

LOCAL PLAN COMMITTEE

15 JULY 2020

REPORT OF THE CORPORATE DIRECTOR: PLACE AND ECONOMY

A.3 - PROPOSED AMENDMENT TO THE STATEMENT OF COMMUNITY INVOLVEMENT (Report prepared by Will Fuller and Paul Woods)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek the Planning Policy and Local Plan Committee's approval of the proposed amendments to the Statement of Community Involvement (SCI) In light of the Coronavirus (COVID19) pandemic.

EXECUTIVE SUMMARY

Key Points:

- The Statement of Community Involvement (SCI) details the way in which the public will be consulted on all planning matters.
- Due to the Coronavirus the Council cannot carry out consultations in the same way.
- It is therefore recommended that Members agree a covering note that will be incorporated into the existing SCI to explain the current situation.

This report reflects the need to revise planning related public access and involvement procedures contained in the Council's Statement of Community Involvement (SCI) in the light of Government guidance on coronavirus implications.

RECOMMENDATION

That the Planning Policy and Local Plan Committee:

- (a) agrees the recommended revisions to the Council's Statement of Community Involvement (SCI) as (shown in Appendix 1) to reflect the specific requirements arising from national guidance and procedures on dealing with coronavirus implications; and
- (b) authorises Officers to publish the updated Statement of Community Involvement on the Council's website.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

These SCI supports the Corporate Plan 2020-24 (aligned with the core themes of Tending4Growth and Community Leadership) through delivery of interventions aimed at:

- Delivering High Quality Services
- Community Leadership Through Partnerships
- Building Sustainable Communities for the Future
- Strong Finances and Governance
- A Growing and Inclusive Economy

RESOURCES AND RISK

The proposed amendments to the SCI were prepared by the Council's Strategic Planning and Place Team under the leadership of the Assistant Director for Spatial Planning and Place within the agreed 'LDF Budget'. The SCI sets out the proposed approach to consultation which can have resource implications including costs of media publicity and (under normal conditions) any exhibitions or public meetings.

Without updating the SCI as proposed in this report, the Council could come under criticism or challenge for not being able to carry out consultation in the usual manner, as set out in the document at present. The proposed additions reflect specific guidance and regulations that have been issued at a national level to allow consultation to be carried out in alternative ways in light of the COVID-19 pandemic.

LEGAL

Section 18 of the Planning and Compulsory Purchase Act 2004, as amended provides that the Council must prepare a Statement of Community Involvement, which is a statement of the authority's policy as to the involvement in the exercise of its functions.

OTHER IMPLICATIONS

Equality and Diversity: The processes for consultation and community engagement in the updated SCI aim to give people equal opportunity to engage in the planning process, including 'hard to reach' groups.

Area or Ward affected: All wards.

Consultation/Public Engagement: The adopted (2018) SCI was the subject of eight weeks public consultation in its own right to enable interested parties to comment on the proposed approach to community engagement and consultation on other planning documents and planning applications.

In relation to SCIs, the revised Planning Practice Guidance (PPG) states at paragraph 78: “*There is no requirement in legislation for local planning authorities to consult when reviewing and updating their Statement of Community Involvement, although it is good practice for authorities to inform the public of their intentions to update this document and of the changes that have been made. It is also good practice to make clear that the changes are only temporary whilst restrictions relating to COVID-19 are in place.*”

THE AMENDED STATEMENT OF COMMUNITY INVOLVMENT

A Statement of Community Involvement (SCI) is a document required by Section 18 of the Planning and Compulsory Purchase Act 2004 which sets out what consultation will take place with the community on planning policy documents and planning applications.

The Council approved the latest version of the SCI in June 2018. It is available on the Council website. The 2018 update included information on Development Plan Documents (DPDs) and also included minor amendments on community involvement for the development management process.

The Government has been aware that its latest guidance on measures required to address Covid-19, has implications for the ability of authorities to comply with policies set out in their SCIs. The Government has addressed the need to modify consultation requirements for an interim period in the Flexibility of Local Authority Meeting Regulations 2020 and in modifications to Planning Policy Guidance (published 13 May 2020). In recognition of social distancing requirements and the current need to limit public access to public buildings, new Government guidance removes the requirement to provide for the availability of hard copies of documents in council offices and libraries. This is line with the Government’s wish to increase the use of electronic alternatives to help speed up the planning system. Site notice requirements remain, but local authorities are given more discretion to use alternative electronic means to ensure relevant parties are notified.

