

Officer decision record: Use of the Chief Executive's Urgency Powers

"Where, in the opinion of the Chief Executive, by reason of limitation of time or urgency, a decision is required on any matter, after such consultation as they consider necessary (or as is required by the Council's Budget and Policy Framework Procedure Rules in Part 4 of this Constitution), they shall have power to make a decision provided that any such decision shall be reported to the next meeting of the Cabinet, appropriate Committee or Council unless there is a need for confidentiality, in which case the reporting of the decision may be deferred until the need for confidentiality expires"

<p>The decision that is being made: This Statement of Community Involvement (SCI) sets out West Suffolk Council's strategy for effective community participation in planning matters.</p> <p>To give individuals the opportunity to view SCI and the updated SCI Addendum documents in a safe way.</p>	
Background information / context	<p>The original SCI was adopted in 2018. It is appropriate to refresh the original document now as a result of the COVID-19 pandemic to take account of changes to consultation methods, particularly in relation to face to face meetings and exhibitions, physical copies of documents for inspection and provision of site notices.</p> <p>Two addendums attached:</p> <ol style="list-style-type: none"> 1. SCI Table of changes 2. Briefing Note
Reasons as to why this decision is being taken urgently	<ul style="list-style-type: none"> • It is a legal requirement to maintain an up to date Statement of Community Involvement and there is a risk in not getting this updated expediently • In the interests of Civic responsibly it is important to set out clearly how the local community can engage with the planning process.
If not stated above, alternative options that have been considered	Council decision.

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<p>Other information considered, including any implications (legal / financial / personnel / data processing / equalities / community impact)</p> <p>Where necessary please refer to attachments / appendices</p>	<p>May 2020 MHCLG guidance, as justification:</p> <p>The guidance says 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."</p>
<p>Parties consulted before the decision has been taken and any representation received</p>	<p>Chief Executive, Assistant Director (Growth) and Assistant Director (Resources and Performance) and relevant Portfolio Holder have been briefed.</p> <p><u>Members consulted:</u> Cllr Griffiths, (Leader of West Suffolk Council), Cllr Hind (Leader of Labour Group) and Cllr Shipp (both in his role a Leader of the Independent Group and Chair of O&S), , Cllr Andrew Smith (Chair of Development Control Committee), Cllr Andy Drummond (Portfolio Holder for Regulatory Services) and Cllr David Roach (Portfolio Holder for Local Plan Development and Delivery)</p>
<p>Confirmation of any conflicts of interests identified by consultees and whether the Chief Executive is satisfied that such conflicts are acceptable</p>	<p>None</p>
<p>Decision Authorised by the Chief Executive</p>	<p>Ian Gallin</p>
<p>Date</p>	<p>9.6.2020</p>
<p>Conflicts of interest declared by executive members consulted, including whether the Chief Executive has authorised councillors with conflicts to continue to act</p>	
<p>Decision</p>	<p>As above.</p>
<p>Signature and date: 9.6.2020</p> 	

Additional information and clarification

What is the SCI

The SCI sets out how the Council proposes to engage local people and organisations in the development planning process, regarding both planning policy (Local Plans, Neighbourhood Plans and Supplementary Planning documents including Master plans, Development briefs and Design Guides) and development management (planning applications).

They are a legal requirement and should remain up to date.

In response to the Coronavirus situation and in seeking to fulfil its role as local planning authority, Government guidance states that the Council should employ practices different to those set out within the Statement of Community Involvement for an interim period. Councils should continue to carry out its planning function – and continue to progress and issue planning decisions and progress the Local Plan given its link to the economy.

The updated Planning Practice Guidance (PPG) on plan-making, published by the Ministry of Housing, Communities and Local Government, says 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 and decision taking can continue".

The original SCI was adopted in 2018. It is now appropriate to refresh the original document now as a result of the COVID pandemic to take into account changes to consultation methods which cannot be carried out or undertaken. Particularly in relation to face to face meetings and exhibitions, physical copies of documents for inspection and provision of site notices. At all times the approach will seek to balance participation and engagement within the various elements of the planning system safely alongside the need to continue to be able to make robust decisions in a timely manner.

1. It is a legal requirement to maintain an up to date a Statement of Community Involvement. Updated guidance issued by government 13 May 2020 states:
"Councils 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"
The Statement of Community Involvement has been assessed and some of the policies are inconsistent with the current guidance for example holding face to face meetings or providing physical documents for inspection.
The local authority is therefore considering temporary amendments to allow decision taking and plan making to progress.
2. To provide clarity and to promote effective community engagement by means which are reasonably practicable to our residents and all those using the planning service of our consultation and engagement methods. Removing the risk of challenge at Local Plan examination / High Court Challenge or by Judicial Review.

