



Rushcliffe Statement of Community Involvement for Planning Policy and Planning Applications

Addendum

Implications of the Coronavirus Pandemic

September 2020

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1. Introduction

- 1.1 The Statement of Community Involvement sets out Rushcliffe Borough Council's proposed policies on community involvement in planning policy preparation and the determination of planning applications. This is a temporary addendum to the Statement of Community Involvement which was adopted in 2019. It sets out how the Council will consult on planning issues when 'social distancing' and other pandemic control measures, which reduce the transmission of the corona virus (Covid 19), are in place. It will be withdrawn from use when pandemic control measures are no longer in operation nationally.
- 1.2 The Government has stated that local plan preparation and the determination of planning applications should continue during the corona virus pandemic. For community involvement to be successful during the pandemic, it remains the case that it must continue to involve an inclusive approach based on the differing needs of the various parts of the community. Whilst engagement and involvement during the pandemic may not be able to involve face-face meetings or events, and locations for displaying documents may be closed, the Council still wishes to use effective means to enable people to be informed and to contribute throughout the plan-making process. The continued aim is to ensure that all groups in the Borough are involved in the process early enough for people to be able to have an input, and to address the needs of those groups of people who traditionally have not been involved in the process but may have specific needs to be met or addressed. It is important that all views are sought, not just those of people with a direct interest in a land use proposal.

2. Government Guidance

- 2.1 As social distancing measures are likely to restrict engagement on planning issues and therefore could result in non-compliance with a Council's Statement of Community Involvement, the Planning Practice Guidance regarding Statements of Community Involvement has been updated by the Government.
- 2.2 These updates state that 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.¹

¹ Paragraph: 077 Reference ID: 61-077-201200513

- 2.3 Local planning authorities will need to assess their Statements of Community Involvement to identify which policies are inconsistent with current guidance on staying at home and away from others or any superseding guidance.
- 2.4 The local planning authority should then make any temporary amendments that are necessary to allow plan-making to progress, and that continue to promote effective community engagement by means which are reasonably practicable.
- 2.5 Local planning authorities are encouraged to use online engagement methods to their full potential. Appropriate methods include virtual exhibitions, digital consultations, video conferencing, social media and providing documents for inspection on a public website. Authorities will also need to take reasonable steps to ensure sections of the community that don't have internet access are involved and consider alternative and creative ways to achieve this. Authorities may wish to consider engaging sections of the community, that do not have internet access, through representative groups rather than directly, targeting only people in areas most affected by proposals, and allowing individuals to nominate an advocate to share views on their behalf. Consulting by telephone or in writing can also be used where this is feasible and alternatives cannot be identified. Opportunities to combine public consultations can be explored so that offline methods can be made more cost effective.
- 2.6 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.²
- 2.7 In accordance with the guidance above, the following chapter comprises the review of the adopted Statement of Community Involvement and includes the temporary changes to those engagement methods within it which cannot be undertaken due to the corona virus pandemic.

3. Review of Statement of Community Involvement

Planning Policy

- 3.1 Chapter 2 of the adopted SCI outlines the Council's approach to consultation on Local Plans and Supplementary Planning Documents (SPDs). Chapter 3 sets out the Council's involvement in Neighbourhood Plans.

² Paragraph: 078 Reference ID: 61-078-201200513

3.2 Paragraph 2.7 of the SCl identifies the following Local Plan consultation principles:

- *We will involve the public and consultees at the earliest opportunity when producing documents;*
- *Consultation will be transparent, open and accessible to all sections of the community, enabling the community to engage with the planning system, not just those who are familiar with it;*
- *The consultation process will allow local communities and consultees to see how ideas have developed at various stages with effective feedback;*
- *Wherever possible consultation will be carried out in tandem with other community engagement initiatives; and*
- *We will ensure that any personal and, in particular, any sensitive personal data is subject to appropriate technical and organisational security measures so that we meet our obligations under data protection law.*

3.3 These principles can still be adhered to whilst social distancing measures are required.

3.4 Paragraph 2.11 sets out who will be consulted. It lists statutory consultees, local groups, organisations and businesses, others who have expressed an interest in the subject matter and the general public. There is no reason why these consultees cannot continue to be engaged while social distancing measures apply, either by email, social media, or by post.

3.5 It also sets out how these consultees will be engaged, identifying the following measures:

“How we will consult

- *We will contact appropriate organisations and individuals directly;*
- *We will publicise consultations by methods such as leaflets, websites, posters, press releases, social media platforms, displays, working with existing community groups, attending community events and joint consultations;*
- *We will leave consultation documents on display at locations open to the public (such as the Rushcliffe Community Contact Centre and libraries);*
- *If requested, and applying any reasonable charges, we will give consultation documents to community groups, councils and statutory organisations;*
- *We will consider organising events such as stakeholder meetings or workshops; and*
- *We will publish comments received and/or provide a summary as soon as possible. We will explain how these comments have been considered when decisions are taken. Comments will be available to view on the*

Council's website, but email address, signature and contact details will not be included. If we determine that specific reference to personal and, in particular, sensitive personal data within the comments needs to be removed or redacted then we will do so on a case-by-case basis in consultation with the Borough Council's Data Protection Officer. Any comments will be publicised in a manner having regard to the General Data Protection Regulations (see <http://www.rushcliffe.gov.uk/privacy/>)"

