Gloucester City Council

Statement of Community Involvement

Consultation Draft

January 2015
Contents

Foreword 1

1. Introduction 3

2. Planning Policy Documents - Community Engagement 5

3. Planning Policy Documents Consultation Tables 11

4. Gloucester City Council Standards for Planning Applications 14

5. Resourcing and Managing the Process 17

6. Monitor and Review 18

Appendix A - Specific Consultees 19

Appendix B - General Consultation Bodies 20

Contact Details

Website: www.gloucester.gov.uk/planning

Email: spatialplanning@gloucester.gov.uk

Phone: 01452 396396

Write to: Planning Policy, Herbert Warehouse, The Docks, Gloucester, GL1 2EQ
Foreword

Gloucester City Council believes that all those who live, work and enjoy the City should be given the opportunity to engage actively and influence how it will grow and develop.

The City Council is committed to ensuring that all those who wish to be involved in the preparation of development plans and determination of planning applications are able to. This Statement of Community Involvement (SCI) explains who, when and how the Council will consult on planning matters.

The City Council first produced an SCI in January 2005. Much has changed since then, including the replacement of ‘Local Development Frameworks’ with ‘Local Plans’ and changes to the regulations which set out the ways in which Government expects plans to be produced. The City Council also takes seriously its commitment to deliver the Government’s localism agenda.

This update of the SCI more accurately reflects the new plan production requirements whilst ensuring involvement of all residents, businesses and important groups and organisations in the preparation of the City’s Local Plan and in consulting on planning applications. The SCI sets out transparent, accessible and meaningful approaches to community involvement on planning matters.

Many local people will be aware that Gloucester City Council is currently preparing a joint planning document with Cheltenham Borough and Tewkesbury Borough Councils, called the Joint Core Strategy (JCS). A Joint Consultation Statement (November 2011) has been prepared which explains the consultation arrangements for the production of this Plan. This can be found by clicking on the following link: http://www.gct-jcs.org/PublicConsultation.

Councillor Paul James
Leader of the Council
1. **Introduction**

1.1 This document is called Gloucester City Council’s Statement of Community Involvement (SCI). Its main purpose is to set out how and when Gloucester City Council will engage with communities and key stakeholders during the planning process, which includes: preparation, alteration and continuing review of development plan documents such as the Gloucester City Plan and supplementary planning documents; and consulting on planning applications. The Council is legally required to prepare and adopt a statement of community involvement\(^1\) and once adopted has to comply with it. The revised statement was adopted by the Council on xxxx.

1.2 This SCI identifies who, when and how the Council will consult with on planning matters relating to plan/policy preparation and the determination of planning applications.

1.3 This SCI will replace the Council’s existing SCI which was adopted in 2005. The SCI needs to be revised to reflect changes in the legal requirements for consultation on local plans and in the determination of planning applications. These changes have been made in order to encourage more efficient production of plans and processing of applications.

1.4 Plan preparation covers production of Development Plan Documents (DPDs) which set out planning strategy, policies and proposals for the City’s administrative area. These provide the planning framework for the area and are the main consideration in determining planning applications. The Council’s Local Development Scheme sets out the programme for the preparation of planning documents ensuring consultation activities are staggered and that the SCI requirements can be met without undue pressure on resources. The Council is currently involved in the preparation of two development plan documents including the Joint Core Strategy\(^2\) (JCS) and the City Plan. Collectively these will form the Local Plan for the City. The Regulations set out three main stages of plan production where consultation is required. These are:

- Preparation of a Development Plan Document (Regulation 18).
- Publication of a Development Plan Document (regulations 19 and 20).
- Submission of a Development Plan Document to the Secretary of State (Regulation 22).

1.5 Section 3 of this SCI sets out the consultation requirements at each stage in more detail.

1.6 Gloucester City Council will occasionally produce Supplementary Planning Documents (SPDs) to add further detail to the policies contained with its development plan documents. The regulations set out two stages of plan production where some consultation is required. These are:

- Publication stage (Regulation 12).

