



# Northumberland County Council

## Addendum Report to the Statement of Community Involvement

To be read in conjunction with SCI

Version	Last amended	Core changes	Amended by
1.0	28/04/20	First Issue	-
2.0	23/06/20	Update on Planning Committees terms of Reference and Local Plan and Neighbourhood Planning sections	Elizabeth Sinnamon/Helen Dormand/Joan Sanderson/David English
2.1	25/06/20	Minor amendments to reflect developing COVID 19 situation	Rob Murfin
2.2	05/08/20	Further minor amendments to reflect developing COVID-19 situation in relation to neighbourhood planning.	David English



# Introduction

The Statement of Community Involvement (SCI) sets out the Council's commitments on involving local people and businesses in preparing the Local Plan and informing and consulting them on planning applications.

[View the Statement of Community Involvement document on our website.](#)

This Addendum Report is to be read in conjunction with the SCI to reflect some of the current restrictions resulting from the COVID-19 pandemic. Government guidance, particularly in terms of social distancing and restrictions placed upon businesses in the County have been changing frequently. This has meant that Planning Services have had to review on a rolling basis how we engage with local people and businesses. This addendum explains the changes to some of our processes. There is a version control attached to this document to ensure that Planning Services are keeping up to date with the latest advice from Central Government.

## Development Management processes that have been varied

1. Displaying of Site Notices: In those circumstances where the posting of a site notice is not expressly required under the relevant regulations and legislation the application will be advertised by way of serving notice by post to the neighbouring properties. These notifications will also extend beyond the immediate adjoining neighbours to the wider neighbours with the extent of the notifications judged on a case-by-case basis.
2. This will be in addition to the publication of the notice in a local newspaper in the case of applications 'major development' or applications in a Conservation Area for example.
3. For those applications where a site notice is expressly required, the application will be held in abeyance until the advice changes and the required site notice can be posted.
4. Town and Parish Councils will continue to be consulted in the usual way on every planning application.
5. Planning Committees: there have been a number of urgent constitutional and governance measures taken in response to the Coronavirus pandemic through the exercise of the Chief Executive's residual powers under the Council's Constitution. This has included:
  - (i) Matters reserved to Elected Members and Committee Terms of Reference to suspend with immediate effect the existing powers of the Council's Local Area Councils in relation to the determination of planning applications and planning enforcement control and to transfer all such powers, again with immediate effect, to

the Council's Strategic Planning Committee; both decisions to apply for a period of six months

(ii) amend the circumstances or exceptions set out in Part 3 of the Council's Constitution where within the Terms of Reference for Strategic Planning Committee (including any amendment to those Terms of Reference made pursuant to recommendation (i) immediately above) planning applications would fall to that Committee to determine to disapply those circumstances or exceptions where in the opinion of the Chief Planning Officer (Director of Planning), in written consultation with the Chair and Vice Chair of Strategic Planning Committee, an application should be determined by the Chief Planning Officer for the reason that it does not raise issues of strategic, wider community or significant County Council Interest. This provision will not apply to decisions which would, in the opinion of the Chief Planning Officer, represent fundamental departures from the Local Plan, or fundamental departures from Made Neighbourhood Plans and Statutory Consultee advice.

(iii) to amend the Council's Public Speaking Protocol at Planning Committees so as to suspend for a period of six months the ability of third parties (including parish councillors, members of the public, planning applicants and their agents) to make verbal representations at meetings of the Council's Planning Committees (including Strategic Planning Committee) and to replace this ability with an alternative written representations process as set out in the "[Public Speaking Protocol - May 2020](#)".

## Local Plan processes that have been varied

6. The Northumberland Local Plan ("the Plan") is currently undergoing Independent Examination in Public. Phase 1 of the hearing sessions have concluded but several stages of the Examination process are still ongoing. These include additional evidence relating to the Phase 1 hearing sessions, Phase 2 hearing sessions and a Main Modifications consultation.
7. The Written Ministerial Statement HCWS235<sup>1</sup>, recognises that COVID-19 has placed difficulties on Local Planning Authorities (LPAs) in physically making copies of documents available for inspection at Council Offices and libraries etc. The WMS goes on to say that during these exceptional circumstances, the Government considers that online inspection of documents should be the default position. The WMS however also recognises that there are sectors of the community that have limited or no access to the internet and that reasonable steps should be taken to ensure these sectors of the community are not disadvantaged.
8. Whilst the Council will adopt online inspection of documents as the default position, in order to ensure fairness and equality for possible respondents and to accord with

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<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-05-13/HCWS235/>

the procedural requirements, the Council has identified the following specific mitigation measures for each of the remaining stages of the Plan.

