

## **REPORT OF THE LEADER OF THE COUNCIL**

### **STATEMENT OF COMMUNITY INVOLVEMENT COVID-19 ADDENDUM**

#### **Purpose of the Report**

1. To seek ratification of an Addendum to the Council's adopted Statement of Community Involvement (SCI) which reflects the changes to working practices necessitated by the current Covid 19 restrictions. This is to allow members of the public and other stakeholders to continue to engage effectively in the planning process and to ensure the continuation of robust decision making.

#### **Information**

##### Statement of Community Involvement Addendum 2020

2. Section 18 of the Planning and Compulsory Purchase Act 2004 requires all local planning authorities to prepare a Statement of Community Involvement. The latest version of Nottinghamshire County Council's Statement of Community Involvement (SCI) was adopted in 2018 and sets out the Council's policy for allowing local residents and businesses to engage effectively in the planning process i.e. in the preparation of planning policies and proposals for Nottinghamshire and in consultation on individual planning applications. The SCI sets out the Council's consultation policy over and above the minimum statutory publicity and consultation requirements set out in statutory Orders made by the Secretary of State in exercising powers conferred by the Town & Country Planning Act 1990.
3. However, as a result of restrictions in place due to the Coronavirus pandemic, it has not been possible to undertake some of the approaches to public engagement set out in the adopted SCI. For example, it is not possible to hold physical meetings or deposit documents for public view due to restricted access to Council offices and other public buildings such as libraries and village halls. As a result, officers quickly recognised that some temporary changes were urgently required to enable the requirements of the SCI to be achieved in a way which was COVID secure. Initial changes were captured in amendments to standard communications with interested parties and the measures were then iterated over time as the COVID restrictions evolved. The objective all along was for the changes to continue to enable equivalent outcomes for public engagement activity within a COVID secure framework.
4. The Government has recognised the impact of these restrictions on the planning process and has published updated Planning Practice Guidance, the relevant extract of which is set out here <https://www.gov.uk/guidance/plan-making#covid19>. It advises that local planning authorities should review and update their SCI immediately and encourages the use of online engagement methods such as virtual exhibitions, digital consultations, video conferencing, social media and providing documents for inspection on a public website. For those sections

of communities which do not have access to the internet, alternative means of engagement need to be considered such as consulting in writing. However, the guidance also confirms that any review and update of SCIs does not in itself require any consultation with communities, although it is considered good practice to keep the public informed of the process and any changes made.

5. The Government has also enacted legislation such as the Business and Planning Act 2020 and Regulations to allow the continued function of the planning system during this time.
6. To reflect these changes to planning legislation and guidance, officers have reviewed the SCI and prepared an addendum to the SCI. These changes have been operational as necessary during the COVID emergency and it is intended that they are temporary in nature, applying for as long as the COVID-19 restrictions remain in force.
7. The addendum is split into two parts. The first part sets out alternative methods of public communication and participation options for planning applications and the Minerals and Waste Local Plan processes. The second part details changes to paragraph 5.23 of the SCI which details arrangements for public speaking at the Council's Planning and Licensing Committee which have had to be amended in light of the pandemic.
8. The changes are intended to be temporary whilst restrictions relating to COVID-19 are in effect, and will remain in place until 7 May 2021 or such longer period as may be set out in Government guidance or legislation. Once the restrictions are removed, the Addendum would no longer be effective and the SCI would revert to the adopted 2018 document. The date of 7 May 2021 is consistent with the end date for other legislative changes brought in to ensure the adaptation and continued operation of the planning system during the current restrictions. However, given the possibility that the nature or scope of the Covid-19 restrictions may be altered in some way to reflect other regulatory or legislative requirements arising out of the current emergency, it is also proposed that the Corporate Director for Place be given the delegated authority to approve additions to or amendment of any part of the Addendum as may be necessary for those purposes.
9. Subject to Members' ratification of the above, the SCI webpages would be updated to inform the public of the changes and the timeframe for which they will apply. There is no statutory requirement for wider consultation to take place, however, the amendments would be publicised in accordance with best practice.

