

Broads Authority

24 July 2020

Agenda item number 11

Statement of Community Involvement – revision for adoption in response to COVID-19 restrictions

Report by Planning Policy Officer

Summary

Our Statement of Community Involvement (SCI) was adopted in January 2020. Because of the COVID-19 pandemic, many of the approaches we set out in the SCI to engage and consult with the public and stakeholders are going to be difficult to achieve. The Government has stated that SCIs need to be updated to reflect social distancing and access restrictions. This updated SCI seeks to meet the regulation requirements in making documents available for consultation as well as ensuring the risks associated with COVID-19 are considered. It is hoped that the changes are temporary and the usual approach to consultations will be able to be achieved in future as social distancing and access restrictions change over time.

Recommendation

The updated Statement of Community Involvement be adopted.

1. Introduction

- 1.1. The Statement of Community Involvement (SCI) sets out how the Broads Authority will consult the public and other stakeholders on draft documents or planning applications. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) that Local Planning Authorities have a SCI in place. While mainly for planning related consultations, the Authority's SCI also says how we will consult on the Broads Plan.
- 1.2. Members endorsed and adopted an updated SCI in January 2020. The recent requirements for social distancing and reduced access to venues as a result of the COVID-19 pandemic mean that many of the ways we said we would engage with the public and stakeholders are difficult to achieve. The Government have stated that SCIs need to be amended if the approach set out in them is contrary to social distancing or access restrictions in place.
- 1.3. The draft SCI at Appendix 1 shows changes to the SCI adopted in January. We have not necessarily removed our usual approaches to consultation, but have provided some caveats about holding any consultation in line with any social distancing guidelines and access restrictions in place at the time of the consultation in question.

- 1.4. The NPPG is clear that these changes should be seen as temporary. Libraries and other venues may reopen soon to enable us to deposit hard copies of consultation documents, albeit there may be some access restrictions in place at those venues. As such, it may be necessary to update the SCI again in the near future, especially as we start to review the Local Plan.
- 1.5. Please note that the SCI went to the meeting of the Planning Committee in July. The deadline for this report was before that meeting was held and so any comments or proposed amendments will be reported to Members at the Authority meeting.

2. Main changes to the SCI

2.1. The main changes to the SCI are as follows.

- a) We do not propose to consult on this SCI. There is no requirement to do so and the changes we are proposing are pragmatic responses to a global pandemic.
- b) Hard copies of documents will be placed in Yare House, and are likely to be available to view on an appointment only basis - see below for further details.
- c) We note that we hope to place hard copies in libraries where possible, rather than committing to doing so. As noted above, with access restrictions easing over time, libraries may reopen soon – see below for further details.
- d) Where we refer to drop in sessions, meetings or presentations, we will include the option to do so using video conferencing.
- e) We emphasise in various places why these changes are being made and that the precise approach to consultation will be set out in the document being consulted on, within the framework of the SCI. We make clear that we will need to consider the risks associated with COVID-19 social distancing and access restrictions when we say how we will consult on documents. Such restrictions are changing regularly.
- f) There are some changes to improve or correct the SCI that were noticed upon re-reading the document.

2.2. In terms of hard copies being made available, it is important to note the regulations¹:

35.— (1) A document is to be taken to be made available by a local planning authority when—

- a) made available for inspection, at their principal office and at such other places within their area as the local planning authority consider appropriate, during normal office hours, and
- b) published on the local planning authority's website

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012:
<http://www.legislation.gov.uk/uksi/2012/767/regulation/35/made>

- 2.3. As can be seen in (a), at the very least the document must be available at the Authority's head office, that is in the reception at Yare House. Viewing by appointment is how Great Yarmouth Borough Council is making their Local Plan consultation documents available for public view and we will may be able to take that approach as well, subject to finer details. The next consultation we intend to hold is on the Coastal Adaptation SPD, which is at this meeting to be endorsed. It is anticipated that consultation will be at the end of August. As this document is fairly short, we will place printed pages in the windows of Yare House and advertise this approach when we consult on the SPD.
- 2.4. Placing consultation documents in other venues is up to the Local Planning Authority. Normally, we use other venues such as councils and libraries in the area. However, as discussed above and in the SCI, we are temporarily removing this commitment. If access restrictions change and venues reopen to the public, we can place documents there.
- 2.5. We will improve the formatting of this document, so the final version on the website may look slightly different.

3. Financial implications

- 3.1. When documents are out for consultation, there will be costs associated with press adverts, venue hire and printing documents. We will seek best value through getting quotes for those expenses.

4. Risk implications

- 4.1. The main risk is whether consultations will meet the requirements of the regulations. While being unable to guarantee that documents will be placed in libraries is not ideal, making sure there is a hard copy at Yare House for public inspection meets these requirements. This approach is temporary, and when libraries are open again they can be used as consultation venues.
- 4.2. Another risk is about ensuring consultation documents are accessible to all. This is linked to 4.1 above and the SCI gives the option for people to request hard copies of the document to be sent to them.

Author: Natalie Beal

Date of report: 03 July 2020

Appendix 1 – Draft updated Statement of Community Involvement July 2020



Statement of Community Involvement

July 2020

CONTENTS

| | |
|--|----|
| 1. Introduction | 3 |
| 2. COVID19 | 4 |
| 3. Involving the community in planning policy | 5 |
| 4. Involving the community at the planning application stage | 17 |
| 5. Involving the community in producing the Broads Plan | 24 |
| 6. Neighbourhood Planning | 26 |
| 7. Planning help and advice available to the community | 30 |
| 8. Complaints procedure | 31 |
| 9. Reviewing the Statement of Community Involvement | 33 |
| 10. Data protection | 33 |
| Appendix A: Local Development Scheme | 34 |
| Appendix B: Venues around the Broads Executive Area | 35 |
| Appendix C: List of consultees (planning policy and Broads Plan) | 36 |
| Appendix D: Local Plan data privacy notice | 38 |

1. Introduction

1.1. What is a Statement of Community Involvement?

This Statement of Community Involvement (SCI) is the Broads Authority's formal policy to:

- i. Identify how and when local communities and stakeholders will be involved in the preparation of the ~~Broads Local Plan~~[Local Plan for the Broads](#) – the Planning Policy Officer is responsible for the production of this;
- ii. Set out community involvement in the consideration of planning applications – the Development Management Officers are responsible for determining planning applications and the Planning Administration Team are responsible for the receipt and processing of applications and fees; and
- iii. State how the community can inform the review of the Broads Plan (the strategic plan to manage the Norfolk and Suffolk Broads) – the Head of Governance is responsible for this ~~at the time of writing.~~

This SCI updates and replaces the ~~2014 SCI adopted in January 2020~~[SCI](#). The National Planning Practice Guidance (NPPG) required SCIs to be updated every 5 years. [However, since the adoption of the January 2020 SCI, access restrictions to prevent the spread of COVID19 has meant that Local Planning Authorities have had to rethink how to hold public consultations. Indeed, as set out in section 2 of this document, the Government has stated that Statements of Community involvement need to be amended.](#)

The SCI is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended). Section 18¹ states that:

- (1): *The local planning authority must prepare a statement of community involvement.*
- (2): *The statement of community involvement is a statement of the authority's policy as to the involvement in the exercise of the authority's functions under sections 13, 15, 19, 26 and 28 of this Act and Part 3 of the principal Act of persons who appear to the authority to have an interest in matters relating to development in their area.*

The SCI sets out the Authority's policy on consulting and involving people and organisations with an interest in the development and management of the Broads. The Authority must comply with the adopted SCI in preparing any planning document or when determining any planning application. The policy in the SCI will also be used to help inform the review of the Broads Plan.

1.2. Contact details

For more information about the Statement of Community Involvement, planning documents and applications in the Broads Executive Area, or the Broads Plan, please contact us:

Tel: 01603 610734

Email: PlanningPolicy@broads-authority.gov.uk
planning@broads-authority.gov.uk

¹ <http://www.legislation.gov.uk/ukpga/2004/5/section/18>

BroadsPlan@broads-authority.gov.uk

Post: Broads Authority, Yare House, 62-64 Thorpe Road, Norwich, Norfolk NR1 1RY

Website: www.broads-authority.gov.uk

2. COVID19

The NPPG has been updated to say²: '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 can continue'.

