

Report to: **Strategic Planning Committee**

Date of Meeting: 23rd July 2020

Public Document: Yes

Exemption: None

Review date for release None



Subject: **GESP: Statement of Community Involvement**

Purpose of report:

Statements of Community Involvement (SCI) are produced by local authorities to explain to the public how they will be involved in planning matters. This report concerns the proposed Joint Statement of Community Involvement (Joint SCI) that has been prepared for the Greater Exeter Strategic Plan (GESP). The Joint SCI sets out the proposed approach to public consultation on the GESP as it progresses through its statutory plan-making stages towards adoption.

Whilst there is no legal requirement to do so, a draft of the proposed Joint SCI was itself subject to public consultation in 2017. This report explains how the proposed Joint SCI has been amended, both in light of responses to the 2017 consultation and to take account of Covid-19 restrictions on social interaction.

The proposed Joint SCI will cover the four Greater Exeter local planning authorities of Exeter City, East Devon District, Mid Devon District and Teignbridge District Councils. If approved by all four local planning authorities, the Joint SCI will become a Local Development Document.

Recommendation:

It is recommended that:

1: The Strategic Planning Committee recommends that Council approves the contents and adopts the Joint SCI that has been prepared for the Greater Exeter Strategic Plan (GESP); and

2: The Strategic Planning Committee recommends that Council gives delegated authority to the Leader, in consultation with the Portfolio Holder and Chief Executive, to agree changes to the Joint SCI arising from decisions by the other GESP local planning authorities and to approve it as a Local Development Document, noting that it will apply jointly to East Devon District, Exeter City, Mid Devon District and Teignbridge District Councils.

Reason for recommendation:

To ensure a consistent and co-ordinated approach to consultation on the GESP. The alternative option is for the Committee not to support the content of the Joint SCI and for the authority to instead consult on the GESP in accordance with the previously adopted SCI. Each of the other Greater Exeter authorities would then also consult on the GESP in accordance with their individual adopted SCIs. The risk of potential inconsistencies and public confusion that this option could cause means it is therefore not appropriate.

Officer:	Ed Freeman – Service Lead – Planning Strategy and Development Management
Portfolio Holder:	Portfolio Holder Strategic Planning
Financial implications:	Financial implications are considered and contained within the appendices of the report.
Legal implications:	<p>It is important that Statements of Community Involvement are kept up-to-date to ensure effective community involvement at all stages of the planning process. Therefore, a local planning authority should regularly review and update their Statement of Community Involvement to reflect any changes to engagement such as the current Covid 19 pandemic and its effects on the plan making process.</p> <p>A local planning authority may review and update their Statement of Community Involvement at the same time as reviewing and updating a plan such as the GESP to reflect what action is taken to involve the community in any change to that plan. This GESP Statement of Community Involvement will only apply to the development of the GESP and not to any other East Devon related consultation requirements. There are no other legal comments other than as set out within the report.</p>
Equalities impact:	<p>Medium Impact</p> <p>Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:</p> <ul style="list-style-type: none"> • Eliminate discrimination, harassment, victimisation and any other prohibited conduct; • Advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and • Foster good relations between people by tackling prejudice and promoting understanding. <p>In order to comply with the general duty, authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.</p> <p>In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.</p> <p>It is considered the Joint SCI will have a positive impact on people with protected characteristics. This is because, in setting out a range of methods of consultation, it seeks to ensure (as far as possible, taking</p>

cost and resource constraints into account) that all members of the community are able to engage in the preparation of the GESP.

Climate change: Low Impact

There are no direct climate change/environmental impacts arising from the recommendations. However, the Joint SCI includes the potential use of significant electronic, online and social media platforms which will help minimise the carbon impact of future GESP consultations.

Risk: Low Risk

Each of the four local planning authorities in the Greater Exeter area are making appropriate arrangements for approving the Joint SCI. There is a risk that one or more of the Councils does not approve the Joint SCI. This would mean that such an authority would instead consult on the GESP in accordance with their existing SCI. This would increase the likelihood of inconsistent consultation and public confusion across the Greater Exeter area which could lead to challenges as the plan progresses and it is therefore not appropriate.

There is also a risk that revisions to the Joint SCI are made at Committee. This would then require each of the other local planning authorities to approve the revised versions. To overcome this potential issue, approval is sought to give the Leaders of the Greater Exeter local planning authorities, in consultation with the Chief Executives and Portfolio Holders, delegated authority to agree changes to the Joint SCI a part of the approval process.

