

Statement of Community Involvement

Councillor Iain Eadie, Cabinet Member for Visitor Economy & Local Plan

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Key Decision? **YES**

Local Ward: All

Members:



**Economic Growth,
Environment and
Development
(Overview and
Scrutiny) Committee**

1. Executive Summary

- 1.1 Due to temporary legislative changes in light of the Coronavirus (Covid-19) pandemic there is a need to review and update the Council's Statement of Community Involvement (SCI). In respect of local plans the legislative amendments primarily involve changes to face to face interactions to be consistent with the latest guidance on social distancing, the need for the physical placing of consultation documents for physical inspection becoming a non-statutory requirement, and the encouragement through guidance on increased innovative and creative online interaction being undertaken instead of physical meetings. Where stakeholders are unable or choose not to use online methods to communicate, the council will seek to engage with such groups creatively with the means set out in this report. In respect to the publicity arrangements for planning applications, the legislative changes allow authorities greater flexibility to take other reasonable steps to publicise planning proposals where the requirement for site notices, neighbourhood notifications or newspaper publicity cannot be discharged.
- 1.2 Whilst the catalyst for the changes are regulatory and the legislation currently only covers the period up to 31st December 2020, it is considered prudent to make amendments to the current SCI in order to cover future consultations on the Local Plan Review, other development plan documents and in respect of the consultation process on planning applications beyond that period. This approach reflects likely ongoing restrictions into 2021, and will be kept under review
- 1.3 The changes proposed are considered to be in line with government advice and will provide for new and innovative ways of consultation in line with social distancing advice.
- 1.4 It is considered that as the changes follow social distancing advice and require relatively modest change, that Cabinet can adopt the amended SCI without the need for the amended SCI to be consulted upon.
- 1.5 Cabinet to be asked to delegate authority to allow further minor changes to the SCI that may have to be undertaken as a result of evolving Coronavirus (Covid-19) guidance to be undertaken by the Head of Economic Growth & Development in consultation with the Cabinet member for the Visitor Economy & Local Plan.

2. Recommendations

- 2.1 The Committee notes the changes made in the updated SCI at **Appendix A** which is in line with the [temporary legislation relation to Coronavirus \(Covid-19\)](#), the associated Explanatory Memorandum to the Town and Country Planning Regulations and the updated government guidance (See 'relevant web links' at the end of this report) and adoption statement (**Appendix B**).

- 2.2 That the committee note the request to delegate authority to allow further minor changes to comply with statutory requirements to the SCI to be undertaken by the Head of Economic Growth & Development in consultation with the Cabinet member for Visitor Economy & Local Plan.

3. Background

- 3.1 Members will recall that the Statement of Community Involvement (SCI) sets out the standards that can be expected by the public, statutory consultees, developers, landowners and interested parties when engaging with the planning process. The current SCI was revised and adopted in April 2019.
- 3.2 Legislative changes due to the Coronavirus (Covid-19) pandemic have provided the necessity and opportunity to review the existing SCI which was adopted in April 2019. Planning Practice Guidance has also been published by the government which sets out the need for local planning authorities to review their SCI's in light of the Coronavirus (Covid-19) pandemic to ensure that any policies within the SCI are consistent with the latest social distancing guidance. Having undertaken such a review the changes considered necessary in light of the review relate to/take into account the following:
- Social distancing measures introduced by the UK government;
 - Flexibility for authorities relating to publishing physical notices on the sites of planning applications, neighbour notifications and newspaper publicity;
 - Changes to the ways in which consultation events can be held to ensure social distancing measures can be adhered to including the use of facial coverings and floor markings for example and for virtual exhibitions to take place;
 - Development plan documents to be uploaded to the Council's website as a statutory requirement;
 - Encouraging local action groups to send in representatives to consultation events to assist with ensuring the numbers of people at an event are consistent with the latest social distancing guidance and any measures put in place, including floor markings and controlling numbers of stakeholders at any one time can be adhered to; and
 - Not making hard copies of plan documents available for inspection a statutory obligation of the District Council.

These changes are a temporary (currently due to expire 31st December 2020) as stipulated by the government in its [latest legislation](https://www.legislation.gov.uk/ukxi/2020/731/made) relating to community engagement in the planning process (<https://www.legislation.gov.uk/ukxi/2020/731/made>).

- 3.3 The changes will mean that whilst the updated SCI still provides for physical consultation events, face to face consultation exhibitions will now only be undertaken where social distancing measures can be undertaken in line with the [latest social distancing guidance](#). The requirement for physical copies of plan documents to be made available has been removed through the temporary legislation. The changes will mean that the ways in which the Council undertakes consultation going forward is also consistent with the most up to date adopted and published SCI.
- 3.4 The [government's guidance](#) on engagement with the community on local planning matters encourages 'creative solutions' to maintain community engagement. It also encourages innovative and creative solutions to reach those hard to reach groups who may not have regular access or regularly use of the internet and could be therefore impacted upon by the necessary changes to comply with the Coronavirus (Covid-19) legislation and guidance. Set out below are the approaches the Council proposes to reach the public including for hard to reach groups:

- Encouraging individuals to contact local action groups and other local organisations or groups including parish councils with similar views to their own to nominate representatives where physical interactions are considered possible and can be undertaken in accordance with social distancing guidelines. This will assist in ensure the number of people at any physical consultation events held are consistent with the latest social distancing guidelines, whilst ensuring the views held by members of action/stakeholder groups are represented.
- Encouraging individuals who have not got access to electronic media to liaise with those who have to allow their views to be expressed.
- Reviewing the potential for the use of joint mail drops with other postal correspondence the Council may be required to send out where possible.
- Continue to send physical notifications to those stakeholders registered on the consultation system who request such correspondence rather than electronic correspondence.
- To increase community involvement through the provision of virtual exhibitions and seminars/presentations.
- By allowing flexibility in the placing of site notices, neighbour notifications and newspaper publicity. Should this not be possible authorities are enables to take ‘other reasonable steps’ to publicise applications. It should be noted that at present site notices, neighbour notifications and newspaper publicity are still being undertaken by the Development Management team.

3.5 It is clear that the ongoing Coronavirus (Covid-19) pandemic and temporary legislative changes that have been introduced in response to the pandemic will result in the council consulting and engaging in new and different ways. Future consultations may need to be carried with new and creative approaches which have regard and conform to the councils Engagement Strategy. These new approaches will be used to complement its more traditional ways of consultation (notwithstanding the issues noted at paragraph 3.4 of this report). A range of these approaches and options are being considered and some or all could be used as part of any future approach to consultation alongside other methods and in line with the legislative requirements as set out in the SCI. Such options could include:

- Press releases and material – utilisation of the range of printed and electronic local media outlets including local papers (not withstanding closures of some local publications), local magazines and other publications, local electronic news formats and sites, and the increased use of social media including paid for advertisements;
- District wide communications which could tie in with consultations and/or promote the councils consultation database to ensure people sign up to this to receive details of consultations as soon as they are published;
- Notices/leaflets placed on household bins as has previously been done to promote council services such as help for vulnerable households and the shopping service.
- Video and online presentations/seminars providing overviews and explanations of a particular consultation document providing explanations of how people can respond to the consultation. These could then be released via the council’s website and social media channels.

3.6 There is no legislative requirement for local planning authorities to consult when reviewing and updating the SCI. Given the nature of the proposed changes to the SCI which are considered to be relatively minor and are all proposed in response to the legislative changes and updated guidance in relation to the Coronavirus (Covid-19) pandemic it is not considered that consultation on the updated SCI is required. Alongside the updated SCI, the District Council’s website will be updated to make clear to the public that the SCI has been updated to include temporary changes relating to the Coronavirus (Covid-19) regulations. It is suggested that delegated authority to allow further minor changes to comply with statutory requirements to the SCI to be undertaken by the Head of Economic Growth & Development in consultation with the Cabinet member for Visitor Economy & Local Plan is provided.

Alternative Options	1. The revised SCI is not approved. This would pose a risk to staff and the public in requesting them to fulfil obligations and undertake actions in contradiction to Social Distancing guidelines. The changes will ensure that the SCI is consistent with the actions the council is obliged to undertake to satisfy Coronavirus (Covid-19) legislation and guidance.
Consultation	1. Consultation has informed previous versions of the SCI including the adopted SCI 2019. The proposed amendments are considered to be minor and relate specifically to Coronavirus (Covid-19) legislation and guidance. No consultation is required by legislation and it is not considered necessary.
Financial Implications	1. There are no financial implications from this report.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. Supports the priority of enabling people to collaborate and engage with us. 2. Supports the shaping place and developing prosperity branches of the strategic plan. 3. Supports the priority of being financially sound, transparent and accountable and responsive and customer focused.
Equality, Diversity and Human Rights Implications	1. An equality impact assessment accompanies the SCI (Appendix C).
Crime & Safety Issues	1. The updated SCI will help improve the safety of the public and Council staff during the Coronavirus (Covid-19) pandemic.
Environmental Impact	1. There are no specific environmental issues arising from the updating of the SCI.
GDPR / Privacy Impact Assessment	1. A privacy impact assessment was undertaken in relation to the SCI 2019.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Financial risk if the SCI is not up to date with current regulations	Update the SCI	Yellow
B	Reputational risk if the SCI is not up to date with current regulations	Update the SCI	Yellow
C	Further legislative requirements result in the need to further update the SCI	Officers continue to monitor legislative changes. Where necessary changes will be proposed to the SCI to ensure the document is legally compliant	Yellow
D	Safety risk to officers and public having to comply with outdated SCI contrary to social distancing guidance	Update the SCI	Red

Background documents

1. [Statement of Community Involvement 2019](#)
2. [The Town and Country Planning \(Local Planning\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)
3. [Explanatory Memorandum to The Town and Country Planning \(Local Planning\)](#)

Relevant web links

[Staying alert and safe \(social distancing\) government guidance](#)

[The Town and Country Planning \(Local Planning\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)

[National Planning Practice Guidance – Coronavirus \(Covid-19\) relating to local plans](#)

[National Planning Practice Guidance – Coronavirus \(Covid-19\) relating to planning applications](#)