In the case of the SCI for the Broads Authority, **this states that we do place hard copies of consultation documents in libraries and other council offices, as well as in reception at Yare House. We do also say that we may hold open days, drop in events or present to groups. Because of social distancing and access restrictions related to COVID19, we need to amend this Statement of Community Involvement as we cannot currently fulfil these commitments.**

It should be noted that changes to this SCI that remove the commitment to place documents in libraries or other council offices, or promote ways to engage other than meeting people face to face, are considered to be temporary at the time of publication. It is hoped that soon we can start more direct consultation again and when this happen we will amend this SCI. It is also important to note that libraries may reopen and we may be able to place documents in them. Social distancing measures and other access restrictions may change over time. We will ensure that we set out how we will consult for the particular document that is subject to consultation, in line with this SCI.

² <https://www.gov.uk/guidance/plan-making#coronavirus>

2.3. Involving the community in planning policy

2.1.3.1. The local plan process

The Local Plan³ includes policies to help determine planning applications and also allocate some areas of land for certain land uses. When the Broads Authority reviews the Local Plan from around 2020/2021 we will review the adopted planning policies and look into other issues in the Broads Authority Executive Area. The process is set out in Table 1 below. A timeline showing the estimated date for the Local Plan review is [the Local Development Scheme](#) in [Appendix A](#). **Please note it is anticipated that this timeline will be amended more regularly than this SCI and so to see the most up to date version, please go here: <https://www.broads-authority.gov.uk/planning/planning-policies/development/supporting-documents-and-evidence->**

Over the coming years we will also produce and consult on some Supplementary Planning Documents (SPDs) and planning guides. We follow a set process for SPD production, consultation and adoption, and will produce guides in a similar way.

Table 1: Broads Local Plan Process

| | | |
|---|-----------------------|--|
| Sustainability Appraisal and Habitats Regulation Assessment | 1: Identify issues | Review existing policies and identify gaps in policies. |
| | 2: Collect evidence | Research what will inform the Local Plan. |
| | 3: Consult | Let stakeholders and the public know the Authority is producing the Local Plan and ask for their views on what it should cover. Minimum 6-week consultation period. (Regulation 18) |
| | 4: Prepare Draft Plan | Prepare a draft Local Plan with help from evidence and comments received. |
| | 5: Consult | Consult stakeholders and the public on the draft Local Plan for a minimum of 6 weeks. |
| | 6: Improve Plan | Consider consultation comments and any further evidence when improving the Local Plan. |
| | 7: Publish Plan | Consult stakeholders and the public on the improved Local Plan for a minimum of 6 weeks. (Regulation 19) |
| | 8: Submit | Assess consultation comments. If the Authority wants to improve the Plan further, stages 6 and 7 are repeated. If the Authority considers the Local Plan is sound, submit it to the Planning Inspectorate. (Regulation 22) |
| | 9: Examine | An independent Planning Inspector examines the submitted Local Plan. There may be Public Hearings. (Regulation 24) Modifications to the Local Plan will also be subject to consultation. |
| | 10: Adopt | If the Independent Planning Inspector finds the Local Plan sound, the Authority can adopt the Plan. (Regulations 25 and 26) |

³ <https://www.broads-authority.gov.uk/planning/planning-policies>

The public can take part in stages 3, 5 and 7. They can also take part in stage 9 if they made comments at stage 7 ([in terms of taking part in the Examination](#)). [Public can comment on modifications to the Local Plan, also as part of stage 9](#). The Authority can carry out extra consultation if needed.

2.2.3.2. Relationship of the local plan to other documents

The following diagram shows how various documents relate to the Broads Local Plan and explains what each document is for.



Sustainability Appraisal

A Sustainability [Assessment Appraisal](#) (SA), including a Strategic Environmental Assessment (SEA), must take place as part of the Local Plan process. The SA process will assess the social, environmental and economic effects of the Plan and this will help make sure that decisions made contribute to sustainable development. These documents are put together at the same time as the Local Plan and help to inform and shape the Local Plan policies.

For Supplementary Planning Documents (SPD), a SEA is completed which may use the SA criteria.

The first stage of the SA is to produce a Scoping Report. This identifies the key sustainability issues for the area through consultation and a review of literature and data. The Environment Agency, Natural England and [English Heritage](#)/[Historic England](#) must be consulted at this stage.

Following the Scoping Report, different versions of the SA are produced to go with each stage of the Plan making process. The SA assesses policies and proposals in the Plan and recommends improvements. The SA is published alongside the Local Plan and is also open to comment.

Habitats Regulation Assessment

The Habitats and Birds Directives protect sites of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within Europe. These European Sites include Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Offshore Marine Sites (OMSs), but at the moment there are no OMSs designated.

Articles 6(3) and 6(4) of the Habitats Directive (European Community 1992) require Habitats Regulations Assessment (HRA) of any plans or projects likely to have a significant effect on a designated feature of a European Site (European Commission 2002).

A Habitats Regulations Assessment assesses potential effects of a proposed plan on all European sites, both within and next to the plan area. It may also include an Appropriate Assessment (AA). The HRA (and AA) should make sure that a plan or project is only approved after determining it will not adversely affect the integrity of any European Site.

The HRA takes the following format:

- Evidence gathering - Identifying European sites in and next to the Broads designated area that may be affected. Research the qualifying features, site conditions, conservation objectives and other relevant plans or projects that might be relevant.
- Task 1 – Screening to decide if a policy is likely to have a significant effect. At this stage there should be enough information available to screen policies effectively.
- Task 2 – Appropriate Assessment and determining the effect on site integrity.

2.3.3.3. Duty to Cooperate and Statements of Common Ground

New legislation (Localism Act, section 110) sets out a 'duty to co-operate' which applies to all Local Planning Authorities, National Park Authorities and County Councils in England and to several other public bodies. The new duty means that councils and public bodies must '*engage constructively, actively and on an ongoing basis*' to develop strategic policies. Councils also have to consider joint approaches to plan making.

A statement of common ground records progress made by strategic policy-making authorities during strategic planning for cross-boundary matters. The statement records effective co-operation, or shows where it is not happening, throughout the plan-making process. It can be used at examination to prove that plans are deliverable over the plan period based on effective joint working across local

authority boundaries. For Local Planning Authorities, it is used as part of the evidence needed to show they have complied with the duty to cooperate.

More information can be found in the NPPG: <https://www.gov.uk/guidance/plan-making>

The NPPF and NPPG lists issues requiring cooperation as:

- The homes and jobs needed in the area;
- The provision of retail, leisure and other commercial development;
- The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and the provision of minerals and energy (including heat);
- The provision of health, security, community and cultural infrastructure and other local facilities; and
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

Certain other public bodies have to follow the duty to cooperate. These are prescribed in the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) as amended by the [National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013](#). The organisations that have a statutory duty to cooperate⁴ are:

- Environment Agency
- The Civil Aviation Authority
- The Homes and Communities Agency
- ~~English Heritage~~ [Historic England](#)
- The Office of Rail Regulation
- Natural England
- Norfolk County Council and Suffolk County Council
- Highways Agency
- New Anglia (Local Enterprise Partnership)
- Primary Care Trust⁵
- Marine Management Organisation

The Broads Executive Area covers parts of two County Councils and six District/Borough/City Councils:

- Norfolk County Council
- Suffolk County Council
- Broadland District Council
- Great Yarmouth Borough Council
- North Norfolk District Council
- Norwich City Council
- South Norfolk District Council
- East Suffolk Council

⁴ Please note that the regulations also refer to the Mayor of London and Transport for London but these are not relevant to the Broads Authority.

⁵ The Health and Social Care Act 2012 abolishes Strategic Health Authorities and other health bodies such as Primary Care Trusts. Instead there are newly established bodies, the clinical commissioning groups and the National Health Service Commissioning Board.

The Authority will ensure it 'engages constructively, actively and on an ongoing basis' with relevant organisations. Duty to Cooperate workshops are part of the Local Plan production process.