#### Proposed Changes to the SCI

10. The key changes to the SCI proposed as part of the Addendum are as follows:

<b>Adopted SCI Requirements</b>	<b>Alternative Arrangements</b>
Parish Council, Stakeholder Neighbourhood Forum, Public Exhibitions/Workshops and Meetings	All face to face meetings will be suspended on a temporary basis and will be held by telephone or virtual meetings (such as Microsoft Teams).
Documents at Local Venues/ Leaflets/Posters Loaning Documents and Plans	Materials will be made available on the Council's website with online signposts to the location of documents. Materials can be made available electronically or mailed out in accordance with the Central

	Mailroom process, where practicable. Sending/Receiving Mail - The Central Mailroom are scanning and providing digital copies of mail to internal departments and external parties. Electronic correspondence should be encouraged where possible.
How to comment on Local Plan Consultations?	Online methods of consultation. A summary of the discussion/meeting. All attendees will be encouraged to submit comments online via the Council's website.
Members of the public who experience difficulties in making written representations, e.g. for reasons of language or visual impairment	Where a member of the public experiences difficulties in making written representations online, e.g. for reasons of language or visual impairment, or they do not have access to the internet, then an individual may nominate an advocate to share views on their behalf. Where existing communication methods are not feasible and alternatives cannot be identified, an individual may also be able to make representations by telephone. This must be arranged and agreed in advance with the Council.
Near-neighbour notification	Where considered appropriate, usually for major/complex applications, the authority will consider extending the extent of near neighbour notification letters and the statutory consultation period. This will be decided on a case by case basis. This would give neighbours and statutory/non statutory consultees a longer timeframe to respond and would ensure that those potentially affected by a proposed development would be notified by letter rather than relying on site notices which might not be seen by as many people due to current restrictions
Sites Visits	Site visits can be held when necessary, but these would need to adhere to pre-agreed arrangements to ensure the safety of all involved, including relevant social distancing measures. Details of any site visits, including outcomes and action points, could be relayed to anyone unable to attend in person.

11. Alterations to the SCI following the proposed changes above are detailed in the Addendum to the SCI attached at Appendix A.

## **Other Options Considered**

12. As outlined above, Government guidance and legislation has been enacted to allow local planning authorities to continue to promote effective community engagement by means which are reasonably practicable. Local planning authorities are strongly encouraged to use online engagement methods to their full potential. It has therefore been necessary to amend the SCI on a temporary basis to adhere to these provisions. Failing to update the SCI to reflect the restrictions imposed by Covid- 19, would mean that the Council is not complying with the current provisions of the adopted SCI or Government guidance and legislation.

## **Reason/s for Recommendation/s**

13. To ensure the SCI is formally updated to ensure compliance with current planning legislation and guidance and to facilitate effective participation in the planning process and robust decision making whilst Covid-19 restrictions are in force.

## **Statutory and Policy Implications**

14. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Financial Implications**

15. None.

## **Implications for Service Users**

16. The temporary changes in the SCI Addendum will allow members of the public and other stakeholders to continue to engage effectively in the planning process and will ensure the continuation of robust decision making.

## **RECOMMENDATION/S**

- 1) That the Addendum to the Statement of Community Involvement 2018 be ratified as Council policy until the 7 May 2021 or such longer period as may be prescribed by relevant Government guidance or legislation imposing restrictions due to the Covid-19 pandemic; and
- 2) That once Covid-19 restrictions have been lifted, the Addendum shall cease to have effect and publicity and consultation on planning matters shall be thereafter carried out in accordance with the original Statement of Community Involvement adopted in 2018; and
- 3) That the Corporate Director, Place be authorised to approve additions to or amendment of any part of the Addendum to the SCI as may be necessary to give effect to any changed legislation, regulation or guidance relating to the Covid-19 emergency.

