

Report to: Strategic Planning Committee



Date of Meeting: Tuesday 15 December 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Local Plan Issues and Options Report Consultation Strategy and Review of Statement of Community Involvement

Report summary:

This report sets out a proposed consultation strategy for the first stage of the Local Plan process, the Issues and Options Report.

This report also reviews the Statement of Community Involvement, which sets out the overall engagement framework for planning matters, to ensure that it remains appropriate in light of the restrictions imposed by Covid 19.

Recommendation:

1. That Members consider and agree the consultation strategy for the forthcoming Issues and Options report as detailed in this report.
2. That Members agree that the Statement of Community Involvement should be updated but that the amendments are minor and do not require public consultation
3. That Strategic Planning Committee recommend to Council, following consultation with Cabinet, approval of the proposed new Statement of Community Involvement, as appended to this report, and that it take effect immediately following approval.

Reason for recommendation:

To ensure that the council meets its legal obligation to undertake appropriate consultation in relation to planning documents, policies and consideration of planning applications

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Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance

- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

There are no specific financial implications requiring additional comment.

Legal implications:

The requirement to review and maintain an up to date Statement of Community Involvement to reflect legislative and other changes is met by adoption of the revised Statement. Other legal implications are covered in the report.

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; the council is obliged to consider whether the Statement of Community Involvement remains up to date and how the forthcoming Issues and Options consultation should be carried out, so there is a low risk arising from this report.

Links to background information [East Devon Local Plan 2013 to 2031](#); [National Planning Policy Framework](#); [Planning Practice Guidance on plan-making](#); [PAS Local Plan Route Mapper & Toolkit](#)

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
 - Outstanding Homes and Communities
 - Outstanding Economic Growth, Productivity, and Prosperity
 - Outstanding Council and Council Services
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Report in full

Introduction

1. Local Planning Authorities are required to have an adopted Statement of Community Involvement (SCI) in place. The EDDC SCI sets out our approach to promoting community and stakeholder consultation and involvement in respect to:
 - a. How we produce future planning policy and engage with stakeholders
 - b. How we notify individuals and organisations that planning applications have been submitted and how we encourage developers to undertake consultation.
2. The existing East Devon SCI was adopted on 24 October 2018, following extensive public consultation. It can be viewed online <https://eastdevon.gov.uk/media/2692931/2018-sci-v6.pdf>. The SCI sets out the minimum requirements that we will meet but we will always strive to tailor a consultation to the specific circumstances and go beyond these. Ordinarily the SCI would be reviewed every 5 years or sooner if there is a change in legislation.
3. The pandemic and associated restrictions have resulted in new legislation being passed so that the risks associated with close contact are minimised and the requirement for a physical copy of consultation documents to be available at the Council Offices is removed. Government guidance advises that these arrangements are temporary and will last until 31 December 2020, however it is envisaged that this timescale could be extended. As a result it is considered to be an appropriate time to review the SCI to ensure it remains compliant and fit for purpose.

4. The process for producing a new Local Plan is due to commence in the new year, with an Issues and Options consultation document, and it is likely that restrictions arising from the pandemic will still apply. As such we must ensure that the consultation complies with the most recent legislation and guidance and a consultation strategy to achieve this is suggested in this report.

Review of the existing Statement of Community Involvement

5. The existing SCI is just two years old and would ordinarily not be considered dated however recent Government guidance encourages authorities to carry out a review and update their policies where necessary:

“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. This could include, for example, holding face-to-face community consultation events or providing physical documents for inspection.”

It is proposed to make several minor amendments to the existing SCI to ensure that it is fully up to date and is more appealing to the reader. The range of consultation techniques remains unchanged. A proposed updated version is appended to this report.

6. The current SCI refers to the Greater Exeter Strategic Plan having its own SCI. The amended SCI will delete this reference, and photographs relating to GESP, as GESP is no longer progressing.
7. The existing SCI is written in such a way that in the preliminary stages of plan making a range of possible actions are given and we are able to choose the most appropriate. The revised SCI also follows this format and retains the range of options. Ordinarily consultation would include extensive face-to-face contact with the public from the outset but this will not be possible in the near future and is not a requirement provided adequate alternative engagement takes place. The only potential inconsistency is the SCI statement that *“consultation will normally include (amongst other matters) ...making the document available at EDDC reception”*. Changes to the regulations *“temporarily remove the requirement on a local planning authority to make documents available for public inspection at the authority’s principal office and at such other places as the authority considers appropriate. They also make temporary changes to regulation 36 of the 2012 Regulations to remove the requirement on a local planning authority to provide hard copies of documents made available under 35. Documents are still required to be made available on the local planning authority’s website. This modification will apply until 31 December 2020.”* It is possible that this timescale will be extended but, in any case, we will make physical copies of the plan available via alternative means and this is discussed in more detail in the Issues and Options section below. To address this, it is proposed to amend the SCI to state *“Whilst the Exmouth and Honiton District Council offices are closed to the public as a result of Covid-19 restrictions, documents will not be available to inspect at the reception desks. Alternative arrangements to view paper copies will be arranged upon request.”*

Other planning documents which are in production

8. The Cranbrook Development Plan Document is currently at (virtual) examination and the arrangements have already been agreed with the planning inspectorate. Similarly the Affordable Housing Supplementary Planning Document, Areas of Special Control for Advertisement Reviews and the Community Infrastructure Charging Levy have progressed to the stage where they have been adopted/agreed and notification to interested parties can be carried out in accordance with the SCI without any Covid impact.