2.4.3.4. How we consult and engage

Advertising consultations

Depending on the consultation stage, we will use some or all the following advertising methods:

- Advertise and promote consultations on the Authority's website.
- Email or write to relevant organisations or individuals who asked to be on our consultation database.
- Display posters at suitable places around the Broads.
- Ask Town and Parish Councils and Councillors for their help letting people know about consultations.
- Use adverts or press releases to promote consultations in the local press or community magazines.
- Use social media (Facebook: <https://www.facebook.com/BroadsAuthority/> and Twitter: <https://twitter.com/BroadsAuth>) and information technology.

Methods of consultation

Depending on the type of consultation document, we will use some or all the following consultation methods.

Please note that not all of these approaches may be possible because of access restrictions or social distancing requirements. We will need to assess any risk associated with COVID19 in deciding how to engage with the public. We may use alternative approaches to our normal way of consulting. If we do hold events where we meet people in person, we will need to adhere to the social distancing rules in place at the time. Please check the consultation section of the relevant document to understand what approaches we will be taking.

- We may make presentations to certain groups or organisations. This could be in person or by using video conferencing.
- We may Attend Parish meetings if asked, particularly if they can be grouped or where there is a policy issue of local significance. This could be in person or by using video conferencing.
- We may hold open days or public meetings at accessible venues at times when most people will be able to attend. There could be potential in arranging such a 'meeting' using video conferencing (perhaps with the need to make appointments).
- Depending on any social distancing or other access restrictions in place, we would hope to be able to put printed documents in public venues around the Broads. Appendix B lists the usual venues. As a minimum, hard copies will be available at reception at Yare House and may be viewable by the public. For some documents, we may be able to attach them to windows so they can be read from outside the buildings. For other documents, documents will be viewable on an appointment basis (call the Broads Authority to check).
- We can print copies of the documents for individuals on request (we may have to charge a fee to cover costs and this will be set out in the consultation part of the document).
- We may deliver consultation summary leaflets to most homes in an area at certain

stages of the plan making process.

- Accept comments by email or post.
- [May p](#)ut up unstaffed displays (including summary posters) in public areas.
- [May S](#)end out questionnaires, either printed or online.
- Translate parts of documents or summary leaflets into other languages if needed.
- Provide braille or large print versions if needed.

Consultations are held for a set period. We will make sure that deadline dates and times are clear and well publicised. To be included in the consultation comments must reach us by the deadline. Late responses are kept on file, but are unlikely to influence the consultation document. At the formal stages of publication of a Local Plan, late representations are not 'duly made' and therefore cannot be used.

2.5.3.5. Who we consult

The Authority consults a wide range of people and organisations, under three main groups:

- Specific Consultees: These are the organisations we have to consult to comply with planning regulations. We also include the Local Enterprise Partnership (New Anglia) and the Local Biodiversity Partnership (Wild Anglia) as Specific Consultees.
- General Consultees: These are extra organisations that we think are relevant to the consultation. They may be national, regional or local organisations.
- Local Consultees: These organisations or individuals are local to the Broads.

See [Appendix C](#) for a list of consultees, correct at the time of writing and adopting this SCI document.

Some groups can be harder to engage with than others. These groups can include people whose first language is not English, people with disabilities, young people, older people and gypsies, travellers and travelling show people, and those who live on boats. Such groups may be unable or unwilling to engage in traditional consultation methods. Table 2 below explains how we will consult groups that can be harder to engage with.

[Please note that not all of these approaches may be possible because of access restrictions or social distancing requirements. We will need to assess any risk associated with COVID19 in deciding how to engage with the public. We may use alternative approaches to our normal way of consulting. If we do hold events where we meet people in person, we will need to adhere to the social distancing rules in place at the time. Please check the consultation section of the relevant document to understand what approaches we will be taking.](#)

Table 2 'Hard to engage' groups

| Group that may be harder to engage with | How we will consult these groups |
|---|---|
| Young people | We may attend school assemblies, produce consultation materials aimed at school-aged people, and/or put up displays at venues that young people attend, taking into account social distancing or access restrictions. |
| People with English not | We may put display posters in venues used by this particular group. We |

| Group that may be harder to engage with | How we will consult these groups |
|--|---|
| as their first language | may translate parts of documents or summary posters and questionnaires if needed. |
| People with disabilities | Make sure that open days or public meetings (if held) are held in accessible venues. Include organisations and individuals that represent this particular group in our General Consultees list (for example the Disabled Persons Transport Advisory Committee/Equal Lives). Provide large print and braille versions of consultation materials if needed. |
| Gypsies, travellers and travelling show people | Include organisations and individuals that represent this particular group in our General Consultees list (for example The National Federation of Gypsy Liaison Groups, The Showmen's Guild of Great Britain and Gypsy Roma Traveller Achievement Service) . Also include/ensure that our contacts at the District Councils invite comments from the Housing Teams of our Constituent Authorities . |
| Elderly people | Make sure that open days or public meetings (if held) are held in accessible venues. Include organisations or individuals that represent this particular group in our General Consultees list (for example Age UK Norfolk). Make sure that hard copies of documents are available in public venues, subject to social distancing and access restrictions . |
| Those who live on boats | Talk to residential boaters face-to-face (subject to social distancing and access restrictions) or drop off leaflets and other information as appropriate. Our Ranger team may also be able to help contact residential boaters. |

2.6.3.6. Consulting on different stages of different plans - who and how?

Different consultation methods suit different stages of the plan making process and the type of document being consulted. There are regulations that the Authority must follow, setting out who to consult, when and for how long, see Table 3. We may also add in extra stages of consultation.

We will try to avoid school holidays for consultations. If we can't avoid this we may extend the consultation period beyond the minimum required.

We prefer to let people know about consultations by email, and also receive comments by email, as this reduces postage costs and time. But we will send or receive communications by post if needed.

[The following table sets out how the various stages of consultation could be run.](#)

[Please note that not all of these approaches may be possible because of access restrictions or social distancing requirements. We will need to assess any risk associated with COVID19 in deciding how to engage with the public. We may use alternative approaches to our normal way of consulting. If we do hold events where we meet people in person, we will need to adhere to the social distancing rules in place at the time. Please check the consultation section of the relevant](#)

Table 3 Public consultation requirements of different plans

| Document | Stage | Length of Consultation | Who and how |
|---|------------------------------|------------------------|--|
| Sustainability Appraisal Scoping Report ⁶ | Before plans are started | 5 weeks | We will consult the Environment Agency, Natural England, English Heritage Historic England , New Anglia, Wild Anglia, Norfolk and Suffolk County Council and our six constituent districts. We will also consult the RSPB and Marine Management Organisation. |
| Broads Local Plan and Sustainability Appraisal ⁷ | Consultation (Regulation 18) | Minimum 6 weeks | <p>This is the first stage of consulting on a planning document, and consultation methods will be wide ranging.</p> <p>We will notify those on our consultation database, place e-documents on the website, <u>where possible</u> place printed documents in public venues⁸ around the Broads, <u>place hard copies in Yare House reception (likely to use a view by appointment system or documents map be attached to windows)</u> and <u>where possible</u> hold public events such as open days <u>either in person or using video conferencing (subject to social distancing and access restrictions)</u>.</p> <p>We will attend Parish meetings if asked (<u>where possible and subject to social distancing</u>), particularly if they can be grouped or where there is a policy issue of local significance. We may produce summary leaflets or surveys, present to specific groups (such as school assemblies) (<u>where possible and subject to social distancing</u>) and produce summary posters or unstaffed displays at suitable venues as needed.</p> |
| | Publication (Regulation 19) | Minimum of 6 weeks | <p>At this stage of consultation, we will notify those on our consultation database, place documents on the website and <u>where possible</u> place printed documents in public venues around the Broads <u>and place hard copies in Yare House reception (likely to use a view by appointment system or documents map be attached to windows)</u>.</p> <p>We will ask those who respond if they want us to let them know about the progress of the document as it is submitted, examined and</p> |

⁶ The Environmental Assessment of Plans and Programmes Regulations 2004: <http://www.legislation.gov.uk/uksi/2004/1633/contents/made>