**COUNCILLOR MRS KAY CUTTS, MBE**  
**Leader of the Council**

**For any enquiries about this report please contact:** Nina Wilson, Principal Planning Officer,  
Place - 0115 977 3793

### **Constitutional Comments (RHC 29/7/2020)**

17. Policy Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

### **Financial Comments (SES 29/07/2020)**

18. There are no specific financial implications arising from this report.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- NCC Statement of Community Involvement 2018

### **Electoral Division(s) and Member(s) Affected**

All.

## Appendix A – SCI Addendum

### Appendix 1 - Statement of Community Involvement (SCI) Temporary Addendum

Due to the current and ongoing government guidance to help combat the spread of coronavirus (COVID-19), it may not be possible for Nottinghamshire County Council, in their role as Local Planning Authority to meet some of the policies and consultation requirements set out in the adopted Statement of Community Involvement (2018).

In view of this, the Council has produced a temporary addendum to the SCI which sets out alternative communication and participation methods the local planning authority may use.

In the first instance, the Council will seek to meet the requirements of the adopted Statement of Community Involvement (2018) where reasonably practicable and will continue to review this addendum as legislation and government guidance is updated. This will enable the Council to continue to promote effective community engagement on planning applications and allow plan-making to progress.

**Table 1 – Community Involvement Options for the Preparation of Local Plans**

<b>Adopted SCI Requirements</b>	<b>Objectives and Benefits</b>	<b>Potential Restrictions</b>	<b>Alternative Arrangements</b>
County Council Publications, Press Release/Adverts, Electronic Communication, County Council Website	<ul style="list-style-type: none"><li>Allows information to be widely distributed.</li></ul>	<ul style="list-style-type: none"><li>Local newspapers could move to online publication only</li></ul>	<ul style="list-style-type: none"><li>Status of print media shall be monitored and alternative arrangements considered should any move to online only publication</li></ul>
Parish Council, Stakeholder Neighbourhood Forum, Public Exhibitions/Workshops and Meetings	<ul style="list-style-type: none"><li>Brings together representatives covering a broad cross-section of views.</li><li>Establishes common ground at an early</li></ul>	<ul style="list-style-type: none"><li>Holding an exhibition, meeting or conducting a presentation might not be appropriate as people may be required to stay at</li></ul>	<ul style="list-style-type: none"><li>Online meetings, presentations. Socially distanced meetings/presentations where all parties are in full agreement and in-line with government guidance on Covid-19 social distancing restrictions, if alternative arrangements cannot be</li></ul>

	<p>stage prior to plans and policies being drawn up.</p> <ul style="list-style-type: none"> <li>• Allows issues to be discussed in great depth.</li> <li>• Creates better evidence base.</li> </ul>	<p>home, venues may not be open to members of the public, or restrictions could be placed on meetings /gatherings including social distancing requirements.</p>	<p>reasonably and practicably accommodated.</p>
Documents at Local Venues/ Leaflets/Posters Loaning Documents and Plans	<ul style="list-style-type: none"> <li>• User-friendly way of informing the public and consultees of the keypoints/issues of complex documents and applications.</li> <li>• Makes information more easily available to local communities.</li> </ul>	<ul style="list-style-type: none"> <li>• Businesses and venues including libraries, community centres, and customer service centres may be closed to the public.</li> </ul>	<ul style="list-style-type: none"> <li>• Materials will be made available on the council's website with online signposts to the location of documents. Materials can be made available electronically or mailed out in accordance with our Central Mailroom process, where practicable.</li> </ul>
Sending/Receiving Mail	<ul style="list-style-type: none"> <li>• Makes information more easily available to local communities.</li> </ul>	<ul style="list-style-type: none"> <li>• The council's ability to send letters, and the ability of residents to receive letters may be limited.</li> </ul>	<ul style="list-style-type: none"> <li>• The Central Mailroom are scanning and providing digital copies of mail to internal departments and external parties. Electronic correspondence should be encouraged where possible.</li> </ul>
How to comment on Local Plan Consultations?	<ul style="list-style-type: none"> <li>• Allows information to be widely distributed.</li> <li>• Makes detailed and up to date planning information widely available.</li> <li>• Meets e-government</li> </ul>	<ul style="list-style-type: none"> <li>• The council's ability to send letters, and the ability of residents to receive letters may be limited or there may be restrictions for</li> </ul>	<ul style="list-style-type: none"> <li>• Online methods of consultation. A summary of the discussion/meeting. All attendees will be encouraged to submit comments online via the council's website.</li> </ul>