The Issues and Options Report Consultation

9. The Issues and Options report consultation is due to commence early in 2021. This document provides the opportunity for the public and other interested parties to consider the matters which the new Local Plan should address so that they can be incorporated into a draft Plan. It is obviously very important that as many people are made aware of this consultation as possible and have an opportunity to influence the subsequent document.
10. The Government advice in light of Covid is:
“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. Local planning authorities are strongly 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 can’t be identified. Opportunities to combine public consultations can be explored so that offline methods can be made more cost effective.”
11. The Government advise that we should concentrate on online engagement but this is unlikely to be fully inclusive in East Devon and those who are least able to access the internet are often those who also have protected characteristics under the equalities legislation. We are conscious that parts of East Devon have poor broadband coverage and documents can be difficult to download; some residents would usually rely on libraries, cafes and public buildings for access and these may still be closed; some residents are unable to use technology due to age, disability or lack of confidence. To ensure that the Issues and Options report is well publicised to those without internet access, we will issue press releases and ask Parish Councils to advertise on local noticeboards.
12. We would usually offer face-to-face engagement as an alternative to online methods. As this is not possible we will offer to engage via telephone or in writing or through discussion with a representative. We will also offer the Plan in alternative formats (large print, translated to an alternative language, black and white, read aloud) although this may be delivered through ‘accessible’ computer software. Where we are aware of particularly hard to reach groups- for example Gypsies and Travellers- we will write to them and contact their representative groups.
13. We have considered writing to every home and business in the District directly, as we did at the start of producing the last Local Plan. This method did not generate much interest when we tried it previously. Whilst this approach would ensure that we meet our duty to inform the whole community about the consultation the cost of postage is prohibitive, many recipients won’t be interested and may consider it poor use of public funds, and it undermines the Council’s commitment to saving resources and reducing carbon emissions.
14. Some authorities have produced a short video to be viewed on their website and through youtube and this is cited as a means of engaging with young people. We tried this approach with the last Local Plan and, in common with other councils, it generated very little interest. Our experience is that young people are more likely to engage with specific proposals for

their area and with topics, such as climate change, which link to their school curriculum. We will target them through consultation at later stages in plan production.

15. In line with our commitments in the SCI, and adapting our approach in light of Covid, we propose to run the consultation for 8 weeks rather than the usual 6 and wait until the New Year to commence consultation so it does not run over the festive period. Our preferred approach to consultation is to:

Consultation Technique	Detail
Publicise the consultation on our website	We will upload a copy of the full document and an easy to read summary version We will provide an online consultation platform to enable responses to be made electronically. Our preference is to use 'Firmstep' software but this is dependent on STRATA resources, if this is not possible we will use 'survey monkey' or 'snap'. Depending on the software respondents may be able to upload their own documents We will also accept responses by email or letter We hope to also provide an interactive 'storymap' version of the plan but this is dependent on STRATA resources
Use EDDC social media accounts to tweet and post updates	
Use existing newsletters to advertise the Plan	Publicise the consultation in any EDDC newsletter that is published shortly before or during consultation
Issue a press release	
Notify interested parties	We will notify by email: anyone who has expressed an interest in the new Local Plan (and whose details are on our database) the 'consultation bodies' referred to in the Statement of Community Involvement any specific interest groups/organisations, particularly those who represent people who may not be able to engage by themselves using online methods; adjoining authorities, which could include County Councils, other District and Parish Councils (PCs) East Devon District Councillors and Parish Councils
Advertise locally	We will request Parish Councils to advertise the consultation on local noticeboards
Involve local agents	We will notify the Agents Forum members by email (we would usually present at a meeting)

As our offices are closed we will not hold copies of the consultation documents on the reception desks but will make paper copies available upon request (we envisage sending single copies by post free of charge. If additional copies are requested we may need to impose a fee).

16. We will commit to plan to undertake face-to-face consultation later in the planning process, if the restrictions are lifted. At that point a preferred approach may have been decided, but the public will be able to comment on detailed policies and site allocations. Our previous experience has demonstrated that this is the stage where it is most helpful for in-person consultation (through meetings, exhibitions and workshops) to take place as the public

appreciate being able to discuss technical details with Officers and have visual information and maps explained to them. At this stage it may be helpful if Officers are available to attend Parish Council meetings to discuss proposals that are particularly locally relevant.