⁷ The Town and Country Planning (Local Planning) (England) Regulations 2012: <http://www.legislation.gov.uk/uksi/2012/767/contents/made> and The Environmental Assessment of Plans

⁸ Regulation 35 of the 2012 regulations say that documents are made available when 'made available for inspection, at their principal office and at such other places within their area as the local planning authority consider appropriate, during normal office hours'.

| Document | Stage | Length of Consultation | Who and how |
|------------------------------------|-----------------------------|------------------------|---|
| | | | potentially adopted. |
| | Submission (Regulation 22) | - | At Submission stage, we must tell Specific and General consultees and those who asked to be kept informed that they can see the documents on the Authority's website and where possible at appropriate public venues <u>and place hard copies in Yare House reception (likely to use a view by appointment system or documents map may be attached to windows)</u> . We will also put a notice in the local press. |
| | Examination (Regulation 24) | - | Any consultee who made a representation and said that they want to attend the Examination in Public and speak at the public hearings will be told the date, time, venue and format of the hearings. <u>It should be noted that the Planning Inspectorate will use different ways of holding the hearings such as video conferencing to reflect the social distancing or access restrictions in place.</u> We will advertise the date, time, venue and format of the examination on our website and at public venues. The Inspector may also ask someone who has made a representation to provide further information to help their understanding. When we receive the Inspector's Report, we will place it on our website and where possible in public venues <u>and place hard copies in Yare House reception (likely to use a view by appointment system or documents map may be attached to windows)</u> , and contact those who asked to be kept informed. <u>If we need to consult on modifications to the Local Plan, we will do this in the same way as previous stages of consultation.</u> |
| | Adoption (Regulation 26) | - | As well as informing interested parties of adoption, we will place a notice in the local press, write to or email consultees, and where possible place information in public venues, <u>place hard copies in Yare House reception likely to use a view by appointment system or documents map may be attached to windows)</u> and on our website. |
| Statement of Community Involvement | Draft SCI | 5 weeks | There is no requirement to consult at this stage, <u>but the Authority will consult for about 5 weeks. We will notify those on our consultation database and place documents on our website. The final copy will be available at public venues. Once</u> |

| Document | Stage | Length of Consultation | Who and how |
|---|---------------------------|------------------------|--|
| | | | adopted, we will advise those on our consultation database that we have amended and adopted the SCI. We will place a copy on our website, advertise the adoption via social media and where possible have hard copies at public venues, but will have a hard copy at Yare House reception (likely to use a view by appointment system or documents map- may be attached to windows). |
| Supplementary Planning Documents ⁹ | Draft SPD (Regulation 12) | 4 weeks | We will notify those on our consultation database, place documents on the website, where possible place printed documents in public venues and place hard copies in Yare House reception (likely to use a view by appointment system or documents map- may be attached to windows) . We may hold public events such as open days (where possible and subject to access restrictions and social distancing). We may produce summary leaflets or surveys, present to specific groups (such as school assemblies) (where possible and subject to access restrictions and social distancing) and produce summary posters or un-staffed displays at suitable venues. We will ask those who responded if they want us to let them know when the Plan is adopted. |
| | Adoption (Regulation 14) | - | As well as informing the interested parties of adoption, we will place a notice in the local press, write to or email consultees on our database, where possible place information in public venues, place hard copies in Yare House reception (likely to use a view by appointment system or documents map- may be attached to windows) and on our website. |
| Guides | Consultation | Around 6 weeks. | We will notify those on our consultation database, place documents on the website, where possible place printed documents in public venues and place hard copies in Yare House reception (likely to use a view by appointment system or documents map- may be attached to windows) . We may hold public events such as open days (where possible and subject to access restrictions and social distancing). We may produce summary leaflets or surveys, present to specific groups (such as school |

⁹ The Town and Country Planning (Local Planning) (England) Regulations 2012: <http://www.legislation.gov.uk/ukxi/2012/767/regulation/12/made>

| Document | Stage | Length of Consultation | Who and how |
|----------|----------|------------------------|--|
| | | | assemblies) (where possible and subject to access restrictions and social distancing) and produce summary posters or un-staffed displays at suitable venues. We will ask those who responded if they want us to let them know when the Plan is adopted. |
| | Adoption | - | As well as informing the interested parties of adoption, we will place a notice in the local press, write to or email consultees on our database, where possible place information in public venues, place hard copies in Yare House reception (likely to use a view by appointment system or documents map- may be attached to windows) and on our website. |

2.7.3.7. What we do with the comments we receive

When you respond to a Planning Policy consultation, your comments will eventually be viewable by the public. This helps ensure a transparent planning system. We will check all comments before they are made public, to make sure that the language used is appropriate for a public audience (i.e. not offensive or inflammatory).

We will abide by data protection rules and will make sure that full personal details are not made publicly available. Names (and job titles and organisations where appropriate) will be made public in the list of consultation responses. We will deal with your personal data in line with GDPR requirements and section 9 and [Appendix D](#).

All comments received will be acknowledged and logged on our database. At the end of the consultation period, we will put together a summary document of comments received, our response, and details about how the comments will be used. We will explain clearly why we made our decisions. The report will be available on the planning policy pages of our website and in paper format on request (a fee may be charged for this). The report will be ready after a reasonable time following the end of the consultation period, allowing us time to read, consider and respond to all comments.

When we submit the Local Plan (or any other planning document) to the Planning Inspectorate to be examined, we must produce a Consultation Report. This report will include the comments received at all stages of the Local Plan production. It will explain how we used the comments and how they have affected the development of Local Plan policy.

We cannot guarantee that every comment will result in changes to the plan that is being consulted on. But we can guarantee that we will read every comment and provide a response saying what actions will be taken or we will explain if no action is taken.

2.8.3.8. How can people get involved?

We will advertise our consultations widely in many different ways, so that people can find out about consultations and tell us what they think. Anyone interested can get in touch with us and ask to be kept informed about particular planning documents or consultations. From time to time, we will contact consultees to see if they still want us to keep their details on our consultation database.

3.4. Involving the community at the planning application stage

The Broads Authority is the local planning authority for all land and properties within the Broads executive area. Therefore, the Authority is responsible for processing and managing most forms of development in the Broads¹⁰.

3.1.4.1. **Legislative** requirement to consult on planning applications

As well as consulting on strategic documents, the Broads Authority also has to consult the community on planning applications. The requirements are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2010.

3.2.4.2. **Pre-application discussions**

The Localism Act 2011 sets out requirements for consultation in the pre-application process, and the National Planning Policy Framework (NPPF) also encourages applicants to engage in this process. This can provide feedback at an early stage as to whether their application is likely to be acceptable in principle.

The NPPF says: 188. *Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.*

For all applications, we encourage pre-application discussions with our Planning Officers, who can offer guidance and advice on design and on the planning policies and regulations that may apply. They can also give advice about the type and level of information required to enable the Authority to validate and determine their application. We can also let the applicant know which organisations we will be consulting. This will give the applicant an opportunity to contact the organisations beforehand and address any concerns they may have. We can also advise if planning permission is not needed.

The NPPF says: 190. *The more issues that can be resolved at pre-application stage, the greater the benefits.*

Pre-application advice can:

- Help identify issues any developer should consider in formulating proposals including flood risk
- Help identify the level of supporting information and detail that should accompany the plans and forms required to be submitted with any formal application
- Avoid expensive mistakes being made at application stage
- Speed up processing of the application
- Make sure groups or individuals you must consult by law are engaged as early as possible
- Identify schemes which are unlikely to win support
- Avoid time spent on making an application if permission is not needed

¹⁰ <https://www.broads-authority.gov.uk/planning/planning-permission>

At the time of writing, this service is provided for free. If you want to take advantage of pre-application advice, please fill out the pre-application advice form found on the Authority's website¹¹.

3.3.4.3. Pre-application consultation

The Localism Act sets out the requirements for statutory pre-application consultation; the NPPF also encourages those not required by law to undertake community engagement. All applicants are encouraged to consult neighbours, the appropriate Parish/ Town Council and other local amenity bodies before submitting their application. How this is done will vary in proportion to the scale and nature of the development proposal. As a minimum, for minor applications we recommend the applicants consult immediate neighbours before submitting an application.