Local Plans

The Council has delayed the Local Plan programme as a result of the pandemic. Recognising that local people, groups, organisations etc. would not be able to or in the frame of mind to respond. We had prepared to commence the first West Suffolk 'Issues and Options' consultation in June but adjusted the programme as a result of COVID. The updated programme has been prepared and consultation is planned in October 2020.

This will be the first consultation and is seeking thoughts on issues and options which will be developed further in the Local Plan. It is not decision-making, policy writing or allocating sites at this time.

Central government are requesting authorities continue to prepare local plans and to not delay. The Council is required to complete a West Suffolk Local Plan by the end of 2023. Given the number of stages in preparing a Local Plan, for the Council to meet this requirement, the Council will not be able to adjust the programme any further and consultation will need to take place in October.

A consultation and engagement strategy will be prepared to support the Local Plan consultation which will exceed the minimum requirements set out in the SCI.

The SCI addendum includes virtual exhibitions, live Q&A sessions, appointment drop-in sessions across West Suffolk in accordance with social distancing measures etc. in order to reach as many individuals, groups, interested parties as possible. As previously discussed in the workshop sessions officers will be approaching existing groups to inform them of the consultation and seeking comments. This can be done through live chat sessions if meetings are not possible.

Neighbourhood Plans

Central government has updated its guidance regarding neighbourhood plans. Councils should continue to support the preparation of neighbourhood plans through to referendum stage. The Neighbourhood Plan will then be given significant weight in decision making as if it were adopted until such time referendums are re-introduced.

The Council has around 9 Neighbourhood Plans in progress. Great Barton has submitted their neighbourhood plan and legal have confirmed the Council is required to publish the document for consultation.

The SCI addendum is necessary for consultation to take place and for the Council to meet its legal obligations.

In order to ensure that the Council is reaching out to all those interested and so they can engage in the Neighbourhood Plan we are writing to every resident and business in Great Barton making them aware of the consultation. Officer will be available to run through the document on the telephone. Hard copies will be sent to those without internet access or visually impaired. Consultation has been extended from 6 to 10 weeks. The consultation will be advertised on social media platforms.

Masterplans / Development Briefs and Design Guides

Like the above documents in order to help the economy and development industry different ways of engaging local people, interested parties, businesses and groups are necessary during this time. The list in the addendum is a minimum and a consultation and engagement strategy would still be required.

The addendum states that if face to face contact is not possible, consultation periods should be extended from 6 to 10 weeks. The developer should discuss with the relevant parish council appropriate forms of engagement. This could take the form of virtual meetings, dedicated chat rooms and/or appointment based on socially distant meetings etc. Appointments could be by phones, chat room and/or virtual meeting.

Decision Making

The minor change to the SCI for planning applications (posting only site notices required by legislation) would reduce the number of visits that planning officers need to make and therefore manage risk. All neighbours will be notified by letter as normal and press notices will still be posted where required. In response to the current crisis the Government has issued emergency legislation that allows local authorities to not post any site notices at all but officers believe that notices still need to be posted for Major applications, Departures etc. This is a measured response to managing risk whilst still allowing planning applications to be processed with commensurate public consultation.

West Suffolk Statement of Community Involvement 2018 – Addendum June 2020

Amended Practice in Response to Covid-19 Pandemic

This document provides an addendum to the West Suffolk Statement of Community Involvement 2018.

It should be read alongside the original document, available to view at https://www.westsuffolk.gov.uk/planning/Planning_Policies/upload/18-12-20-SCI-adopted-version.pdf

This Statement of Community Involvement (SCI) sets out West Suffolk Council’s strategy for effective community participation in planning matters. Due to the Covid-19 outbreak we have not been able to follow all the requirements set out in the SCI document which has promoted this review.

There are a number of ways in which the Council is having to adapt the approach to planning decisions and plan making. This addendum to the Statement of Community Involvement sets out these measures, and how it will continue to enable full involvement of people in planning matters.

The Council remains committed to running an effective planning service, and for the Statement of Community Involvement to comply with COVID-19 guidance, we have made the following changes to the SCI. For example, we have needed to implement measures necessary to follow governmental guidance such as social distancing requirements.

This table sets out where we have temporarily varied our key commitments – the way we provide our service has changed.

These changes are necessary to allow plan-making to progress and that we continue to promote effective community engagement by means which are reasonably practicable.

SCI section	What the SCI said	Response to Covid-19	Response to Covid-19 lifting
1.1 Consultation on development plan documents	<i>"Hold workshops/ exhibitions/ community roadshow events</i>	We cannot hold face to face meetings of any kind at this time. However, all relevant documents will be available on	We will hold online Q&A sessions with officers at advertised times on the Council’s website, using online platforms.

