) requires CBC to use one or more of the following methods of community engagement dependent on the type, nature and scale of the application:

- i. Public Notice(s) erected at the site;
- ii. Notification letter to the local Parish Council(s);
- iii. Advertisement(s) in a local newspaper; and
- iv. Notification letters to neighbours.

5.10 In addition, CBC will publish a ‘weekly list’ of planning applications and can be viewed on the Councils website via PublicAccess Members of the public who have signed up via Public Access for application alerts will receive an email notification for when tracked applications are progressed. Councillors will be notified where planning applications involve the negotiation of a Section 106 agreement in their Ward.

5.11 Consultation on planning applications will only commence once the application has been validated in accordance with National Requirements<sup>12</sup>. A minimum period of 21 days for non-Environmental Impact Assessment (EIA) and a minimum of 30 days for EIA development will then be allowed for representations to be made. Certain types of applications will only require a

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<sup>12</sup> [Planning application forms and fees](#)

minimum period of 14 days consultation, i.e. applications for permission in principle.

- 5.12 For planning applications (where appropriate), neighbour notification letters sent to the occupiers of properties immediately adjoining the site. Depending on the context of the site, the Case Officer will review whether any wider notification is appropriate. Notification will be sent to the relevant Parish Council clerk for the area where the development proposal is situated. Internal and external statutory consultees are also notified of relevant applications.
- 5.13 For certain applications (such as major applications; applications for listed building consent; applications for developments affecting the setting of a listed building or a conservation area), a site notice is displayed as close as possible to the proposed development site and a notice will be placed in the local press.
- 5.14 Representations must be submitted in writing either online via the Council's PublicAccess<sup>13</sup> website, letter or e-mail and will be recorded. The adopted Scheme of Delegation means that the majority of applications are determined under officer delegated powers. However, some complex or controversial applications may be decided at Planning Committee. Members of the public are advised that they may address the committee directly by registering to speak.
- 5.15 When someone chooses to make a response to comments on a planning application, CBC ask that they are made in timely manner and within the consultation period set. Any comments on planning applications should relate only to material considerations, which are matters that should be taken into account in deciding a planning application. Further information about material considerations can be found on the Government's PPG<sup>14</sup> and the Planning Portal<sup>15</sup>. All comments must contain the name and address of the author, and we cannot consider anonymous comments.
- 5.16 Any material changes to the submitted application may result in a re-notification or re-advertisement of the application. This will include notifying all those members of the public who sent in representations on the original proposals.

### **Determining the Application and Making the Decision**

- 5.17 Applications are determined under officer delegated powers or by members at Planning Committee through the adopted officer Schedule of Delegation. Information on the dates of Committees are available on CBC's website. Any representations from members of the public will be summarised in the Committee or Delegated Officer Report. Committee Reports and agendas are published on the Wednesday of the week before the Committee meeting and will be available

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<sup>13</sup> [Planning applications - view and comment online](#)

<sup>14</sup> The [Government's Planning Practice Guidance \(PPG\)](#) provides information on determining planning applications including what a material consideration could be

<sup>15</sup> The [Planningportal](#) gives an indication of what a material consideration could be



on the Council's website<sup>16</sup>.

### **Notification of Decision**

- 5.18 Copies of the decision notice will be sent to the applicant/agent and the decision will be available to view on CBC's website. Members of the public can also view a copy of the decision notice and officers report where relevant.

### **Appeals**

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

### **Monitoring and Enforcement**

- 5.20 CBC is responsible for monitoring the planning permissions it has granted and for investigating any complaints about these developments. CBC is responsible for investigating alleged breaches of planning control and unauthorised development and will, if appropriate, take enforcement action against any breaches of planning control. Where negotiation fails to resolve a breach of planning control or where a retrospective application would be inappropriate or is refused, CBC will consider whether to take formal enforcement action. CBC can serve legal notices to stop breaches of planning control, require unauthorised breaches of planning control to cease and require the removal of structures or buildings that do not have planning permission. Further details can be found in CBC's Local Enforcement Plan (Planning)<sup>17</sup>.

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<sup>16</sup> [Planning Committee meeting dates, agendas and minutes](#)

<sup>17</sup> [Local Enforcement Plan \(Planning\)](#)