For major applications, such as those that may be controversial, on sensitive sites or significant in scale, we encourage developers to engage with the local community at an early (pre-application) stage in order to establish local issues and concerns that may need to be addressed in the application. How this is done is up to the developer, but we would encourage public exhibitions, public meetings, press releases and public notices.

Applicants will then be able to submit a Consultation Statement with their application.

Major applications are defined as residential development comprising 10 or more dwellings OR if the number of dwellings is unknown, the site area is 0.5 hectare or more; or any other use where the floor space proposed is 1,000 square metres or more OR if the site area is one hectare or more.

3.4.4.4. Local Development Orders

Local Development Orders are made by local planning authorities and give a grant of planning permission to specific types of development within a defined area. They streamline the planning process by removing the need for developers to make a planning application to a local planning authority.

On producing a Local Development Order, the regulations¹² state that the draft local development order and statement for reasons need to be made available in a similar way to those of the Local Plans. The venues as set out in [Appendix B](#) will therefore hold paper copies of the documents, and a copy will be posted on our website.

Where the draft local development order would grant planning permission for development specified in the order, the Authority will display in at least one place on or near to the site to which the order relates a notice (as set out in Schedule 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2010) and give every person whom we know to be the owner or tenant of any part of the site whose name and address is known to the authority, a copy of the Order.

¹¹ http://www.broads-authority.gov.uk/_data/assets/word_doc/0004/410269/Do_I_need_Planning_Permission_form.doc

¹² http://www.legislation.gov.uk/uksi/2010/2184/pdfs/uksi_20102184_en.pdf

The consultation will last a minimum of 28 days.

The Specific Consultees as set out in [Appendix C](#) will be consulted, as well as the following groups:

- Voluntary bodies some or all of whose activities benefit any part of the local planning authority's area;
- Bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area;
- Bodies which represent the interests of different religious groups in the local planning authority's area;
- Bodies which represent the interests of disabled persons in the local planning authority's area;
- Bodies which represent the interests of persons carrying on business in the local planning authority's area.
- Any person with whom they would have been required to consult on an application for planning permission for the development proposed to be permitted by the order.

3.5.4.5. Who will be consulted on planning applications and how?

Once an application has been submitted, the Authority is responsible for managing the consultation, determining who will be consulted and how long they will have to comment. The Authority carries out consultation for applications, even those when pre-application advice has been sought ~~to ensure there is no bias.~~

Depending upon the nature and location of the application, the Authority may consult various bodies and organisations to receive their views regarding the application. These can include the Environment Agency, Anglian Water, Natural England, Norfolk or Suffolk County Council Highways Departments, Norfolk Landscape and Archaeology Department, Norfolk or Suffolk Fire Service, Broads Society and others considered pertinent to the proposal.

The Authority may also consult internal officers for their specialist views. These can include the Ecologist, the Landscape Officer, the Historic Environment Manager, the Authority's Arboriculture Consultant and the Waterways and Recreation Officer. The Parish/Town Council is a statutory consultee and is always consulted.

For applications that relate to the use and enjoyment of the water space and/or affect navigation, the Authority will consult with relevant organisations that represent the various users of the Broads system.

These organisations/officers are consulted via email (or by post if no email address is provided to the Authority) with information as to how they can view the application online. Neighbours are consulted by post whilst Parish and Town Councils are sent an email informing them of the consultation period or sent a copy of the application by post if an email address is unavailable.

Some applications may have historic environment issues. On these occasions, the Authority will consult with Norfolk County Council Historic Environment Service, and [English Heritage Historic England](#) East of England Region as well as the Authority's Historic Environment Manager.

On occasion, planning applications are revised after they have been submitted, due to concerns raised by case officers or to address comments received from consultees or the public. Depending on the significance of the changes, the Authority ~~may~~ will re-consult with the Parish Council, neighbours and anyone else likely to be affected by the changes made. The usual time for response to amendments is 10 working days.

In addition to consulting neighbours and other Statutory Bodies, the Authority publicises planning applications and other submissions as set out in the Table below to ensure the local communities have a number of ways to find out what is being proposed in their area.

For all Local Planning Authority applications and consents submitted to the Broads Authority, we will:

- a) Send notification of the application to the respective District/Borough/City Council
- b) Display a notice of the proposal in a prominent position on or near the proposed site
- c) Consult, by letter or email, immediate neighbours, respective Parish Council and respective District/Borough/ City Council Ward [and County](#) Members
- d) Publish full details of the application on the Authority's website
- e) Make details of the application available for inspection at the Authority's head office during normal working hours. [Due to the restrictions arising from Covid-19 there will be specific arrangements and you may need to make an appointment to view these – please contact us to discuss this.](#)
- f) Consult any relevant statutory and non-statutory bodies

In addition to the above, we will give notice in a local newspaper of the following types of development:

- a) Works within a Conservation Area or within the curtilage of a listed building.
- b) A proposal [which is Environmental Impact Assessment development accompanied by an Environmental Statement](#)
- c) A proposal which is contrary to the Development Plan
- d) A proposal which affects a public right of way
- e) Major development, including development likely to be of interest to a wider number of people
- f) Telecommunications development

A Weekly List¹³ of new planning applications is issued each week to allow the public to stay up-to-date with applications submitted for sites within their local area.

¹³ <https://planning.broads-authority.gov.uk/online-applications/search.do?action=weeklyList>

3.6.4.6. How can people get involved in the application process?

Members of the public can get involved during the consultation period, by informing the Authority in writing of their views on proposals or by providing any relevant information they feel the Authority should know.

Applications are also discussed at Parish/Town Council Committee Meetings. Members of the public may be able to speak at these meetings. However it is advised that the Parish Clerk/Representative is asked for that Parish's protocol in respect of its 'planning meetings'

The Broads Authority's Planning Committee¹⁴ is also a public meeting and anyone is eligible to register to speak on an application, or turn up on the day to sit and listen.

3.7.4.7. How can I find out about planning applications in my area?

The Weekly List published on the Authority's website shows new applications registered within the Broads Authority's Executive Area. Site notices are another way to find out about planning applications. These are erected on or close to the application site in places accessible to the public from public footpath or highway. Press Notices are included in the local newspaper for applications as specified the box on the previous page.

3.8.4.8. How to comment on a planning application

Consultation letters, Site Notices and Press Notices will all include details of how to view the planning application and how to make comments on the application.

There is a statutory consultation period of 21 days from the date of the Site Notice or neighbour notification letter, or 14 days from the date of the press advertisement, for responses to be made. However, bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation for applications for development potentially affecting a SSSI. Any responses received during this consultation period are uploaded onto the Broads Authority's Public Access system and can be viewed by the wider public.

Comments on a planning application must be made in writing and can be submitted in three different ways:

- a) via the Broads Authority's Public Access system
- b) via email
- c) via post

3.9.4.9. What we do with the comments we receive?

We aim to acknowledge representations received from neighbours, Parish/Town Councils, District or other councillors and the Broads Society on undetermined applications within five working days of receipt. We will acknowledge representations from other bodies as appropriate.

¹⁴ <https://www.broads-authority.gov.uk/about-us/committees/planning-committee>

The Authority displays all comments received regarding an application on its website under the application's reference (although we will not include any inappropriate or offensive comments). These can be accessed by all members of the public.

The Planning Officer responsible for an application will take all comments received into consideration when making his/her recommendation. Where appropriate, comments received may result in amendments being made to the proposal and/or adding conditions to the decision notice. In some instances, comments received may result in the refusal of a proposal.

Every Planning Officer will ensure that any comment received is referenced in their final report on the proposal, whether or not further action has been taken as a result of the comment.

The determination of each planning application will either be made at Officer level under the Authority's Scheme of Delegation or by the Planning Committee. If the application is taken before the Planning Committee for determination, any comments or representations received will be brought to the attention of the Members.

3.10.4.10. Speaking at Planning Committee¹⁵

The majority of applications are not required to go before the Planning Committee to be decided, because they ~~fall within the are of a nature that enables them to be determined by the Authority's Head of Planning under the~~ Authority's Scheme of Delegation and can be determined by Officers.

