

<b>Council</b>	
<b>Meeting Date</b>	24 February 2021
<b>Report Title</b>	<b>Local plan review: extension of consultation period</b>
<b>Cabinet Member</b>	Cllr Mike Baldock – Cabinet Member for Planning
<b>SMT Lead</b>	Emma Wiggins – Director of Regeneration
<b>Head of Service</b>	
<b>Lead Officer</b>	
<b>Key Decision</b>	No
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	1. Agree that the period of consultation for the local plan review be extended for an additional five-and-a-half weeks to close on Friday 30 April (§ 3.4).

## **1 Purpose of Report and Executive Summary**

- 1.1 Following the decision at the extraordinary council meeting on 3 February to proceed to a Regulation 19 consultation on the local plan review, this report summarises the approach taken to the consultation to date, considers public feedback on the length of the consultation, and proposes an extension to the previously agreed consultation period in response to that feedback.

## **2 Background**

- 2.1 The extraordinary council meeting on 3 February agreed the local plan review pre-submission draft and accompanying documents for the purposes of public consultation and submission to the secretary of state.
- 2.2 A Regulation 19 consultation is a highly prescribed step along the road to an adopted local plan, the scope of which is constrained by the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Nonetheless, the council has always been clear that it wants as many residents and other interested parties as possible to be able to engage with the consultation and make their views known.
- 2.3 Achieving this during the pandemic is a considerable challenge, with reduced ability to attend face-to-face meetings and to make the draft local plan review documentation available in public locations. Officers are working to overcome these challenges and ensure that everyone who wishes to engage with the consultation is able to do so.
- 2.4 The consultation has been open since 8 February, a fact which has been and continues to be widely publicised through the press and social media. All the

documentation is available on the council's website, and planning policy officers are making hard copies available free of charge to anyone who is unable to access them this way. Also available are forms for making representations and guidance on how best to do this.

- 2.5 The council has written to everyone on its consultation database, and officers are in the process of preparing public videos explaining the nature of the Regulation 19 consultation and how people can best make representations. An article has been prepared for the next edition of Inside Swale, to be published imminently. It is also intended that virtual meetings will be offered to parish councils and KALC representatives.

### **3 Proposals**

- 3.1 Council did not specifically agree six weeks as the length of the consultation, but a closing date of Tuesday 23 March was cited in the report agreed on 3 February. While there were sound reasons for determining six weeks as the most appropriate length of time for the consultation to be open, the council was conscious of the challenge it would present both to officers and to respondents in ensuring a comprehensive and inclusive consultation.
- 3.2 As a listening council, we want to respond positively to concerns and take what steps we can to accommodate the public desire for a longer consultation period. The public need for more time must be considered sympathetically.
- 3.3 Consequently, officers have liaised with colleagues in other councils undertaking similar consultations in the run-up to the local and PCC elections to consider how a longer consultation period could be possible. The fact that an extension would mean that the consultation will be open during most of the pre-election period is acceptable as long as the consultation is treated as an ordinary non-party-political component of a statutory process managed by officers.
- 3.4 With this in mind, council is now **recommended** to agree that the period of consultation be extended to run for an additional five-and-a-half weeks to close on Friday 30 April.

### **4 Alternative Options**

- 4.1 The decision to close the consultation on 23 March was a rational and lawful one, and could be allowed to stand. However, the difficulty both of running an effective and inclusive consultation and of digesting the information and responding to the consultation during a pandemic do suggest that making more time available to do this would be appropriate.
- 4.2 The council could validly choose not to respond to the public disquiet over the length of time available, but on balance and under the circumstances this option is not recommended.

## 5 Consultation Undertaken or Proposed

- 5.1 The purpose of the recommendation is to enable more time for the public to engage with and respond to the consultation.

## 6 Implications

<b>Issue</b>	<b>Implications</b>
Corporate Plan	Objective 4.1 of the council's corporate plan discusses the need to improve the transparency, responsiveness and public accountability of council decision-making.
Financial, Resource and Property	No significant implications identified at this stage.
Legal, Statutory and Procurement	The minimum period for a Regulation 19 consultation is six weeks under Regulations 19 and 17 of the Town and Country (Local Planning) (England ) Regulations 2012, but longer periods are permissible.
Crime and Disorder	No significant implications identified at this stage.
Environment and Climate/Ecological Emergency	No significant implications identified at this stage.
Health and Wellbeing	No significant implications identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	No significant implications identified at this stage.
Risk Management and Health and Safety	No significant implications identified at this stage.
Equality and Diversity	The difficulty of running an effective and inclusive consultation during a pandemic does have the potential to raise equality issues, particularly in terms of digital exclusion. Extending the length of the consultation period will be positive in terms of finding ways to overcome these issues.
Privacy and Data Protection	No significant implications identified at this stage.

## **7 Appendices**

7.1 There are no appendices.

## **8 Background Papers**

8.1 Report and papers to council 3 February 2021 available [here](#).