### ***Main Modifications consultation***

9. In respect of the Main Modifications (“MMs”), no specific guidance exists as to how consultation should be achieved. The Council therefore intends to;
- Place hard copies of the MMs and accompanying statutory documents such as the Sustainability Appraisal and Habitats Regulation Assessment as well as a hard copy of the Examination Library in the main reception at County Hall (the principal office).The ability to visit and view documents will be by prior appointment and those examining documents will be required to adhere to COVID-19 secure safety guidelines;
  - Make CDs/USBs containing the MMs and accompanying statutory documents, and/or hard copies of these documents, available by post on request;
  - Extend the MMs consultation period from 6 weeks to 8 weeks;
  - Notify everyone who made a representation at the Regulation 19 stage as well as all consultees and individuals/ organisations on the Local Plan database, either via email or post, of the MMs consultation and make CDs/USBs and hard copies of relevant documents available on request;
  - Give advance notification to Parish and Town Councils of the MMs consultation period and also send them a hard copy of the MMs document and a CD/USB with the MMs and associated documents;
  - Place a public notice in the local paper; and
  - Issue press releases and use social media, such as Facebook and Twitter to publicise the MMs consultation, as appropriate in the run-up to and during the consultation period.

### ***Additional Evidence***

10. In relation to consultation on the additional evidence from Phase 1, the Council has identified the following specific mitigation measures;
- Place hard copies of the additional evidence as well as a hard copy of the Examination Library in the main reception at County Hall (the principal office).The ability to visit and view documents will be by prior appointment and those examining documents will be required to adhere to COVID-19 secure safety guidelines;
  - Make CDs/USBS containing the additional evidence and/or hard copies of additional evidence documents available by post on request;
  - Extend the additional evidence consultation period from 6 weeks to 8 weeks;
  - Notify everyone who made a representation at the Reg 19 stage as well as all consultees and individuals / organisations on the Local Plan database,

either via email or post, of the additional evidence consultation and make CDs/USBs and hard copies of the additional evidence documents available on request;

- Give advance notification to Parish and Town Councils of the additional evidence consultation period and also send them a CD/USB with the additional evidence;
- Place a public notice in the local paper; and
- Issue press releases and use social media, such as Facebook and Twitter to publicise the additional evidence consultation, as appropriate in the run up to and during the consultation period.

### ***Publicity for Phase 2 Hearings***

11. To comply with Regulation 24 / Regulation 35 of the 2012 Local Plan Regulations, the Council is proposing to display the notice of the hearings (Regulation 24 notice) in the window of the main reception at County Hall (the principal office) and also in the windows of the Council's nine Customer Services Centres (as the other such places within the County that the LPA considers appropriate). The Council also intends to:

- Notify everyone who made a representation at the Regulation 19 stage, as well as all consultees and individuals/ organisations on the Local Plan database, including Parish and Town Councils, either via email or post, attaching a copy of the Regulation 24 notice;
- Add a copy of the Regulation 24 notice to the Council's Local Plan webpage and also the Local Plan Examination webpage and examination library;
- Place a Regulation 24 press notice in the local paper; and
- Issue press releases and use social media, such as Facebook and Twitter to publicise the hearing dates, both in the run up to the hearing sessions and during the hearing sessions.

### ***Hearing sessions and venues***

12. Where hearing sessions are still to be programmed, the Council may either move to a larger venue, to allow for appropriate social distancing measures to be put in place, and/or investigate the possibility of live-streaming the hearing sessions to reduce the need for observers to attend the hearing sessions in person or, alternatively, conduct the hearing sessions entirely virtually.