For those applications that need to go to Planning Committee, the Planning Committee meeting is held around every 4 weeks, on a Friday morning at Yare House, 62-64 Thorpe Road, Norwich.

Members of the public, the Parish Council and Ward Member are eligible to speak at the Planning Committee, either as supporters or objectors and do not need to have provided comments during the initial consultation period. Attendance by the applicant/agent is also encouraged. Anyone who wishes to speak regarding an application must register with the Committee Clerk, preferably 3 days prior to the ~~day-commencement~~ of the Meeting.

Each speaker will be given a maximum of 5 minutes. If more than one objector/supporter ~~from a group~~ wishes to speak, then a total of 5 minutes will be allocated to ~~that group~~ those people. However, it is advised that a group nominate a single spokesperson due to the limited speaking time. The Committee Clerk will advise whether there are other interested parties who have requested to speak.

It is advised that your speech should be brief and to the point, referring to relevant planning issues. Illustrative material is permitted to clarify issues, but it would be useful to discuss this with us and submit it prior to the meeting.

Full details, including Committee agenda papers, Committee Minutes and planning decisions, are published on our website at www.broads-authority.gov.uk/Planning.

¹⁵ https://www.broads-authority.gov.uk/data/assets/pdf_file/0005/414887/PUBLIC-SPEAKING-September-2018.pdf

3.11.4.11. Sources of planning advice

Planning Aid

Planning Aid provides free, independent and professional advice to those who are unable to pay professional fees. See section 6 for more details.

Planning Portal

The Planning Portal is the Government's website that offers clear guidance on the planning system in England and Wales. The website also allows you to submit online planning applications to the Council. The website is available to view at www.planningportal.gov.uk.

.GOV.UK

There is also lots of information on the Government website: <https://www.gov.uk/planning-permission-england-wales>

4.5. Involving the community in producing the Broads Plan

4.1.5.1. The Broads Plan

The Broads Plan is the strategic plan to manage the Norfolk and Suffolk Broads. It sets out a vision, long-term aims and short-term objectives for the Broads, and coordinates and integrates a wide range of strategies, plans and policies relevant to the area with the purposes and duties set out in the Broads Act. The Broads Plan is a plan for the Broads, not just for the Broads Authority. While the Authority is responsible for its production, a wide range of partners will take a lead or joint role in the delivery and monitoring of specific actions in the Plan.

The Broads Plan helps shape the planning policies adopted with the Broads Local Plan, and neighbouring Local Planning Authorities need to have regard to it when adopting their own planning policies. The Broads Plan may also be a material consideration in making decisions on individual planning applications.

4.2.5.2. Reviewing the plan

The Authority is required to review the Broads Plan at least once every five years and update it as appropriate.

Each stage of the review process will involve working with our officers and members, key statutory and delivery partners, and stakeholder groups and individuals with an interest in the Broads. Our Broads Engage web pages¹⁶ highlight the consultation methods we use regularly, including stakeholder workshops, committee and interest group meetings, focus groups, social media (Twitter and Facebook) one-to-one discussions, written consultations in paper and electronic formats, surveys and questionnaires, and public events in local venues around the Broads, including 'drop-in' area parish forums, [all subject to social distancing and access restrictions at the time](#). We will follow the process in Table 2 to engage with those who may be considered as 'hard to engage'.

Please note that not all of these approaches may be possible because of access restrictions or social distancing requirements. We will need to assess any risk associated with COVID19 in deciding how to engage with the public. We may use alternative approaches to our normal way of consulting. If we do hold events where we meet people in person, we will need to adhere to the social distancing rules in place at the time. Please check the consultation section of the relevant document to understand what approaches we will be taking.

The stages are a Broads Plan review are:

- Carry out preliminary scoping work to review the Plan's vision, aims and objectives, and assess outputs and outcomes since the Plan was adopted.
- Prepare a first draft Plan and publish it for public consultation for a period of 6-8 weeks. Consider comments received, and carry out additional internal and external consultation if needed.
- Prepare revised draft Plan and publish it for a 6-8 week period of public consultation.
- Prepare and publish final Plan.

¹⁶ Broads Engage: <https://www.broads-authority.gov.uk/about-us/how-we-work/broads-engage>

The draft and final versions of the Plan and associated documents will be made available in paper and electronic format, and in large print or audio formats on request. We will publish information about consultations on our website, through our social media including Twitter, Facebook and relevant blogs (for example, from the Chief Executive), in our visitor and toll payer newsletters, in the local press, [place hard copies in Yare House reception](#) and ~~through~~ [hopefully in](#) the public venues shown in [Appendix B](#).

4.3.5.3. Environmental report

The Broads Plan review is informed by an Environmental Report (combining Sustainability Appraisal and Strategic Environmental Assessment), which assesses any significant environmental, economic and social impacts of the Plan on conservation sites designated under the European Habitats Directive. This process will be run in parallel with the Plan review process.

5.6. Neighbourhood Planning

5.1.6.1. About Neighbourhood Plans

The Localism Act 2011 (as amended) makes provision for communities to prepare their own Neighbourhood Development Plans, which can add detail beyond that of the Local Plans and can include policies that can include additional, more local details reflecting local circumstances that is not appropriate for Local Plans to cover. These plans can set planning policies to guide future development in the parish. They must have regard to National Policy as well as be in general conformity with any Plan that has been adopted by the Local Authority. They are community led and can be written by Town or Parish Councils, or where there is no Town or Parish Council by a specially created Neighbourhood Forum.

5.2.6.2. Neighbourhood Plans - 'cans' and 'cannots'

A Neighbourhood Plan *can*...

- Decide where and what type of development should happen in the neighbourhood (alongside the Local Plan);
- Promote more development than is set out in the Local Plan; and
- Include policies: For example, regarding design standards provided the Neighbourhood Plan policies do not conflict with the strategic policies in the Local Plan.

A Neighbourhood Plan *cannot*...

- Conflict with the strategic policies in the Local Plan prepared by the LPA;
- Be used to prevent development that is included in the Local Plan; and
- Be prepared by a body other than a Parish or Town Council or a Neighbourhood Forum.

5.3.6.3. Neighbourhood Plans produced by parishes in The Broads

There are no parishes wholly within the Broads Executive Area. Each parish that is partly in the Broads, where the Broads Authority is the LPA, will also have a part within one of the Authority's constituent council areas, with that council being the LPA.

5.4.6.4. Producing a Neighbourhood Plan

While the Neighbourhood Plan will be written by the community, the Local Planning Authority (LPA) still has a role to play. The Authority and its constituent councils work together to assist the community in producing a Neighbourhood Plan. The Council usually leads on the Local Planning Authority's side of producing the Neighbourhood Plan, usually because the majority of the area of a Parish is not in the Broads Executive Area, but also because the Council will eventually run the referendum stage of production.

That being said, both the Authority and the other Council need to undertake the required formal stages in line with their particular procedures. Table 4 summarises the process¹⁷.

