

Title of Report	TEMPORARY SUSPENSION OF PARTS OF STATEMENT OF COMMUNITY INVOLVEMENT FOR PLANNING PURPOSES	
Presented by	Councillor Robert Ashman Planning and Infrastructure Portfolio Holder	
Background Papers	Planning Practice Guidance: Coronavirus (COVID-19): planning update https://www.gov.uk/guidance/coronavirus-covid-19-planning-update	Public Report: Yes
	Planning Practice Guidance: Plan-making https://www.gov.uk/guidance/plan-making#covid19	Key Decision: Yes
Financial Implications	There are not any costs associated with the suggested changes to the Statement of Community Involvement	
	Signed off by the Deputy Section 151 Officer: Yes	
Legal Implications	Legal considerations considered in the drafting of the report	
	Signed off by the Deputy Monitoring Officer: Yes	
Staffing and Corporate Implications	None	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To consider amendments to the Council's adopted Statement of Community Involvement (February 2019) in light of the Covid-19 pandemic, and in other such circumstances that may arise when locations referenced in the SCI are not available.	
Reason for Decision	In accordance with the Council's constitution, approval of changes to the Statement of Community Involvement falls within the remit of Cabinet.	
Recommendations	THAT CABINET: (I) AGREE TO AN ADDENDUM TO THE ADOPTED STATEMENT OF COMMUNITY INVOLVEMENT (SCI) AS SET OUT IN 4.1 OF THIS REPORT TO OUTLINE HOW THE COUNCIL WILL CONSULT IN THE EVENT OF LOCATIONS REFERENCED IN THE SCI NOT BEING AVAILABLE;AND; (II) THAT THE LOCAL PLAN COMMITTEE BE INFORMED OF THE DECISION OF CABINET.	

1. BACKGROUND

- 1.1 The Statement of Community Involvement (SCI) sets out how the Council will involve the local community, businesses, key organisations and others in preparing its Local Plans, other important planning documents and in processing planning applications. The Council is committed to ensuring that all sections of the community understand how they are able to contribute, and have opportunity to be involved in and influence, the planning process.
- 1.2 However, in light of the impact of Covid-19 pandemic, it is not currently possible to fulfil certain requirements of the Statement of Community Involvement. In particular, access to the Council Office and other locations where documents can normally be viewed, is either not allowed or is severely restricted. This has implications for seeking views on various planning matters.
- 1.3 In response to these restrictions the government has published new guidance as part of the National Planning Practice Guidance (PPG) in respect of the need to review Statements of Community Involvement, with respect to Plan-Making.

2. PLANNING PRACTICE GUIDANCE

- 2.1 The PPG advises that where any of the policies in the SCI cannot be complied with due to current Covid-19 guidance the local planning authority is encouraged to undertake an immediate review and update the policies where necessary so that plan-making can continue. Alternative temporary amendments should be made to the SCI, that are necessary to allow plan-making to progress, and that also continue to promote effective community engagement by means which are reasonably practicable. Suggested options include the use of online engagements to their full potential, including social media and providing documents for inspection on public websites.
- 2.2 The Local Planning Authority should also take reasonable steps to ensure those sections of the community that do not have internet access, are involved and to consider alternative and creative ways to achieve this. For example, use representative groups to target people in areas affected by the proposal. Also, if feasible consulting by telephone or in writing can be used if alternatives cannot be identified.
- 2.3 It is noted that this Guidance specifically refers to plan-making, however the SCI also deals with the processing of planning applications. It is therefore suggested that the SCI is also reviewed and updated, where appropriate, on this matter also.
- 2.4 Since the publication of this Guidance, the government has announced that they propose to make some temporary changes to how Local Development Documents (Local Plans) are made available, through the Business and Planning Bill that was introduced to the House of Commons on 25 June 2020. This identifies that the Government intends to bring forward legislation to remove temporarily the requirement for local planning authorities to make Local Development Documents available for inspection at their offices and other places. It also proposes to temporarily remove the requirement for these documents to be provided on request. Local Authorities however will still need to ensure that these documents are made available on their website.
- 2.5 Notwithstanding this upcoming legislation, it is still considered beneficial for the Council to publish its proposed arrangements should it not be able to fulfil certain requirements of its SCI, whether Covid-19 related or not. It is considered that this approach would provide clarity to our customers as, also at this current time, there is no clear timetable for when this legislation may be introduced. If further updates on the proposed legislation are available for the date of the Cabinet Meeting, members will be provided with a verbal update.

3. NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL STATEMENT OF COMMUNITY INVOLVEMENT (ADOPTED 2019)

- 3.1 The Council's SCI was adopted in February 2019 (Appendix A). Officers have identified those areas of the SCI that cannot be complied with due to the impact of the current Covid-19 pandemic. These are summarised below:

Preparation of Local Plans and Supplementary Planning Documents

- 3.2 Throughout various stages in the preparation of these documents, arrangements set out in the SCI require, amongst a range of other consultation measures, that hard copies of the documents will be made available for inspection 'at the Council Offices, district libraries and at other locations considered appropriate.' The Council Offices and libraries are currently closed to the public.
- 3.3 The SCI also suggests that hard copies of documents could also be provided to the Parish Councils that have offices and the Council's leisure centres. However many of these facilities are also currently closed due to the pandemic.

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- 3.4 With respect to how planning applications are dealt with, the SCI makes the following arrangements.
- For those older applications that are not available on line, the documents can be made available for inspection, at the District Council offices, by arrangement during office hours.
 - For those who do not have access to a computer the Council provides access to the online system at the District Councils offices.
 - The Planning Register is available on the District Council's website or available for inspection, at the District Council offices, by arrangement during office hours.

Neighbourhood Planning

- 3.5 Whilst the SCI does not set out specific requirements related to the conduct of consultations associated with the preparation of Neighbourhood Plans, it does highlight the Local Planning Authority's role in publicising in relation to applications for neighbourhood areas and in relation to publicising Neighbourhood Planning proposals.

4. PROPOSED AMENDMENTS TO THE SCI

- 4.1 There may be consultations or other instances where it may not be possible to provide access to hard copies of documents due to circumstances beyond the Council's control, because locations identified in the SCI are not available. It is therefore suggested that a minor amendment is made to the SCI. Consideration has been given to how this information could be provided in an updated SCI. As these changes would only be temporary, and also for ease of use, it is suggested that the changes that will occur, in such circumstances, is relayed in the form of an Addendum at the front of the SCI. The suggested Addendum is detailed below:

Proposed Addendum

There may be occasions where it may not be possible to provide access to hard copies of documents that the Council wishes to consult on due to circumstances beyond the Council's control. A specific example being the Covid-19 pandemic where the Council is unable to provide its usual access to hard copies of documents as the Council Office and other locations, such as public libraries are closed due to restrictions on movement imposed by the Government. Where such occasions arise, the Council will use other available channels of communication to promote and deliver effective consultation. The

Council will provide notice on its website of the methods of communication being used in a particular consultation and also those locations which are affected by any access restrictions.

The Council's alternative approaches to ensure continued participation in consultations are set out below. Should any Government guidance or amendments to legislation be published the Council will review and amend the SCI accordingly. Also please note that it is the intention for these changes to be temporary during the period of such occurrences.