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\(^1\) A statement of community involvement is required under Section 18 of the Planning and Compulsory Purchase Act 2004 as amended by the Planning Act 2008, Localism Act 2011, The Town and Country Planning (Local Planning) (England) Regulations 2012 and is informed by the National Planning Policy Framework 2012

\(^2\) The JCS is being prepared with Cheltenham and Tewkesbury Boroughs and has its own overarching consultation statement November 2011
• Adoption (Regulation 14).

1.7 Section 3 of this SCI sets out the consultation requirements at each stage in more detail.

1.8 In the financial year 2014/15, the City Council processed 744 planning applications. The nature and scale of these applications vary from householder and minor applications to large scale major applications for residential, employment, retail developments. The nature, scale and type of application will determine the level of consultation and community engagement undertaken.

1.9 In addition to the legal requirements above, Section 110 of the Localism Act 2011 sets out a ‘duty to cooperate’. It is a requirement that Local Planning Authorities engage with neighbouring authorities and other statutory bodies to consider joint approaches to plan making. Gloucester City Council is committed to meeting this duty and intends to work closely with neighbouring authorities and other partner organisations and stakeholders.

1.10 This statement of community involvement is divided into five main sections:

• Planning Policy Documents - community engagement.
• Planning Policy Documents - consultation tables.
• Gloucester City Council standards for planning applications.
• Resourcing and management.
• Monitoring and reviewing.
2. **Planning Policy Documents - Community Engagement**

*Who do we consult?*

2.1 The Local Planning Regulations set out who must be consulted at key stages of plan production. These are known as the specific consultees and an indicative list is provided at Appendix A.

2.2 The Council also identifies a number of other bodies who it may wish to consult at key stages. These are known as general consultation bodies and an indicative list is provided at Appendix B.

2.3 In addition the Council is committed to involving a wide range of other individuals and organisations including members of the Community and hard to reach groups. The Council will use a range of consultation techniques in seeking to engage with different groups to establish the most effective means of enabling all the City’s communities to make their views known and help shape planning decisions in their area. Some people will prefer direct contact with the council, either face-to-face or over the phone. Others may prefer communicating through the web, emails or text messaging. Some may need directly targeted communication because of disability, culture, language or literacy factors. In preparing our planning documents we will go further than consulting with the required consultees by trying to engage groups such as young people, ethnic minority groups, people with disabilities, elderly people, people in disadvantaged neighbourhoods and/or people with special housing or employment needs.

2.4 The Council will maintain an address database for consultation purposes and will seek to update this.

*How do we consult?*


2.6 A significant challenge for all local planning authorities is ensuring that all stakeholders are involved early enough in planning processes to enable them to have meaningful input. Early involvement can help to resolve any initial conflicts and can generate a sense of ownership. The Council will ensure that any consultation activities associated with the planning process will be coordinated with other Council services including the Neighbourhood Management Team.

2.7 To address this issue and engage effectively over a range of planning documents the Council will use a combination of transparent, accessible and meaningful consultation methods appropriate to the resources available, the policy area being prepared and its stage of preparation. Table 1 sets out a range of formal and informal community involvement methods and techniques which are considered most appropriate for use.
2.8 There is no significance in the order of the various methods and it is not anticipated that every one of these methods need be used. The list should be regarded as a menu from which to choose.