¹⁷ More detail on the process of producing a Neighbourhood Plan can be found here <https://www.gov.uk/guidance/neighbourhood-planning--2#key-stages-in-neighbourhood-planning>

Table 4 Explanation of the Stages of Neighbourhood Plan Production

| Stage | Explanation |
|--|--|
| Designating a Neighbourhood Area or Neighbourhood Forum | <p>If the application is for an entire parish, then the LPAs designate the Neighbourhood Plan.</p> <p>If for an area different to an entire parish, the Council and the Broads Authority will advertise the application for six weeks. The Council will probably lead on contacting particular consultees, with the Authority providing relevant contact details. The Authority will advertise the consultation on its website.</p> <p>On completion of the consultation (if required) , the Authority and Council designate the Neighbourhood Area or take the decision to designate the Neighbourhood Forum. At the meeting of the full Authority, the majority of the Authority’s formal involvement in the production of a Neighbourhood Plan is delegated to the Planning Committee.¹⁸</p> |
| Pre-submission publicity and consultation | <p>The qualifying body (Parish Council or Neighbourhood Forum) publicises the draft plan or Order and invites representations and consults the consultation bodies as appropriate. The Authority and Council help. The Authority will place the consultation document on its website and in its Head Office reception. <u>Due to current restrictions, this is likely to be via a view by appointment system or documents may be attached to windows.</u></p> |
| Submission to the local planning authority and publication | <p>The Authority and Council checks that the submitted proposal complies with all relevant legislation. If the plan meets the legal requirements, the Authority and Council publicise the proposal for a minimum of 6 weeks and invite representations, and appoint an independent examiner (with the agreement of the qualifying body).</p> |
| Submission to Independent Examiner and Examination | <p>The Neighbourhood Plan and representations are sent to the independent examiner, who undertakes the examination. The independent examiner issues a report to the local planning authority and qualifying body. The Authority and Council consider the report and reach their own view – to proceed to referendum or not.</p> |
| Referendum | <p>On deciding to proceed to referendum, the Council organises and runs the referendum. <u>It is important to note that as a result of COVID19, the NPPG has postponed all referendums until 5 May 2021 and it is deemed that prior to referendum, if the Local Planning Authority has decided to proceed to referendum, the Plan can have significant weight.</u></p> |
| Making the neighbourhood plan | <p>The results of the referendum are reported to the full Authority. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act</p> |

¹⁸ <https://www.gov.uk/guidance/neighbourhood-planning--2>

| Stage | Explanation |
|-------|---|
| | 2004 requires that the Local Planning Authority must make the neighbourhood plan if more than half of those voting have voted in favour of the plan being used to help decide planning applications in the plan area. |

Once the neighbourhood area is approved, the Authority and Council are legally required to provide support and advice covering such issues as planning matters and advice on the legal requirements for producing a Neighbourhood Plan. The Authority and Council are also responsible for checking that the submitted Neighbourhood Plan has followed the proper legal process, publicising the proposed plan and arranging for the independent examination and referendum to take place. The NPPG sets out the role for the LPA: <https://www.gov.uk/guidance/neighbourhood-planning--2#the-role-of-the-local-planning-authority-in-neighbourhood-planning>

5.5.6.5. How the community is involved in the process

The community are formally involved in the following stages. The Neighbourhood Forum/Parish Council may involve the community in other ways at other stages of the Neighbourhood Plan production.

Table 5: Community involvement in neighbourhood planning process

| Stage | Length of time | How and who? |
|-----------------------------|---------------------------|--|
| Pre-submission consultation | 6 weeks | Relevant consultees are invited to comment on the draft Neighbourhood Plan. The draft plan is displayed on the Authority's website. A hard copy is displayed at the Authority's head office (due to current restrictions this is likely to be a view by appointment system or documents may be attached to windows). |
| Publication | 6 weeks | Relevant consultees are invited to comment on the publication version of the Neighbourhood Plan. The draft plan is displayed on the Authority's website. A hard copy is displayed at the Authority's head office (due to current restrictions this is likely to use a view by appointment system or documents may be attached to windows). |
| Referendum | One day only to cast vote | Those who live in the Parish and are over 18. Polling stations for each ward of a Parish. Run by the Council. See above and the NPPG change regarding referendums in light of COVID19. |

5.6.6.6. More information

For more information, visit these useful websites:

Locality:

<https://locality.org.uk/>

Forum for Neighbourhood Planning:

<https://neighbourhoodplanning.org/>

Community Knowledge Hub:

<http://planning.communityknowledgehub.org.uk/>

Government Guidance:

<http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>

Planning Help:

<http://www.planninghelp.org.uk/improve-where-you-live/shape-your-local-area/neighbourhood-plans>

Planning Advisory Service:

<https://www.local.gov.uk/pas/pas-topics/neighbourhood-plans>

Localism Act and Neighbourhood Planning:

<http://www.legislation.gov.uk/ukpga/2011/20/part/6/chapter/3>

6.7. Planning help and advice available to the community

6.1.7.1. Introduction

Planning Aid is a voluntary service linked to the Royal Town Planning Institute (RTPI) that offers free independent professional advice on planning issues. Planning Aid is provided to support community groups and individuals who have limited resources to participate effectively in planning matters.

6.2.7.2. What type of service is provided by Planning Aid?

The current remit of Planning Aid involves advising community groups in negotiations with the Local Planning Authority and, if necessary, representing the groups at examination.

Planning Aid England can help individuals and communities to:

- Understand and take part in the planning system
- Take part in the preparation of plans
- Comment on planning applications
- Apply for planning permission
- Appeal against a decision
- Help individuals represent themselves at appeals or public enquiries

Every part of the UK is covered by Planning Aid, with each region having its own service. Developers should consider contacting Planning Aid for advice about appropriate engagement techniques.

7.3 contact and more information

Planning Aid England can be contacted on 020 7929 8338 (although no advice given over the phone) or fill out the on-line form: <https://planningaid.zendesk.com/hc/en-us/requests/new>. Further information can be found on the RTPI website at <https://www.rtpi.org.uk/planning-aid/>.

Information regarding the planning system can also be found on the Government planning portal website at www.planningportal.gov.uk.

7.8. Complaints procedure

We operate a three-stage procedure¹⁹ to ensure complaints about our services and performance are dealt with impartially, objectively and professionally.

8.1 Stage one: informal complaints

Initially you may wish to informally contact a senior manager for the area of work where you have a complaint or comment. Alternatively, if you telephone the Broads Authority and explain that you wish to make a complaint, you will be put through to the senior member of staff best able to deal with your concerns.

As a further option you can email the Authority via our contact form. By approaching the Authority in this way, your concerns will be dealt with efficiently and every effort made to resolve your complaint. You will be provided with a written reply to email or written informal complaints within 10 working days of receipt. This applies to telephone informal complaints that cannot be resolved at the time.

8.2 Stage two: formal complaints

Please submit a formal complaint by completing and submitting a formal complaint form which will be forwarded to the relevant director. You will be sent an acknowledgement within three working days of receipt.

When a director receives a formal complaint, it is their responsibility to consider the whole complaint objectively and with professionalism. You will get a detailed reply in writing within 10 working days, identifying whether your complaint is upheld or not. If it is not possible to respond in full within 10 working days you will be sent a letter explaining why and be given an indication of when the response will be ready. The reply will include details of how to take the matter forward should you remain dissatisfied.

8.3 Stage three: Chief Executive review

Your request to proceed to the Chief Executive's Review Stage is normally only available if you have been through the Formal Complaints Stage process. Your complaint should be in writing and addressed to the Chief Executive stating your request for a Chief Executive's Review of your complaint. An acknowledgement letter will be sent within three days of receipt and a detailed reply will be sent within 20 working days. If it is not possible to respond in the timescale you will be sent a letter explaining why.

This is the last stage in the Authority's complaint process and it requires the Chief Executive to review your complaint in an impartial manner, undertaking a full and independent review of your concerns. If he considers it helpful, he may seek the assistance of the Authority's Monitoring Officer and may seek direction from the appropriate committee.

Please note that if your Formal Complaint concerns action that the Chief Executive has taken, your Formal Complaint will be reviewed by the Chairman of the Authority. An acknowledgement letter will be sent within three days of receipt and a detailed reply will be sent within 20 working days. If it is not possible to respond in the timescale you will be sent a letter explaining why.

¹⁹ <https://www.broads-authority.gov.uk/contact-us/comments-and-complaints/how-to-complain>

8.4 What happens next?

The Authority wants to improve service and resolve problems as quickly as possible. If your complaint is upheld, you will receive a written apology and explanation of action taken to prevent a similar thing happening again.

8.5 What if I am still not satisfied?

The reply from the Chief Executive or Chairman will set out your right to contact the Commission for Local Administration in England (the Local Government Ombudsman). If you consider your complaint was made because the Authority had not followed procedures correctly and may have caused you an injustice, the Local Government Ombudsman can be contacted at the Oaks, Westwood Way, Westwood Business Park, Coventry, CV4 8JB. The website address is www.lgo.org.uk.

Other complaints procedures²⁰

Our three-stage complaint procedure covers complaints about services and performance of the Broads Authority. However, if your complaint falls into one of the categories below, a different system is in place.

Maladministration

For complaints about administrative matters you can contact the Local Government Ombudsman. The Ombudsman usually prefers that an attempt has been made to resolve the complaint using the Authority's complaints scheme.