- 3.6 Some of the stakeholder activities within bullet points two, three and four contain measures that, depending on social distancing requirements, may not be able to be undertaken. However, as social distancing guidelines change, opportunities to undertake these activities will be re-examined.
- 3.7 Face to face meetings and events are unlikely to occur whilst social distancing measures are in place. Consequently those publicity measures within the second bullet point that result in physical proximity to consultees (e.g. attending community events) are unlikely to be feasible. As pandemic controls change, face to face meetings may however be able to occur. The Council will, however, continue to make use of social media and provide documents for inspection on a public website. In addition, where appropriate and feasible for the consultation stage concerned, the Council will consider use of methods such as virtual exhibitions and video conferencing.
- 3.8 The third bullet point states that the Council will leave consultation documents on display at locations open to the public. However where public buildings remain closed during the pandemic, the leaving of documents on display will not be able to take place. Where public buildings are able to reopen during the pandemic it will still have to be decided whether it is feasible and safe to use particular locations for displaying consultation documents. This will be dependent on any pandemic related controls in place to limit and manage access to the building. It is recognised that such controls may change over time and therefore the appropriateness of displaying consultation document in particular locations will be kept under review.
- 3.9 The fifth bullet states the Council will consider organising events such as stakeholder meetings or workshops. Whilst this does not commit the Council to undertake such events, during the pandemic and while social distancing measures apply these events are unlikely to take place. This will however remain under review as social distancing measures change. The Council will also, where appropriate and feasible for the consultation stage concerned, consider use of methods such as virtual exhibitions and video conferencing.
- 3.10 Paragraph 2.11 outlines when we will consult and how we will consult on Supplementary Planning Documents. The implementation of social distancing measures will have no implications for when we consult or how we consult on Supplementary Planning Documents.

3.11 Considering the: duty to cooperate (paragraphs 2.12 to 2.14); consultation with seldom heard groups (paragraphs 2.15 to 2.16); and the duty to advise and assist on neighbourhood plans (chapter 3) – the commitments to consult other public bodies (including neighbouring authorities) can be met whilst social distancing measures are in place, as can those commitments to reach seldom heard groups and assist neighbourhood planning groups.

Planning Applications

3.12 Chapter 4 of the Statement of Community Involvement outlines the Council's engagement with stakeholders on planning applications, including the encouragement of pre-application engagement, by applicants, with local communities.

3.13 Paragraph 4.3 states that at pre-application stage, the Council will:-

- *“Publish and update advice about the information required when submitting planning applications on the Borough Council’s website;*
- *Actively encourage and hold pre-application discussions with prospective applicants whatever the scale of development proposed. For the larger proposals or those which may give rise to local controversy, on sensitive sites or of a significant scale, consultation may be carried out with technical consultees such as Nottinghamshire County Council as Highways Authority and the Environment Agency;*
- *Encourage the applicants of more significant applications to engage with the community including holding exhibitions and other events to publicise their proposals; and*
- *Encourage all landowners/property owners to discuss their proposals with their neighbours and where appropriate the wider community before submitting an application.”*

3.14 The types of engagement with the local community at the pre-application stage (bullet 4) will have to comply with social distancing requirements in place at the time of engagement. If exhibitions or other public events are not able to occur, applicants will still be encouraged to engage with local communities through other measures, for example social media.

3.15 Paragraph 4.5 outlines the publicity measures that the Council will undertake when consulting on planning applications. Depending on the type of development proposed, these may include one or more of the following: site notices, notices in the local newspaper, neighbour notification letter and publicising on the Council's web-site. Whilst all these publicity measures can continue within social distancing requirements, they will be reviewed as these requirements change.

3.16 Paragraph 4.5 also outlines how the Council will undertake consultation for planning applications. The first bullet point states that:

“Additional publicity and/or neighbour notification will generally be undertaken, over and above the statutory requirement, dependent on the nature and scale of the development proposal. Anyone can comment not just those who have received a letter. All planning applications are available for inspection on the Borough Council’s web site at www.rushcliffe.gov.uk and electronically at the Rushcliffe Community Contact Centre in West Bridgford during office hours or online. The availability of information on major planning applications will be considered on a case by case basis and if it is judged necessary information will be made available at places additional to the Council offices.”

3.17 Access to the Rushcliffe Customer Services Centre at Fountain Court, Gordon Road in West Bridgford (which has replaced the Community Contact Centre, which was located at Rectory Road, West Bridgford) may, depending on the social distancing guidelines at the time, be restricted during the pandemic. Therefore members of the public are encouraged to view planning applications online. If a member of the public does not have access to the internet, and access to the Customer Service Centre is restricted, they should contact Rushcliffe Borough Council and discuss alternative options that may enable them to view applications.

4. Further information

4.1 If you wish to know more about the Statement of Community Involvement or any aspect of the planning policy or planning applications, please contact us at the address shown below. Information on the Local Plan and the development plan process is also available on the Borough Council’s website.

By post: Rushcliffe Borough Council
Rushcliffe Arena
Rugby Road, West Bridgford
NOTTINGHAM
NG2 7YG

By telephone: 0115 981 9911

By e-mail: localdevelopment@rushcliffe.gov.uk for planning policy
planningandgrowth@rushcliffe.gov.uk for planning applications

Website: www.rushcliffe.gov.uk/planningpolicy for planning policy
<http://www.rushcliffe.gov.uk/planningandgrowth/> for planning applications