Table 1 - Community Involvement Methods

<table>
<thead>
<tr>
<th>Method</th>
<th>Main Considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council website</td>
<td>Information can be provided quickly and efficiently and accessed by the public from their own home or office at a time which is convenient to them. It should be user friendly and is also a useful means of providing feedback for those taking part in consultation exercises.</td>
</tr>
<tr>
<td>Email</td>
<td>This is a minimum requirement - information and responses can be provided quickly and efficiently. Where groups and individuals have an email address, information will normally be sent electronically.</td>
</tr>
<tr>
<td>Formal advertisements e.g., statutory notices</td>
<td>This is a minimum requirement - Statutory requirements to publish notices advertising planning applications and to invite representations during preparation of planning documents.</td>
</tr>
<tr>
<td>Media coverage - press releases, adverts, radio</td>
<td>Local newspapers/radio stations can be requested to carry articles about planning proposals/documents to raise awareness. It is cost effective in terms of bringing local issues into the local arena. Items may only be reported if they are considered newsworthy.</td>
</tr>
<tr>
<td>Consultation documents available for sale or CD or inspection at deposit locations including Council offices and libraries, by post and on the Internet</td>
<td>This is a minimum requirement. Traditional means of consultation and the information supplied can be in detail. Information needs to be in plain English with simplified formats. Council offices and documents should be accessible to those with disabilities. For those whose first language is not English a translation service is available if required.</td>
</tr>
<tr>
<td>Leaflet, newsletters and brochures</td>
<td>Can publicise and explain in simple language and invite comment. Newsletters can be sent to all residents; however, may be viewed as junk mail and disregarded. Can be expensive to distribute.</td>
</tr>
<tr>
<td>Formal written letter</td>
<td>Minimum requirements to consult statutory and other relevant consultation bodies by letter. High postage and administration costs.</td>
</tr>
<tr>
<td>Public exhibitions, public meetings and presentations</td>
<td>Can be used to circulate information, seek views and endorse proposals. Gives residents some flexibility in deciding when to visit and can encourage feedback. However, people attending may not be representative of the whole community. It does take planning issues to the people and provides an opportunity for people to discuss local issues directly with planning officers in an environment which local people will be familiar and therefore comfortable with. High staff costs in producing display material and manning the exhibition with no guarantee of turn out. Displaying information in local shops where people frequent should also be considered where appropriate.</td>
</tr>
<tr>
<td>Notices displayed</td>
<td>Direct and local notification of proposals to those around a site,</td>
</tr>
<tr>
<td>Method</td>
<td>Main Considerations</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>on a site</td>
<td>however notices can be vandalised or removed before the consultation period and this method is impractical for general development proposals and wider issues.</td>
</tr>
<tr>
<td>Through partnership organizations and focus groups, existing forums and panels</td>
<td>Useful for topic based discussions and to find out what specific groups feel. Provides opportunity to discuss issues in depth and to have ongoing dialogue. However high direct costs of facilitating. Important to build on existing networks rather than reinventing.</td>
</tr>
<tr>
<td>Councillor networks</td>
<td>Councillors play a very important role in terms of community engagement. They are a recognised point of contact for the local community to go to with regard to Council matters. It is vital to ensure that Councillors are kept well briefed.</td>
</tr>
<tr>
<td>One to one meetings and briefings</td>
<td>Useful for seeking views from targeted groups/individuals however they are time consuming and impractical to use on a comprehensive basis.</td>
</tr>
<tr>
<td>Parish and Local Strategic Partnership (LSP)</td>
<td>Involve Quedeley Parish Council and LSP with consultation exercises. They provide an invaluable contact with local communities. Also opportunity to assist in the preparation and distribution of consultation material (for example, on local notice boards and other appropriate locations).</td>
</tr>
<tr>
<td>Questionnaires and surveys</td>
<td>Enables quantifiable information to be collected. Questionnaires need to be well designed. No guarantee of likely response rate. Time consuming and costly.</td>
</tr>
<tr>
<td>Workshops and focus groups</td>
<td>Organised discussion based event to present and gather information. Can be targeted at key stakeholders. Requires skilled facilitators to ensure objectives are achieved.</td>
</tr>
</tbody>
</table>

2.9 The Council will maintain a record of consultation responses received during the preparation of planning documents and will present a transparent decision making process to the community. Consultation responses are one of the matters to be taken into account by the Planning Policy Sub-Committee and Full Council when making decisions on plan making. A Consultation Statement will be produced for every planning document which will include summaries of all consultation responses received as well as officers’ responses which will identify where the document has been amended in light of responses received. The Statement will be reported to members no later than the date that they consider making decisions on planning documents. The comments received will be made publicly available so they can be viewed by others with an interest in the matter.

**When do we consult?**

2.10 This section identifies when the Council will consult on emerging planning documents. It sets out the legal requirements governing development plan documents (DPDs) and supplementary planning documents (SPDs).
Development Plan Documents (DPDs)

2.11.1 The process for Development Plan preparation is provided at Figure 1. There are three main stages:

(a) Preparation of a Local Plan (Regulation 18): consultation bodies are invited to make representations about what a Local Plan ought to contain.

