

# **Update to the Statement of Community Involvement in response to the Coronavirus (Covid-19) Pandemic**

## **May 2020**

### **Background**

The government has introduced the following temporary regulations and updated planning guidance to allow councils more flexibility in how they publicise planning applications and consult or notify people in the plan making process:

- Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020
- Amendment to the 'Consultation and pre-decision matters' section of the Planning Practice Guidance (PPG)
- Amendment to the 'Neighbourhood Planning' section of the PPG
- Amendment to the 'Plan making' section of the PPG

The Planning Practice Guidance on plan-making requires councils to assess their Statements of Community Involvement to identify and review policies which are inconsistent with current guidance to help combat the spread of Coronavirus.

East Herts Council's Statement of Community Involvement (SCI) was revised in 2019 and sets out how the Council will effectively engage with communities on planning matters. SCIs are a statutory obligation established by the Planning and Compulsory Purchase Act 2004.

## **Planning Policy Documents**

Section 3 of the SCI sets out the consultation procedures when preparing Local Plans and Supplementary Planning Documents. This includes the requirement in paragraphs 3.15 and 3.18 that hard copies of consultation and adoption documents are made available for inspection at specific locations within the district.

As a result of current advice from the Government and Public Health England on Covid-19, it is not possible to fulfil this requirement. The changes to the planning practice guidance mean it is currently not mandatory for copies to be made available at a physical location. In order to continue to progress plan-making and provide opportunities for people to be involved in a safe manner it is appropriate to provide alternative arrangements.

### *Proposed revisions*

The requirement for hard copies at deposit locations in paragraphs 3.15 and 3.18 should be temporarily revised as follows:

*Whilst the Council offices and other deposit locations in East Herts remain closed, documents will remain available on the website. However, if it is not possible to view documents in electronic format, the Council will try to make hard copies available on request. Please email [planningpolicy@eastherts.gov.uk](mailto:planningpolicy@eastherts.gov.uk) or call the planning reception on 01992 531678.*

The SCI promotes a variety of consultation methods to be used as appropriate depending on the scope of the planning document. Paragraph 3.15 is not prescriptive but lists potential methods

including a range of electronic communications, posters, local newspapers and consultation events. The public consultation events and meetings cannot currently take place face-to-face as they usually would, to protect the health of our communities. However, where feasible they may be able to take place virtually.

It is also recognised that sections of the community don't have internet access. Therefore, as appropriate, the Council will consider other opportunities for consultation that encourage effective engagement with the community whilst complying with the coronavirus restrictions.

To make this position clear, additional bullet points should be added to the end of paragraph 3.15:

- *When reasonably practicable, stakeholder meetings and consultation events could be held virtually.*
- *In addition to electronic communication during the Covid-19 pandemic, the Council may consider other innovative consultation methods, as appropriate. These should increase local awareness, whilst complying with Covid-19 restrictions.*

## **Neighbourhood Plans**

Section 4 of the SCI sets out the Council's role in advising and assisting the neighbourhood planning groups, including the publication of applications for neighbourhood areas and the consultation of the final Neighbourhood Plan prior to examination (under Regulation 16 of the Neighbourhood Plan Regulations). The SCI does not specify particular consultation methods to be followed, so in this respect does not need any revision in light of Covid-19. However, table 3 acknowledges the requirement to make those who

live, work and carryout business in the relevant area aware of the Plan. Therefore, the Council's revisions relating to inspection of hard copies and consultation methods for Local Plans and Supplementary Planning Documents should also be considered in relation to neighbourhood planning consultations.

### *Proposed revisions*

Table 3 refers to the process of undertaking a referendum on a Neighbourhood Plan prior to its adoption by the Council. For clarity additional text is needed to explain referendums are currently postponed:

*As a result of the Covid-19 pandemic all neighbourhood plan referendums will be postponed until 6th May 2021, in line with the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020.*

## **Planning Applications**

Section 6 of the SCI outlines consultation approaches both before and after a planning application is submitted. As outlined in paragraphs 6.9 and 6.15, the Council expects applicants of larger sites to undertake some public engagement either as part of the masterplan process or often as pre-app consultation. The SCI allows flexibility about the type of consultation that should be considered, so Covid-19 restrictions can be taken into account when making this decision. As such the SCI is consistent with national guidance in this respect.

The Council continues to place adverts in the local newspapers, send neighbour notification letters and/or display site notices at or near the application site, as required by relevant legislation and the SCI.

*Proposed revisions*

Temporary changes to the regulations now allow Councils to use social media and electronic communication if the above notifications are not reasonably practicable due to Covid-19 restrictions. To ensure flexibility in such circumstances, the following text should be added:

*In the event that the Council cannot comply with the above publicity requirements, reasonable steps will be taken to inform those likely to have an interest in the planning application. This could include publicising using social media.*