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SCI section	What the SCI said	Response to Covid-19	Response to Covid-19 lifting
	<i>in defined locations/ where there is an impact on that settlement - to help decide issues to be included in the plan"</i>	our website: www.westsuffolk.gov.uk/wslocalplan	Appointment based drop-in sessions across West Suffolk, which limits the number of people who can attend at any time. Room set up with exhibition boards and staff behind a table, maintaining a 2m social distancing space and virtual exhibitions will be considered.
Explanatory Note	1.1 Relates to consulting on the Local Plan.		
	<i>"Hard copies will be available at Council offices."</i>	Our offices are closed for all non-emergency visits. We cannot provide paper copies at the present time. All documents can be viewed online: www.westsuffolk.gov.uk/wslocalplan	
Explanatory Note	This relates to hard copies of the consultation and adoption documents		
	<i>"attend and speak at the public hearings"</i>	Our offices are closed to the public and no hearings are scheduled.	Should meetings be scheduled, they are capable of being carried out virtually and/or by written submission. These will be publicised at the appropriate time and details will be provided in due course.
	<i>"inspector's recommendations being available from the Council offices."</i>	Our offices are closed for all non-emergency visits. We cannot provide paper copies at the present time. All documents can be viewed online: www.westsuffolk.gov.uk/wslocalplan	
1.3 Supporting the	<i>Meet local communities who</i>	We are continuing to provide support for Neighbourhood Plan groups. For	We are continuing to provide support for Neighbourhood Plan groups. For

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neighbourhood planning process	<i>contact us expressing an interest in neighbourhood planning, in order to provide initial advice and information and discuss options.</i>	<p>information on individual plans, see online: www.westsuffolk.gov.uk/neighbourhoodplanning The Government has also updated its guidance regarding Neighbourhood Plans, at Paragraph 107 Reference ID: 41-107-20200407 on this page: https://www.gov.uk/guidance/neighbourhood-planning--2#history Face to face contact is not possible during lockdown. Consultation periods should be extended during this period to 10 weeks. The neighbourhood plan group should provide online information, such as a dedicated website. Virtual exhibitions could be offered during this time.</p>	<p>information on individual plans, see online: www.westsuffolk.gov.uk/neighbourhoodplanning The Government has also updated its guidance regarding Neighbourhood Plans, at Paragraph 107 Reference ID: 41-107-20200407 on this page: https://www.gov.uk/guidance/neighbourhood-planning--2#history Face to face contact is not possible. Consultation periods should be extended during this period to 10 weeks. The neighbourhood plan group should provide online information, such as a dedicated website. Virtual exhibitions could be offered during this time.</p>
1.4 Consultation on Supplementary Planning Documents	<i>"hard copies being available at Council offices."</i>	<p>Our offices are closed for all non-emergency visits. We cannot provide paper copies at the present time. All documents can be viewed online: www.westsuffolk.gov.uk/wslocalplan</p>	
1.4 Concept Statements, Masterplans and Development Briefs	<i>Developers are encouraged to engage with local communities using a range of methods such as letters, emails,</i>	<p>Face to face contact is not possible during lockdown. Consultation periods should be extended during this period to 10 weeks. The developer should demonstrate active engagement with the relevant parish council, and online provision of information, such as a dedicated website.</p>	<p>Face to face contact is not possible. Consultation periods should be extended during this period to 10 weeks. The developer should demonstrate active engagement with the relevant parish council, and online provision of information, such as a dedicated website.</p>

SCI section	What the SCI said	Response to Covid-19	Response to Covid-19 lifting
	<i>focus groups and exhibitions.</i>	Virtual exhibitions should be offered during this time.	Virtual exhibitions should be offered during this time.
2.2 Publicising our planning applications	<i>Planning applications are available electronically for public inspection at the Council offices.</i>	Our offices are closed for all non-emergency visits. All documents can be viewed online: www.westsuffolk.gov.uk/wslocalplan	
2.2 Consultation on planning applications	<i>Site notices will be posted for "all applications not in above categories"</i>	In line with our current risk-based approach to visiting sites, (based on COVID-19 good practice,) we need to minimise the number of visits made by Planning Officers.	We will only provide site notices where required by national legislation – that is for all other applications shown in the table at paragraph 2.2.

Involving the Community in Planning Policy

The Government is encouraging all local planning authorities to continue, as much as possible, to work proactively with their community and other stakeholders to progress plans, even if some adjustments to timetables are necessary.

The Planning Advisory Service advise that, 'This is an opportunity to think differently about how you consult and how you use the online and virtual tools you have access to promote your consultation and allow people to get involved.' West Suffolk will continue to develop and improve its methods of online consultation and community engagement.

Reflecting this, when we invite representations (through a notice on the councils' website, and advertising through other methods such as social media, news releases, Council publications or press adverts) we will include an email address and phone number for the Planning Policy team, so that anyone having problems viewing the documents can discuss the consultation and seek assistance to view them.

Other measures such as consultation events or putting up posters will also need to reflect current government guidance and any future updates.