Member Code of Conduct

Complaints about conduct of a member or committees can be made formally by writing to the Monitoring Officer, Broads Authority, Yare House, 62 – 64 Thorpe Road, Norwich, NR1 1RY. Alternatively, you may raise the matter informally with the Solicitor and Monitoring Officer. The Code of Conduct for Members and Complaints Procedure, and Complaints Form provides guidance on this matter.

Financial Wrongdoings

The Treasurer and Financial Adviser, Chief Executive, and/or Monitoring Officer will investigate a matter if your complaint is about financial wrongdoings by the Broads Authority.

Unlawful Behaviour or Action

The Authority's Monitoring Officer will investigate a complaint if there is a concern about unlawful behaviour or action by the Broads Authority itself. In addition:

- if a complaint suggests criminal behaviour the matter will be reported to the Police
- applicants for planning permission have a legal right to appeal in the case of planning decisions with which they disagree. Details of appeals are included in the letter of refusal sent to the applicant.

Unreasonable Complainant Behaviour

A small number of complainants can be considered unreasonably persistent and/or vexatious; the Policy on the Management of Unreasonable Complainant Behaviour identifies these situations and outlines how they are responded to.

²⁰ <https://www.broads-authority.gov.uk/contact-us/comments-and-complaints/other-complaints-procedures>

8.9. Reviewing the Statement of Community Involvement

8.1.9.1. Reviewing and revising the SCI

The SCI will be kept under review. Revisions will be made only if there are new groups we wish to engage with or where the regulations relating to public consultation change. It will be reviewed in five years' time (2024⁵) at the latest, [but potentially earlier than that.](#)

9.10. Data protection

9.1.10.1. Data protection

The Broads Authority is registered under the Data Protection Act 1988 for the purpose of processing personal data in the performance of its legitimate business. The information held by the Authority will be processed in compliance with the principles set out in the Act. When we consult on documents, we will send out the information sheet at [Appendix D](#) that says how we will treat data we receive.

Appendix B: Venues around the Broads Executive Area

Please note that we cannot guarantee that hard copies will be placed at these venues as it will depend on access restrictions and social distancing requirements as a result of COVID19. This may change as access restrictions and social distancing may change. Hard copies will be available at Yare House reception, with specific arrangements such as ~~probably~~ on an appointment basis.

Libraries

Acle Library
Beccles Library
Brundall Library
Bungay Library
Cromer Library
Great Yarmouth Library
Loddon Library
Lowestoft Library
Oulton Broad Library
Norwich Millennium Library
Stalham Library
Wroxham Library

Local Authority Offices²¹

Broads Authority Offices, Yare House, 62-64 Thorpe Road, Norwich ([call to check as you may need to make an appointment](#))

Broadland District Council Office, Yarmouth Road, Norwich

Great Yarmouth District Council Offices, Town Hall, Great Yarmouth

North Norfolk District Council Offices, Holt Road, Cromer

South Norfolk Council Offices, Swan Lane, Long Stratton

East Suffolk Council, the Marina Customer Service Centre, Lowestoft

Norfolk County Council, County Hall, Norwich

Suffolk County Council, Endeavour House, Ipswich

~~Broads Authority Tourist Information Centres~~

~~Whitlingham Visitor Centre, Whitlingham Lane, Trowse — up until March 2020.~~

²¹ We no longer leave documents at Norwich City Council's offices as there is no reception and also as the Forum is next door.

Appendix C: List of consultees (planning policy and Broads Plan)

At the time of writing, all those on the consultation database are being contacted to see if they wish to remain on it, and to confirm their details. As such, this information is correct as at November 2019 following a review of the contact database whereby people were asked if they wanted to stay on it or not. From time to time, other organisations may be added to the consultation list.

Specific Consultees

Norfolk County Council

Suffolk County Council

Highways England

Natural England

Homes and Communities Agency

Network Rail

[English Heritage](#)[Historic England](#)

Clinical Commissioning Groups

Neighbouring District Councils

Norfolk and Suffolk Constabulary

Marine Management Organisation

The Environment Agency

NHS STP Estates

Town and Parish Councils partly within the Broads Executive Area

Coal Authority

Relevant electricity and gas companies

Local Enterprise Partnership (New Anglia)

Relevant Telecommunications Companies

Local Nature Partnership (Wild Anglia)

Relevant sewerage and water undertakers

General Consultees

Age UK Norfolk Arts Council England (South East)

Broadland Older People's Partnership

CPRE Norfolk

Crime Prevention and Architectural Liaison

Officer Norfolk

Equal Lives

Forestry England (East England Conservancy)

GeoSuffolk

Historic Environment Service

Home Builders Federation

Landowners, agents, developers and Housing

Associations operating in the area

MEPs - Eastern Region

MPs

National Farmers Union)

Norfolk Constabulary

Norfolk Farming & Wildlife Advisory Group

Norfolk Geodiversity Partnership

Norfolk Wildlife Trust

Public Health – Norfolk and Suffolk

RSPB Eastern England

Sport England - Eastern Region

Suffolk Archaeological Service

Suffolk Coalition of Disabled People

Suffolk Constabulary

Suffolk Wildlife Trust

SUSTRANS

The Crown Estate

The Traveller Movement

Train Operating Companies

Water Management Alliance

Local Consultees

AONB groups

Chambers of Trade

Civic societies

Local businesses

Local interest groups

Local partnerships

Local residents

Residents associations

Schools

County Council and Ward Councillors

Consultees specific to the Broads

Association of Inland Navigation Authorities

British Assoc of Shooting and Conservation

British Canoeing

British Horse Society

British Reed Growers Association
British Waterski
Broads Angling Services Group
Broads Hire Boat Federation
Broads Local Access Forum
Broads Reed and Sedge Cutters Assn
Broads Society
Broads Tourism
Brundall Riverside Estate Association
Butterfly Conservation - Norfolk Branch
Campaign for National Parks
Community Action Norfolk

Eastern Rivers Ski Club
Eastern Regional Rowing Council
Hire Boat operators
Inland Waterways Association
Nancy Oldfield Trust
Norfolk & Suffolk Boating Association
Norfolk Heritage Fleet Trust
Norfolk Windmills Trust
Oulton Broad Water Sports Centre
The Broads Trust
Yare Users Association

Appendix D: Local Plan data privacy notice

This consultation document and consultation process have been developed to adhere to the Broads Authority's Statement of Community Involvement²².

Information provided by you in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), and the Environmental Information Regulations 2004).

Are you satisfied that this consultation has followed the Consultation Principles? If not, or you have any other observations about how we can improve the process, please contact us at planningpolicy@broads-authority.gov.uk.

Annex A: Privacy notice

Personal data

The following is to explain your rights and give you the information you are entitled to under the Data Protection Act 2018. Our Data Protection Policy can be found here: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0003/1111485/Data-Protection-Policy-2018.pdf.

The Broads Authority will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will be made publicly available as part of the process. It will not however be sold or transferred to third parties other than for the purposes of the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Broads Authority is the data controller. The Data Protection Officer can be contacted at dpo@broads-authority.gov.uk or (01603) 610734.

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters. We will also contact you about later stages of the Local Plan process.

3. Our legal basis for processing your personal data

The Data Protection Act 2018 states that, as a Local Planning Authority, the Broads Authority may process personal data as necessary for the effective performance of a task carried out in the public interest, i.e. a consultation.

4. With whom we will be sharing your personal data

Your personal data will not be shared with any organisation outside of MHCLG. Only your name and organisation will be made public alongside your response to this consultation.

Your personal data will not be transferred outside the EU.

5. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for 16 years from the closure of the consultation in accordance with our Data and Information Retention Policy. A copy can be found here <http://www.broads-authority.gov.uk/about-us/privacy>.

²² Our current SCI is here: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/576609/Final-Adopted-Statement-of-Community-Involvement-November-2014.pdf

6. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a) to see what data we have about you
- b) to ask us to stop using your data, but keep it on record
- c) to ask to have all or some of your data deleted or corrected
- d) to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

7. Your personal data will not be used for any automated decision making.