	<p>targets.</p> <ul style="list-style-type: none"> <li>Provides an alternative way to make representations.</li> </ul>	<p>arranging face to face meetings such as exhibitions, presentations or workshops.</p>	
<p>Members of the public who experiences difficulties in making written representations, e.g. for reasons of language or visual impairment.</p>	<ul style="list-style-type: none"> <li>Makes information more easily available to individuals</li> <li>Makes information available to those with mobility problems which would otherwise be inaccessible.</li> </ul>	<ul style="list-style-type: none"> <li>Limited opportunities for face to face verbal communication or receiving written communication (e.g. letters).</li> </ul>	<ul style="list-style-type: none"> <li>Where a member of the public experiences difficulties in making written representations online, e.g. for reasons of language or visual impairment, or they do not have access to the internet, then an individual may nominate an advocate to share views on their behalf. Where existing communication methods are not feasible and alternatives cannot be identified, an individual may also be able to make representations by telephone. This must be arranged and agreed with the council.</li> </ul>

**Table 2 – Community Involvement Options for the Determination of Planning Applications**

<b>Adopted SCI Requirements</b>	<b>Objectives and Benefits</b>	<b>Potential Restrictions</b>	<b>Alternative Arrangements</b>
<b>Near-neighbour notification</b>	<ul style="list-style-type: none"> <li>Ensures residents and businesses near a proposal are informed.</li> </ul>	<ul style="list-style-type: none"> <li>None, normal arrangements continue.</li> <li>Some newspapers may transfer to online versions only.</li> </ul>	<ul style="list-style-type: none"> <li>No change to existing statutory measures. Neighbour notification letters and notices have been amended to advise that access to public buildings is restricted during COVID19 and are only available by prior appointment.</li> <li>Where considered appropriate, usually for major/complex applications, the authority will consider extending the</li> </ul>

			<p>statutory consultation period and the extent to which near-neighbour notification is carried out. This will be decided on a case by case basis. This will give neighbours and statutory/non statutory consultees a longer timeframe to respond.</p>
<b>Stakeholder meetings</b>	<ul style="list-style-type: none"> <li>• Brings together representatives covering a broad cross-section of views.</li> <li>• Establishes common ground at an early stage prior to plans and policies being drawn up.</li> <li>• Allows issues to be discussed in great depth.</li> <li>• Creates better evidence base.</li> </ul>	<ul style="list-style-type: none"> <li>• Holding a meeting or conducting a presentation might not be appropriate as people may be required to stay at home, venues may not be open to members of the public, or restrictions could be placed on meetings /gatherings including social distancing requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• All face to face meetings will be suspended on a temporary basis and will be held by telephone or virtual meetings (such as Microsoft Teams).</li> </ul>
<b>Pre- application discussions</b>	<ul style="list-style-type: none"> <li>• Identifies important issues at an early stage in the process.</li> <li>• Provides an opportunity for the local community to influence a proposal before it is finalised.</li> <li>• Can discourage planning applications being submitted which</li> </ul>	<ul style="list-style-type: none"> <li>• Limited opportunities for face to face verbal communication.</li> </ul>	<ul style="list-style-type: none"> <li>• Pre-application discussions will continue, although all meetings between the Council and applicants will be held by telephone or by virtual meetings (such as Microsoft Teams)</li> <li>• Site visits can be held when necessary, but these would need to adhere to pre-agreed arrangements to ensure the safety of all involved, including relevant social distancing measures.</li> </ul>