Preparation of Local Plans and Supplementary Planning Documents

- For all consultations, the Council will carefully consider whether it is safe, feasible and appropriate to carry out a consultation, in a way that does not prejudice the ability of people to be engaged in terms of fairness and equality. The Council may in some cases need to adjust its timescales for document preparation and also the period of time documents are consulted upon.*
- All consultation documents will continue to be made available via the Council's website.*
- For those that are not able to view a local plan or other consultation documents online, hard copies of the document will be made available and posted out where possible (free of charge) on request. This will be communicated in consultation material.*
- Should anyone be unable to submit a response online or by email and be unable to leave their home to post a response the Council will consider bespoke measures on a case by case basis to enable people to respond. Anyone who experiences such issues should contact the Planning Policy Team on 01530 454677 or 454676 to discuss possible alternative arrangements.*
- The Council will be clear in its correspondence as to how officers can be contacted via phone when not in the office.*
- Consultation periods may be extended, where appropriate, to provide time for accessing documents and responding.*
- Where a formal notice is required to be available for inspection at the Council Offices, then this will be displayed in a location(s) accessible to the public without needing to enter the Council Offices, for example at the entrances of the building and/or on a notice board.*
- Arrangements will be kept under review throughout consultations.*

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- For those applications that are not available on line, the documents can be made available in PDF format and sent electronically. For those who do not have access to a computer, please contact the Council's Planning Department on 01530 454665 to discuss alternative arrangements.*
- Should anyone be unable to submit a response online or by email and be unable to leave their home to post a response the Council will consider bespoke measures on a case by case basis to enable people to respond. Anyone who experiences such issues should contact the Council's Planning Department on 01530 454665 to discuss alternative arrangements.*
- Decision notices for planning applications submitted and determined since 2008 can be viewed on the Council's website.*
- Applications for planning permission will be entered on a register. Maintaining a planning register is a statutory obligation and the information is available on the District Council's website for inspection.*
- For those unable to view the above documentation on line, hard copies will be made available and posted out where possible (free of charge) on request.*
- The Council operates a Duty Planning Officer system to deal with simple enquiries, as well as offering general planning and procedural advice. This service will only be available between 1pm and 5pm on the phone on 01543 454580. However, it may*

be necessary on occasion to temporarily suspend this service. Any suspension shall be advertised on the Council's website.

Neighbourhood Plans

- *For those elements of the Neighbourhood Plan process where the Council is responsible for undertaking consultation, the Council will employ pragmatic steps to make the consultation as inclusive as possible. This is likely to include, but is not limited to: extended consultation period, posters in key locations that remain accessible, press release and printed elements provided on request.*

5 NEXT STEPS

- 5.1 With current social distancing restrictions as a result of the Covid-19 pandemic, it is not possible to fulfil a number of the requirements set out in the SCI. It is therefore considered appropriate to suspend parts of the SCI temporarily and in part and to provide alternative arrangements.
- 5.2 There is not a requirement to consult on these changes to the SCI but national guidance suggests that it is good practice for local planning authorities to inform the public of their intentions to update the SCI and of the temporary changes that have been made.
- 5.3 As Cabinet approval is sought for these changes this would ensure that the report and decision is available in the public domain. It is also suggested that those on the Council's Local Plan database will be made aware of the Cabinet decision. It is then the intention for the decision of Cabinet to be reported to Local Plan Committee on 29 July 2020, for their information.

Policies and other considerations, as appropriate	
Council Priorities:	Our communities are safe, healthy and well connected.
Policy Considerations:	None identified
Safeguarding:	None identified
Equalities/Diversity:	The Statement of Community Involvement has been subject to an Equalities Impact Assessment.
Customer Impact:	An up-to-date Statement of Community Involvement seeks to ensure effective and constructive engagement in the preparation of the Local Plan and in determining planning applications. The suggested amendments communicate how the Council will respond during the Covid-19 pandemic or other such times when access to hard copies of documents are not available at locations within the District.
Economic and Social Impact:	The suggested amendments to the SCI illustrates and confirms the Council's commitment to ensuring that all sections of the community understand how they are able to contribute, and have opportunity to be involved in and influence, the planning process.
Environment and Climate Change:	None Identified
Consultation/Community Engagement:	The public will be informed of the Council's intentions to update the SCI and of the temporary changes to be made, as detailed in paragraph 5.3
Risks:	A failure to engage effectively and constructively in the preparation of the Local Plan and in determining

	planning applications could leave the Council vulnerable to challenge. Having an up-to-date Statement of Community Involvement will help to minimise this risk.
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