(b) Publication of a Local Plan (Regulations 19 and 20): copies of a proposed Local Plan and associated documents are made available for inspection for 6 weeks. The Council invites interested parties to make formal representations at this stage. This is the final stage when formal representations can be made.

(c) Submission of a Local Plan to the Secretary of State (Regulation 22): a copy of the proposed plan and associated documents is submitted to the Secretary of State for examination. An independent inspector is subsequently appointed to examine soundness of the plan. The Council provides the Inspector with the formal representations made at previous stages. At this stage the Council cannot consider new representations, although opportunities exist for additional statements to be made to support those previously made.

2.12 The Local Plan is then examined by the Inspector to ensure that it is sound and has met legal and procedural requirements including whether it has been prepared in accordance with the SCI. The inspector will consider all duly made representations and may invite the Council to make modifications to its Plan in order to make it sound. Further consultation is normally required in relation to these modifications. Consultation responses at this stage are considered by the Inspector and not the Council.

2.13 Subject to a receiving a satisfactory Inspector’s report that the Local Plan is sound, the Council will be in a position to adopt the DPD.

2.14 All DPDs require a Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) which are produced with the Plan and assess the environmental, economic and social impact of its policies and proposals. These appraisals are usually consulted on and examined at the same time as consultation on the DPD.
2.15 Gloucester City Council will occasionally produce Supplementary Planning Documents (SPDs) to add further detail to the policies contained with its development plan documents. SPDs can be area or topic based.

2.16 There are two main stages of SPD production where some form of consultation is required by the regulations. These are:

- Publication stage (Regulation 12): This involves making a copy of the proposed SPD available for inspection and representations are invited.
• **Adoption (Regulation 14):** This is when the Council will be in a position to adopt the SPD once it has considered any representations that have been made at publication stage.

2.17 The Council may if necessary include an additional preliminary stage to seek comments as part of the preparation of the SPD.
3. **Planning Policy Documents Consultation Tables**

3.1 Tables 2 and 3 identify consultation arrangements for the production of Development Plan Documents and Supplementary Planning Documents identifying who will be consulted, when and how.

**Table 2 Consultation on Development Plan Documents**

<table>
<thead>
<tr>
<th>Stage</th>
<th>Preparation</th>
<th>Who</th>
<th>How</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preparation of a local plan (Regulation 18)</td>
<td>Evidence gathering Scope of the plan</td>
<td>• Specific and general consultees</td>
<td>Letter, email, internet, forums, press releases, deposit locations, workshops</td>
</tr>
<tr>
<td>Publication of a local plan (Regulations 19 and 20)</td>
<td>Consult on proposed submission document</td>
<td>• Specific and general consultees</td>
<td>Letter, email, internet, press releases, exhibitions, questionnaires, forums, events, deposit locations</td>
</tr>
<tr>
<td>Submission of documents and information to the Secretary of State (Regulation 22)</td>
<td>Submission of Local Plan and all associated documents in accordance with Regulation 22</td>
<td>• Specific and general consultees</td>
<td>Letter, email, internet, deposit locations</td>
</tr>
<tr>
<td>Independent examination (Regulation 24)</td>
<td>Independent examination of plan by an appointed Inspector</td>
<td>• All those who made representations</td>
<td>Letter, email, internet, press releases, deposit locations</td>
</tr>
</tbody>
</table>

3 Please note that this table contains an overview of consultation methods available for each stage of Local Plan preparation. Not all methods will be used in each case, but those most suitable and appropriate given the scale and nature of the consultation will be used.
Neighbourhood Plans

a. The Localism Act 2011 introduced the ability for qualifying communities to draw up neighbourhood plans for their areas which are consistent with the Council’s development plans. The preparation of neighbourhood development plans is subject to separate regulations (The Neighbourhood Planning (General) Regulations 2012).