	are likely to be refused.		
<b>Placing planning documents at local venues</b>	<ul style="list-style-type: none"> <li>Makes information more easily available to local communities.</li> </ul>	<ul style="list-style-type: none"> <li>Businesses and venues including libraries, community centres, and customer service centres may be closed to the public.</li> </ul>	<ul style="list-style-type: none"> <li>The public will be directed to our website for information. The Council will liaise with local communities/parish councils to bring information to their attention, for example Parish Council websites could provide a link to our website.</li> </ul>
<b>Loan plans and documents</b>	<ul style="list-style-type: none"> <li>Makes information available to those with mobility problems which would otherwise be inaccessible.</li> </ul>	<ul style="list-style-type: none"> <li>For safety reasons, documents are likely to be posted and therefore may lead to delays in information being received.</li> </ul>	<ul style="list-style-type: none"> <li>This measure will continue if specific requests are made.</li> </ul>
<b>Public meetings</b>	<ul style="list-style-type: none"> <li>Engages local communities on local issues.</li> <li>Can highlight main issues at an early stage e.g. pre-application.</li> <li>Response sheets could provide valuable feedback.</li> </ul>	<ul style="list-style-type: none"> <li>Holding a public meeting or conducting a presentation might not be appropriate as people may be required to stay at home, venues may not be open to members of the public, or restrictions could be placed on meetings /gatherings including social distancing requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Face to face meetings will be suspended on a temporary basis. Any meetings between the Council and local communities, including Planning and Licensing Committee, will be held by telephone or by virtual meetings (such as Microsoft Teams).</li> </ul>
<b>Public exhibitions</b>	<ul style="list-style-type: none"> <li>Makes detailed information available to local communities.</li> </ul>	<ul style="list-style-type: none"> <li>Holding public exhibitions might not be appropriate as</li> </ul>	<ul style="list-style-type: none"> <li>The holding of public exhibitions will be suspended until it is safe to do so. The Council will liaise with local communities</li> </ul>

	<ul style="list-style-type: none"> <li>• Raises the profile of significant local planning issues.</li> <li>• Response sheets could provide valuable feedback.</li> <li>• Provides opportunities for detailed conversations.</li> </ul>	<p>people may be required to stay at home, venues may not be open to members of the public, or restrictions could be placed on meetings /gatherings including social distancing requirements.</p>	<p>to try and identify other methods of engagement at a time when holding public exhibitions is not possible.</p>
<b>Leaflets and posters</b>	<ul style="list-style-type: none"> <li>• User-friendly way of informing the public and consultees of the keypoints/issues of complex documents and applications.</li> </ul>	<ul style="list-style-type: none"> <li>• If information is only shared online, it may not be available to those without access to a computer.</li> </ul>	<ul style="list-style-type: none"> <li>• No change, although most publications will be online versions.</li> </ul>
<b>County Council website</b>	<ul style="list-style-type: none"> <li>• Makes detailed and up to date planning information widely available.</li> <li>• Meets e-government targets.</li> <li>• Provides an alternative way to make representations.</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• No change, all planning applications can be viewed and commented upon on the County Council website.</li> </ul>
<b>Parish/town council websites</b>	<ul style="list-style-type: none"> <li>• Key planning information can be placed on the parish/town council's (also parish meeting's or neighbourhood forum's) own website.</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• No change.</li> </ul>