The revised Plan Making Planning Practice Guidance (PPG) states at paragraph 77:

Where any of the policies in the Statement of Community Involvement cannot be complied with due to current guidance to help combat the spread of coronavirus (COVID-19), the local planning authority is encouraged to undertake an immediate review and update the policies where necessary so that plan-making can continue.

Given these considerations, Officers have prepared a covering table for inclusion at the front of the SCI highlighting changes to the document covering the following points (Attached as Appendix 1):

- Availability of hard copies of documents, consultation materials and planning applications
- Site Notices and Site Visits.
- Public meetings and exhibitions.

The SCI will be kept under review and modified as required to take account of both the latest health and safety requirements and adoption of new consultation methods. Future changes to the SCI will be brought to the Planning Policy and Local Plan Committee for consideration as and when required

APPENDICES

Appendix 1 – The proposed addition to the Council's Statement of Community Involvement (SCI).

Statement of Community Involvement (SCI) July 2020 Update

This Statement of Community Involvement (SCI) explains how communities and stakeholders can get involved in the preparation of Council Planning documents like the Local Plan and the consideration of individual Planning applications.

Please note that due to the Coronavirus outbreak, the Council may not be able to follow all of the commitments set out in this document. The Council is committed to keeping essential services running, but the way we deliver some services has changed. This is to protect our community and staff from unnecessary travel and social contact, in line with Government advice and guidance. The table below sets out key commitments in this document where the way we provide our service has changed. These changes are temporary although it is unknown how long these changes will apply.

We will continue to monitor the situation and will update this document as required. For further information about how Council services are affected, please visit our website at <https://www.tendringdc.gov.uk/coronavirus>.

For further information regarding changes that have been introduced to certain publicity requirements in response to the Coronavirus pandemic, please see paragraphs 035 to 052 of Consultation and Pre-decision Matters - Planning Practise Guidance (PPG) which has been updated on 13 May 2020, available from: <https://www.gov.uk/guidance/consultation-and-pre-decision-matters>.

Paragraph	Existing Commitment	Current Service
2.5 (Local Plan) 3.13 (Development Management) 4.3 (DPDs)	Availability of hard copies of documents, consultation materials and planning applications.	<p>Hard copies of Planning Policy documents will be made available whenever possible in accessible locations. Consultation documents will be deposited at Council offices and libraries throughout the district if they are open at the time of consultation.</p> <p>If public buildings are not open during a period of consultation, officers will seek to provide hard copies on request.</p> <p>Documents will continue to be available on the Council's website.</p> <p>Planning Policy documents can be viewed online at: https://www.tendringdc.gov.uk/planning/local-plans-and-policies.</p> <p>Information on Planning applications can be viewed at: https://www.tendringdc.gov.uk/planning/planning-applications/view-planning-applications-and-comment.</p> <p>Specific enquiries can be made to the Planning Services email address: Planning.Services@tendringdc.gov.uk.</p>

Paragraph	Existing Commitment	Current Service
3.9 and 3.13 (Development Management)	Site Notices and Site Visits.	<p>Following an initial suspension of site visits, officers are now able to undertake some site visits providing social distancing can be maintained, for example visits low-risk outdoor sites accessed from open areas. This approach will continue to be monitored and updated in response to any change in risk level or public health advice.</p> <p>Where appropriate, photographic surveys or video tours of application sites and buildings are being requested from applicants in support of Planning and Listed Building Consent applications.</p> <p>Site notices are posted on a discretionary basis when a proposal is likely to have a wider impact, not just on adjoining neighbours (who will already have been notified of the application in writing).</p>
2.5 (Local Plan) 3.13 (Development Management) 4.3 (DPDs) 7.2 and 7.3 (Hard to Reach Groups)	Public meetings and exhibitions.	<p>We are not currently holding or attending any face-to-face meetings or exhibitions. Where meetings are being held virtually using web-based technology the Council will endeavour to participate where invited, subject to other commitments.</p> <p>Planning Policy documents can still be viewed online at: https://www.tendringdc.gov.uk/planning/local-plans-and-policies.</p> <p>Information on Planning applications can be viewed at: https://www.tendringdc.gov.uk/planning/planning-applications/view-planning-applications-and-comment.</p>