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*Please note that this table contains an overview of consultation methods available for each stage of the plan preparation process. Not all methods will be used in each case, but those most suitable and appropriate given the scale and nature of the consultation will be used.*
b. Neighbourhood groups - forums - are required to undertake pre-submission consultation themselves as set out in the regulations. The role of the local planning authority is largely one of notification and formal submission consultation (the processes being prescriptively set out in the regulations and the methods used will follow the notification processes set out in Table 2). The plan is then examined by an independent person and a referendum of the local neighbourhood is held. Gloucester City Council will provide support to groups in producing neighbourhood documents where qualifying bodies come forward.

c. At the time of writing, Gloucester City Council is collaborating with the Hempsted Community Forum on the preparation of its Neighbourhood Plan.
4. **Gloucester City Council Standards for Planning Applications**

4.1 Gloucester City Council places great importance on public involvement in the planning application process. This section explains how the Council will encourage the community to become involved in this process and also explains the Council’s expectations of applicants. Finding out what local residents and businesses think about new development is a fundamental part of the Council’s Development Management Service and Gloucester City Council undertakes its legal obligations in a proactive manner. It accepts that local people have local knowledge and can provide a useful insight into local matters.

4.2 Gloucester City Council handled 744 planning applications in the financial year 2013/14. Thirty three of these were classified as ‘major’ applications, that is, developments of 10 or more homes or developments of more than 1,000m² of commercial floorspace.

4.3 In terms of carrying out consultation, the Council is chiefly guided by the provisions of the Town and Country Planning (Development Management Procedure)(England) Order 2010(as amended). Procedures for planning applications that are related to Listed Buildings or Conservation Areas are covered by the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.4 Gloucester City Council ensures that every planning application with a level of publicity that is commensurate with the size and nature of the proposal. In many instances, however, Gloucester City Council goes beyond what is legally required. For example, the Council undertakes consultation in relation to Reserved Matters applications (i.e. approval of details following the granting of outline permission) despite the fact that this is not a statutory requirement. Similarly, when amended plans are submitted with significant changes, the Council will re-consult with neighbours and relevant consultees if it is considered that an objection can be overcome. Change of use applications are also given site notices, which few authorities do.

4.5 Gloucester City Council will also seek to consult an appropriate range of statutory and non-statutory consultees. For example, officers will send copies of applications to organisations such as the Environment Agency, English Heritage and Severn Trent Water. Officers will also use their judgement and consult an appropriate range of non-statutory consultees. Over and above this, the Council will consult Qedgeley Parish Council on applications within that area.

4.6 Neighbour notification letters are sent to residents that are likely to be affected by a proposed development. As part of this process, a list of material considerations is enclosed to ensure that any representations that the neighbour wishes to submit are kept solely to planning issues and not with regard to any personal matters.

4.7 Other measures adopted by Gloucester City Council include the application of a 40m consultation radius in respect of applications that involve a change of use to hot food takeaway. In addition, where objections are received and the Council is recommending that permission be granted the application cannot be dealt with by Officers under delegated powers, in other words it must be taken to planning committee in order to ensure that it is subject to an appropriate level of debate and scrutiny.
4.8 The City Council keeps a register of all current planning applications which can be viewed on the public access system. In addition, a 'weekly list' of planning applications is prepared and can be viewed on the Council’s website.

4.9 The Council operates a system of public speaking at Planning Committee allowing individuals the opportunity to make their views about specific proposals known. This is supplemented by high-quality PowerPoint presentations on all Planning Committee items including plans and colour photographs.

4.10 In its drive towards a more transparent and accountable planning system and in the spirit of localism, the Government is encouraging local authorities when considering *significant* development proposals, to build on minimum consultation requirements and in particular to encourage more pre-application discussions and early community consultation.

4.10.1 For the purposes of this SCI, Gloucester City Council considers development to be *significant* if it meets any of the following criteria:

- Applications which constitute a significant departure from the most up to date Local Plan that is formally approved by the Council for Development Control purposes.
- Applications for 50 or more homes.
- Proposals which entail more than 1,000m² of gross floorspace.
- Buildings or structures which exceed 15m in height.
- Applications which are accompanied by an Environmental Statement.

4.12 This schedule is based on the Council’s Delegation Scheme under which certain applications must go to the Planning Committee and cannot be dealt with under Delegated Officer Powers.\(^5\)

4.13 There may also be occasions when applications are submitted that do not necessarily fall into any of the above categories but for various reasons may be considered to fall into the *significant* category. Officers will use their discretion in such instances and will advise applicants accordingly.