	<ul style="list-style-type: none"> <li>Increases local ownership of planning issues.</li> <li>Improves working relationship between County Council and parish/town councils.</li> </ul>		
Press releases	<ul style="list-style-type: none"> <li>Provides information to local radio and other media</li> <li>Increases awareness and interest in planning matters</li> <li>Reaches a wider audience including potentially 'hard to reach' groups at a low cost</li> <li>Provides more user-friendly format than statutory press notices</li> </ul>	<ul style="list-style-type: none"> <li>Local newspapers could move to online publication only</li> </ul>	<ul style="list-style-type: none"> <li>Status of print media shall be monitored and alternative arrangements considered should any move to online only publication</li> </ul>
Press advert	<ul style="list-style-type: none"> <li>Promotes planning issues using local media</li> <li>Increases awareness and interest in planning matters</li> <li>Reaches a wider audience including potentially 'hard to reach' groups</li> </ul>	<ul style="list-style-type: none"> <li>Local newspapers could move to online publication only</li> </ul>	<ul style="list-style-type: none"> <li>Status of print media shall be monitored and alternative arrangements considered should any move to online only publication</li> </ul>

	<ul style="list-style-type: none"> <li>• Provides more user-friendly format than statutory press notices</li> <li>• Guaranteed coverage, not subject to editorial decisions</li> </ul>		
<b>County Council's own publications, such as County Life</b>	<ul style="list-style-type: none"> <li>• Increases awareness and interest in planning matters</li> <li>• User friendly format</li> <li>• Guaranteed coverage, not subject to editorial decisions</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• No change (although County Life is no longer published)</li> </ul>
<b>Professional publications, such as Minerals Planning</b>	<ul style="list-style-type: none"> <li>• Informs professional organisations of planning matters in the county at a low cost</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• No change, most publications now published as online versions</li> </ul>
<b>Site liaison meetings</b>	<ul style="list-style-type: none"> <li>• Brings together site operators, Council officers and the local community once a minerals or waste site is operational</li> <li>• Keeps local communities informed of site</li> </ul>	<ul style="list-style-type: none"> <li>• Local communities could lose touch with developments in their area</li> </ul>	<ul style="list-style-type: none"> <li>• No face to face meeting, meetings will be held virtually where possible</li> </ul>

	<ul style="list-style-type: none"> <li>operations</li> <li>Allows local concerns to be voiced and discussed in an open forum</li> </ul>		
<b>Planning Aid</b>	<ul style="list-style-type: none"> <li>Provides impartial planning advice to those who cannot afford it</li> <li>Help communities understand the planning process</li> <li>Allows local communities to play a more proactive role in planning</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>No change – Planning Aid provides various means of support from an online advice service to bespoke support.</li> </ul>

## **Temporary changes to Paragraph 5.23 relating to public speaking at Planning and Licensing Committee**

### **Public speaking at Committee**

Meetings of the County Council's Planning and Licensing Committee are normally held every six weeks at County Hall on Loughborough Road, West Bridgford, Nottingham. During the coronavirus pandemic, committee meetings are being held virtually. Where planning applications are reported to Planning and Licensing Committee for a decision, anyone who has submitted written views on an application within the appropriate timescale and has indicated a wish to speak at committee is given an opportunity to register to speak. The places to speak at committee are allocated on a first come first served basis. During the coronavirus pandemic, when a Planning and Licensing Committee meeting is taking place virtually, those persons who are confirmed as speakers will be invited to join the meeting via the Microsoft Teams app. If you have the Microsoft app on your device, you will be able to join via video, otherwise you can join solely by telephone (audio only). You will be contacted by an officer in advance of the meeting to check your device's capability and to clarify the arrangements for the meeting. Before the meeting takes place, all speakers will be asked to email a copy of their written summary or transcript to assist in the production of the committee minutes. As is the case under normal committee proceedings, each speaker will have a maximum of three minutes in which to present their speech. Further details about who can speak and for how long are set out in the County Council's 'Guidance Note on Public Speaking at Committee' which can be viewed on the County Council's website at [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)