

Rother District Council Statement of Community Involvement
Temporary Changes in respect of the COVID-19 Pandemic

During these unprecedented times, it is unlikely that Rother District Council will be able to operate community wide consultation on planning policy documents and planning applications in the precise way set out in the Council's adopted Statement of Community Involvement (SCI).

The temporary changes outlined in this document have been made to protect the health and safety of our officers and communities and follows the amended national advice and guidelines published in May and July 2020. Where related to statutory requirements these changes also reflect temporary legislative amendments made in May, July 2020, and extended through further amendments in December 2020, in addition to the Coronavirus Act of March 2020. The changes form temporary amendments to the Council's SCI and are set out as below.

Planning Policy Documents

The following amendments relate to the production of all Planning Policy Documents.

Method of engagement that may not be possible under social distancing	Where this method is used	Why this method is unsuitable	Replacement method/ mitigation measures
Receiving representations by post to formal consultations	Any formal public consultation on a Local Plan document (including, Supplementary Planning Documents, or draft CIL Charging Schedules.	Depending on the degree of lockdown at the time, there may not be the infrastructure for the timely delivery of letters. In addition, there may be limited staff present at the Council's mailing address to receive such posted representations.	<ul style="list-style-type: none">• The SCI already encourages the use of the Council's online consultation system for making representations on Planning Policy documents, but especially for formal representations on 'Proposed Submission' plans.• For those without the use of the internet, it may be necessary for the Council to support the use of 'representative groups' to enable "individuals to nominate an advocate to share views on their behalf".• The Council will still accept paper responses to any formal consultation but it is unlikely that confirmation of their receipt will be acknowledged.

Method of engagement that may not be possible under social distancing	Where this method is used	Why this method is unsuitable	Replacement method/mitigation measures
Making documents available for inspection¹ As well as publishing draft documents and supporting material online, hard copies will be made available for inspection at the Town Hall, Bexhill. Documents are also available to view online via public access computers at the libraries Battle and Rye.	Any formal public consultation on a Local Plan document, Supplementary Planning Documents, or draft CIL Charging Schedules. However, it should be noted that amendments to the Regulations ² have temporarily removed the statutory requirement to make documents available for inspection ³ from 16 July 2020 to 31 December 2021.	<ul style="list-style-type: none"> Given the current public health guidance, the availability of documents for inspection cannot be guaranteed. 	<ul style="list-style-type: none"> In line with the relevant Regulations and Planning Practice Guidance amendments, as a temporary measure (until end of December 2021) hard copy planning policy documents will not be made available for inspection. Measures will be put in place by the District Council to ensure access to assistance in viewing consultation documents. This will be achieved by providing a central contact (including a contact email address and phone number), so that anyone having problems arrange viewing the documents online can discuss the consultation and seek assistance to view them. Planning policy documents will continue to be published online, and any we will continue to notify statutory consultees and anybody who has expressed an interest in planning policy consultations by email.
Meetings/Focus Groups These may be selectively used as a means of bringing different perspectives together to discuss a particular theme in a structured way. Meetings may be appropriate to discuss issues of a	Meetings and focus groups are an important tool of engagement in the pre-production/early engagement stage of plan-making. However, meetings and focus groups may be used through all stages in the plan-making	<ul style="list-style-type: none"> It may involve a number of individuals of separate households being within an enclosed space at one time. Handling of a document by multiple individuals. 	<ul style="list-style-type: none"> Video conferencing - homeworking since the beginning of lockdown has demonstrated that meetings and focus groups can readily be held online, although large meetings can become unwieldy. For example, Microsoft Teams and Zoom have been used for meetings without difficulty, as may be an appropriate substitute in some circumstances.

¹ This also applies to any Sustainability Appraisal/Strategic Environmental Assessment that accompanies the main consultation document.

² [The Town and Country Planning \(Local Planning\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020, Environmental Assessment of Plans and Programmes \(Coronavirus\) \(Amendment\) Regulations 2020 & The Town and Country Planning \(Local Planning, Development Management Procedure, Listed Buildings etc.\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)

³ [Regulation 35 of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 & Environmental Assessment of Plans and Programmes Regulations 2004](#)

Method of engagement that may not be possible under social distancing	Where this method is used	Why this method is unsuitable	Replacement method/mitigation measures
technical nature, such as with specific statutory bodies and service providers, or with key stakeholder groups, including Parish Councils.	process. Meetings with partners is an important feature of the Duty to Cooperate.		<ul style="list-style-type: none"> The District Council will investigate other ways of targeting particular groups or individuals through the use of online/paper surveys as a potential substitute for meetings/focus groups, if appropriate.
Exhibitions Exhibitions may be held to convey information about an emerging policy document and both publicise the opportunity for public involvement and enable face-to-face discussion about issues and options.	During the production stage of plan-preparation, involving public consultation on the scope of the local plan, issues and options and preferred options.	<ul style="list-style-type: none"> It may involve a number of individuals of separate households being within an enclosed space at one time. Handling of a document by multiple individuals. 	<ul style="list-style-type: none"> The use of virtual exhibitions. This may require coordination between Town/Parish Councils and Town Forums and the LPA in order that events are appropriately advertised, and individual groups invited. This could be supplemented by engagement through social media and 'My Alerts'. Targeted video conferencing
Posters/Leaflets Dedicated posters and/or leaflets may be used to gain wider public awareness of a consultation.	Any formal public consultation on a Local Plan document Supplementary Planning Documents, or draft CIL Charging Schedules.	<ul style="list-style-type: none"> This may continue to be used. However, posters and leaflets are most effective when people are going about their daily public activities as normal. This would be less effective under situations of lockdown and social distancing, etc. 	<ul style="list-style-type: none"> Increased use of social media. This currently includes the Council's 'My Alerts' weekly email notification service, and the Council's Twitter and Facebook accounts.