Links to background information: Appendix 1 – [Greater Exeter Strategic Plan Joint Statement of Community Involvement: summary of representations](#)

Appendix 2 – [Greater Exeter Strategic Plan Joint Statement of Community Involvement 2020](#)

Link to [Council Plan](#): Outstanding Place and Environment
Outstanding Homes and Communities
Outstanding Economic Growth, Productivity, and Prosperity
Outstanding Council and Council Services

MAIN BODY OF REPORT

1. Introduction

The 2004 Planning and Compulsory Purchase Act requires local planning authorities to prepare an SCI. Each of the Greater Exeter local planning authorities already have their own SCIs containing different consultation requirements. In order to overcome any difficulties with aligning these individual existing SCIs, a single Joint SCI specifically for the GESP has been prepared, which will only apply to consultations on that plan. The authorities' existing SCIs will remain in force for any other planning consultations.

Although consultation on SCIs and their revision is not legally required, a draft Joint SCI was published for consultation in 2017. Representations were received from 13 respondents and these are published at <https://www.gesp.org.uk/consultation-phases/procedural-documents/statement-of-community-involvement/>

A summary of the representations, together with responses, is attached at Appendix 1 to this report.

2. The Proposed Joint SCI

The proposed Joint SCI is attached at Appendix 2 to this report. The proposed Joint SCI balances the representations received in 2017 against the need to progress with the preparation of the GESP during the ongoing uncertainties of the COVID-19 pandemic. The main changes that have been made since consultation took place on the draft Joint SCI are as follows:

- Clarification has been provided that Devon County Council does not need to adopt the GESP, which is a matter for the four local planning authorities;
- It is recognised that consultation methods for the GESP must be chosen by balancing cost and time constraints;
- Whilst the statutory consultation period for plan making remains as 6 weeks, the standard consultation period for the GESP has been increased to 8 weeks;
- A clear explanation has been added that respondents' personal contact details will be retained in order to inform them about progress with the GESP, in line with the Data Protection Act 2018 and the EU General Data Protection Regulations;
- An additional requirement has been added to prepare a communication and engagement strategy with more specific proposals for each stage of consultation;
- It is now stated that paper copies of consultation documents will be made available at council offices and libraries where possible (see final bullet point below)
- It is also stated that electronic copies of consultation documents (or paper copies, on request) will be made available to community groups, councils and statutory organisations;
- It is stated that other requests for paper copies will be met, but at a price that reflects publication costs. This is necessary to help ensure that the local authorities can cover the costs of consultation costs;
- It now clarifies that, where resources allow, consultation documents will be made available in alternative formats upon request;
- More detail has been provided on the stages of plan preparation; and
- It is specified that some consultation methods (such as public exhibitions involving face-to-face contact and making paper copies of consultation documents available in public places) will be undertaken 'where possible' to reflect the ongoing uncertainties and implications of the COVID-19 pandemic.

It should be noted that there is no requirement to consult on a revised SCI before adoption.

3. Implications

Of the amendments listed above, two key changes have been made to the Joint SCI since draft stage. The increase in the consultation period from 6 to 8 weeks will help to ensure that individuals and organisations are more able to prepare thoughtful and well evidenced comments. This includes organisations who need to take comments through a committee structure. The reference to some consultation methods taking place 'where possible' enables greater flexibility to progress the plan during the uncertain period of COVID-19. If some events such as face-to-face public exhibitions cannot take place, meaningful engagement will still be ensured using alternative means such as social media and online exhibitions. This flexible approach is supported by Government guidelines that urge local authorities to progress plan-making during the coronavirus pandemic (see <https://www.gov.uk/guidance/plan-making# covid19>).

Other changes made to the Joint SCI are generally fairly minor and improve the readability of the document.

4. Conclusion

The GESP Joint SCI will provide the framework for consultation on the GESP as it progresses. It is recommended that Members approve the content of the document and adopts the joint SCI.

During July and August 2020, support for the GESP Joint SCI will also be sought from the relevant decision making body/ies of each of the other Greater Exeter local planning authorities. Should any one of the Greater Exeter local planning authorities suggest a change to the Joint SCI, there will need to be a meeting of the council Leaders, in consultation with Portfolio Holders and Chief Executives or equivalent, to agree a consolidated version of the document. Recommendation B, sets this out formally.