4.14 In dealing with applications that meet any of the above criteria, officers will normally:

- Publish a newspaper advertisement, put up a site notice and notify an appropriate number of neighbouring properties.
- Publish details of the application on the Council’s website.
- In accordance with the Town and Country Planning (Consultation)(England) Direction 2009 the Council will consult the Secretary of State before granting planning permission for certain types of development.
- Report to the Planning Committee any representations that may have been received following the publication of the report.

4.15 For major developments, Gloucester City Council strongly encourages applicants before the application is submitted to arrange a public meeting or exhibition at a suitable location such

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\(^5\) Gloucester City Council’s constitution can be viewed online. Go to http://www.gloucester.gov.uk/council/more/Pages/council-constitution.aspx
as a local hall in close proximity to the application site, in order to allow the proposal to be more fully understood by the local community prior to submission.

4.16 When they submit their application, Gloucester City Council also encourages them to:

- Submit a brief statement as part of the application submission outlining how the results of the Pre-application Consultation Exercise have been taken into account in the final application documentation.
- Attend meetings with local groups that are likely to have an interest in the application proposal.

4.17 Although there is no legal obligation for applicants to undertake any of the above steps, failure to consult properly is likely to lead to objections being made by interested parties such as neighbouring residents, which could be material to the determination of the application.

4.18 Gloucester City Council aims to encourage discussions to take place before any major application is submitted in order to try and achieve a degree of consensus and/or at least a clearer understanding of what the proposal is trying to achieve. The City Council has introduced a pre-application service to provide applicants with guidance prior to the submission of an application. There is a reasonable charge for this service.
5. **Resourcing and Managing the Process**

5.1 In preparing this approach to community consultation and to ensure that it is deliverable consideration has to be given to the resources available to manage the process. The Local development Scheme (LDS) sets out the resources the Council has at its disposal to prepare the City's Development Plan documents. Officer time is a key resource issue. A balance has to be struck between consultation and the various production and management issues associated with the range of planning documents that are to be prepared.

5.2 The budget for Development Plan preparation will need to meet the costs of the legal requirements for community involvement in plan making. The Council’s Local Development Scheme sets out a phased programme for the preparation of Development Plan Documents, ensuring that consultation activities are staggered and that the SCI’s requirements can be met without undue pressure on staff resources. Resources for the Development Plan Programme are assessed through the Council’s budget review process, which will include consultation requirements. Where possible, consultations will be coordinated with other departments, external stakeholders and local communities to lever in more resources.

5.3 In addition, as a Development Plan is being prepared particular issues may arise which may require additional community involvement work and the approach needs to be sufficiently flexible to enable this to be incorporated in the Plan preparation process.
6. **Monitor and Review**

6.1 This SCI will be monitored whilst planning documents are being prepared and as planning applications are determined in order to assess its effectiveness. In addition the SCI will be reviewed in response to any future change in regulation or other legislation.
Appendix A - Specific Consultees

Specific consultation bodies are:

(a) Coal Authority.
(b) Environment Agency.
(c) English Heritage.
(d) Marine Management Organisation.
(e) Natural England.
(f) Network Rail Infrastructure Limited.
(g) Highways Agency.
(h) A relevant authority any part of whose area is in or adjoins the local planning authority’s area (a local planning authority, a county council, a parish council, a local policing body).
(i) any person:
   i. to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003
   ii. who owns or controls electronic communications apparatus situated in any part of the local planning authority’s area
(j) If it exercises functions in any part of the local planning authority’s area:
   i. a Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section
   ii. a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989
   iii. a person to whom a licence has been granted under section 7(2) of the Gas Act 1986
   iv. a sewerage undertaker
   v. a water undertaker
(k) Homes and Communities Agency
Appendix B - General Consultation Bodies

*General consultation bodies are:*

(a) Voluntary bodies some or all of whose activities benefit any part of the local planning authority's area.
(b) Bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area.
(c) Bodies which represent the interests of different religious groups in the local planning authority's area.
(d) Bodies which represent the interests of disabled persons in the local planning authority's area.
(e) Bodies which represent the interests of persons carrying on business in the local planning authority's area.

The following list will be updated in response to requests for changes or additions once they arise. The full list will be monitored and updated annually (where necessary).