Neighbourhood Planning

The following amendments specifically relate to the production of Neighbourhood Plans.

Consultation stage (Regulation 16)

Method of engagement that may not be possible under social distancing	Where this method is used	Why this method is unsuitable	Replacement method/ mitigation measures
Making documents available for inspection As well as publishing draft documents and supporting material online, hard copies will made available for inspection.	The Council's current SCI requires that copies of Neighbourhood Plan documents be made available at relevant contact centres during public consultation. However, it should be noted that the making available of draft Neighbourhood Plans is not a statutory requirement at the Regulation 16 ⁴ consultation stage.	<ul style="list-style-type: none"> Given the current public health guidance, the availability of documents for inspection cannot be guaranteed. 	<ul style="list-style-type: none"> As a temporary measure hard copy planning policy documents will not be made available for inspection. Measures will be put in place by the District Council and, if agreeable, the Parish/Town Council/Neighbourhood Forum, to ensure access to assistance in viewing consultation documents. This will be achieved by providing a central contact (including a contact email address and phone number), so that anyone having problems arrange viewing the documents online can discuss the consultation and seek assistance to view them. Neighbourhood Plans will continue to be published online, and we will continue to notify by email any consultation bodies who are referred to in the Consultation Statement. The Council will increase the scope of online notification, including making use of social media where relevant. In addition, Town and Parish Councils with a noticeboard may be able to display posters to provide notification of consultations as well as the online availability of documents.

⁴ [Regulation 16 \(a\) of the Neighbourhood Planning \(General\) Regulations 2012](#)

Method of engagement that may not be possible under social distancing	Where this method is used	Why this method is unsuitable	Replacement method/ mitigation measures
Receiving representations by post	Consultation on the Submission Neighbourhood Plan	Depending on the degree of lockdown at the time, there may not be the infrastructure for the timely delivery of letters. In addition, there may be limited staff present at the Council's mailing address to receive such posted representations.	<ul style="list-style-type: none"> • The Council accepts comments by email. In addition, comments may be submitted through an online form on the Council's website. • For those without the use of the internet, it may be necessary for the Council to support the use of 'representative groups' to enable "individuals to nominate an advocate to share views on their behalf". • The Council will still accept paper responses, but it is unlikely that confirmation of their receipt will be acknowledged.

Development Management - Involving the Community in Planning Applications

The following amendments specifically relate to the planning application process.

Publicity for planning applications

Planning applications will be publicised in the normal way. This includes letter notifications, and site and press notices as required. The weekly list is made available on the Council's website, and the My Alerts service is continuing to provide notification of any local planning applications for the week. In addition, a weekly list of registered planning applications is now being published on social media.

Inspection of planning applications and associated documents

Recent legislation⁵ has temporarily removed the requirement for local planning authorities to provide for the physical inspection of planning application documents if not reasonably practicable due to effects of the COVID-19 pandemic, provided that these documents are available on the Council's website. This temporary amendment has been extended until 31 December 2021.⁶

⁵ [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) as amended by [The Town and Country Planning \(Development Management Procedure, Listed Buildings and Environmental Impact Assessment\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)

⁶ [Amendment to the Town and Country Planning \(Development Management Procedure, Listed Buildings and Environmental Impact Assessment\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)

Making representations on planning applications

Any representations in relation to planning applications/notifications should be submitted via the on-line comment facility at Rother District Council – Comments on planning applications or alternatively sent via email to planning@rother.gov.uk

Please note that every effort should be made to avoid submitting anything to the planning department in paper during this time as we cannot guarantee timescales for receipt or the processing of the information.

Public speaking at Planning Committee in its temporary virtual format

Where it is no longer possible for public meetings to take place, the Coronavirus Act 2020 temporarily enables Planning Committee to continue to meet and carry out its democratic functions in a virtual format.

Members of the public who are eligible to address the Planning Committee on an application may submit a video or written statement (no longer than 5 minutes) in cases where the member of the public is unable or unwilling to join the Planning Committee meeting remotely using Microsoft Teams. For more information on how public speaking at planning committee functions, please see the Council's [public speaking at planning committee webpage](#), which also includes contact details for Democratic Services.

The Chairman of the Committee is authorised to use discretion to temporarily suspend the ability for Members of the Planning Committee to ask questions of the member of the public, should this be impractical during a remote meeting.

Amendments to the Production of the Statement of Community Involvement

This Coronavirus Addendum to the Council's SCI has been made in line with the amended national advice and guidelines relating to COVID-19 published in May and July 2020. As previously noted, some of these changes also reflect temporary legislative amendments that were made in May, July 2020 and extended through further amendments in December 2020, in addition to the Coronavirus Act of March 2020. These changes form temporary amendments to the Council's SCI over this period. The Council is planning to undertake a fuller update of its SCI in due course as part of its Local Plan update process. These proposals for permanent changes to the SCI, although not required to by legislation, will be subject to public consultation in due course.