## Neighbourhood Plan processes that have been varied

13. Regulations 14 and 16 of the Neighbourhood Planning (General) Regulations 2012 require that the Qualifying Body (Regulation 14) and the LPA (Regulation 16) must

publicise the Plan for specified minimum periods of time, currently not less than 6 weeks, and provide details of a location where the Plan may be inspected.

14. The Government has recently modified its advice in relation to the fulfilment of these requirements.<sup>2</sup> The Government now advises that “reasonable steps” should be taken to consider alternative and creative ways to achieve engagement on emerging plans. The aim in this respect must always be to take reasonable and proportionate steps to engage with the community as a whole, and that practical measures should be put in place to ensure fair participation.
15. A subsequent amendment to the Town and Country Planning (Local Planning) (England) Regulations 2012 has temporarily removed 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.<sup>3</sup> Whilst these regulations relate to local plans, it is considered that, in conjunction with earlier government guidance, this approach would be appropriate for publicising neighbourhood plans to enable them to progress during the COVID-19 pandemic.

#### ***Regulation 14***

16. Where a qualifying body (QB) is satisfied that they are able to fulfil the requirement to ensure reasonable and proportionate engagement on their pre-submission draft plan in a safe and equitable manner, having regard to extant Government advice on public access to buildings and social distancing, the Council will support any qualifying body in designing and delivering publicity, consultation and engagement mechanisms to comply with the requirements of Regulation 14. The final decision on whether publicity and consultation should take place will rest with the qualifying body at this stage of plan preparation.
17. To support qualifying bodies, the Council will provide appropriate consultation letter and site notice templates; and will recommend that publicity, consultation and engagement should be designed to adhere to the following advice:
  - Public drop-in events should not be held;
  - The plan and all supporting evidence, including any Environmental Report and Appropriate Assessment, must be publicised and made available to view on their website;
  - The relevant consultation bodies must be notified in writing directing them to the website;
  - Site notices should be posted in prominent locations within the neighbourhood area directing people to the website or another suitable contact address and phone number;

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<sup>2</sup> Neighbourhood Planning Guidance, paragraph 107  
<https://www.gov.uk/guidance/neighbourhood-planning--2# covid-19>

<sup>3</sup> The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020  
<https://www.legislation.gov.uk/ukxi/2020/731/contents/made>

- Hard copies of the plan and evidence base documents should be available on request and be sent by post to people who do not have access to the internet or who are shielding;
- Publicity should seek to make best use of the available networks for information distribution including the use of, for example:
  - any local leaders (teachers, youth workers, politicians, church leaders, businesses) to raise awareness
  - local newsletters
  - adverts and articles in the local press
  - local television and radio stations (including call-in shows)
  - social media including through interactive means (online meetings, managed discussions, and podcasts)
  - offering 1-2-1 phone conversations or group phone calls; and
- The publicity period should be extended to not less than 8 weeks.

### ***Regulation 16***

18. Once a plan is submitted to the LPA the Council arrange publicity in accordance with Regulation 16, having regard to the most up-to-date Government advice, and appoint an independent examiner. The Council proposes to undertake publicity and consultation on any plans submitted in the following way:

- The plan and all submitted documents will be made available to view on the Council's website;
- The Council will write by post or email as necessary to all 'consultation bodies' who were consulted by the QB;
- The Council will send site notices to the QB and ask that they are displayed in the relevant neighbourhood area;
- The publicity period will be extended from 6 to 8 weeks; and
- Hard copies of the plan and evidence base documents will be available on request and be sent by post to people who do not have access to the internet or who are shielding.

19. The Council considers that the above approach to publicity and consultation on neighbourhood plans ensures fairness and equality for possible respondents and accords with the most recent government advice on the matter.

**20. This addendum should be read in conjunction with the SCI. The purpose of this addendum is to reassure local communities that the LPA are adapting their consultation process to reflect the current circumstances and that the LPA will continue to listen to the views of the public in the planning process.**

**21. This addendum and the proposed mitigation measure within are only temporary whilst restrictions relating to Covid-19 remain in place.**

**22. We will update the above advice when necessary following any review of restrictions by Central Government.**

## **Report author and contact details**

### **Planning Services**

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