



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

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Minutes of the **MEETING of the GROWTH, INFRASTRUCTURE AND RESOURCES SCRUTINY COMMITTEE** held via Zoom on Thursday, 13th August, 2020 at 7.00 pm

Present: Mr N Begy
Mr D Blanksby
Mrs J Fox (Chair)
Miss M Jones
Ms A MacCartney
Mrs K Payne
Mr I Razzell

In attendance: Mr G Brown
Mr O Hemsley
Ms J Burrows
Mrs R Powell
Mr P Ainsley

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| Officers present: | Mark Andrews | Interim Chief Executive |
| | Penny Sharp | Interim Strategic Director for Places |
| | Roger Ranson | Planning Policy Manager |
| | Sharon Baker | Planning Policy Officer |
| | Phil Horsfield | Monitoring Officer |
| | Joanna Morley | Scrutiny Officer |

1 APOLOGIES

No apologies had been received.

2 RECORD OF MEETING

The minutes of the meeting held on the 11th June 2020 were agreed as a true record.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 PETITIONS, DEPUTATIONS AND QUESTIONS

The Chair announced that a number of deputations and questions had been received and that in line with the virtual meetings procedure rules, these had been added to the agenda pack and a copy of all of them had been circulated to the committee to

consider. Written answers to the questions would be provided and appended to the minutes. The issues raised in the deputations would be referred to and discussed at item 8.

5 QUESTIONS WITH NOTICE FROM MEMBERS

No questions with notice had been received from Members.

6 NOTICES OF MOTION FROM MEMBERS

No notices of motion had been received from Members.

7 APPOINTMENT OF VICE CHAIR OF THE COMMITTEE

Councillor MacCartney was nominated for the position of Vice-Chair by Councillor Jones and this was seconded by Councillor Begy. There being no other nominations, a vote was taken and all committee members, with the exception of Councillor MacCartney herself who abstained, voted in favour.

RESOLVED

That Councillor MacCartney be **APPOINTED** as Vice-Chair of the Growth, Infrastructure and Resources Scrutiny Committee.

8 STATEMENT OF COMMUNITY INVOLVEMENT

Report No.97/2020 was received from the Interim Strategic Director of Places.

Councillor G Brown, Portfolio Holder for Environment, Planning, Property and Finance introduced the report the purpose of which was to consider the responses to the consultation undertaken on the draft revised Statement of Community Involvement which had been the subject of a non-statutory public consultation exercise.

The review of the Statement of Community Involvement (SCI) had been undertaken in order to:

- Encompass statutory changes to planning regulations for policy making, neighbourhood planning and development management and
- Allow national guidance in relation to Covid 19 to be incorporated into the SCI ensuring that the planning function could continue to operate within current restrictions.

During discussion the following points were noted:

- The Public had expressed concerns about the accessibility to the SCI for those residents without internet, however research showed that this applied to only a small number of people and accounted for approximately 8% of the Rutland population.
- The Council would look to Parish and Town Councils to help their residents access hard copies of the document in the most suitable way according to circumstance.
- Residents would also be able to make appointments at Catmose to view a hard copy.

- Councillor Begy felt that 8% of the population was still too high a figure and that despite the use of other media such as radio and press to communicate, the Council should write to every household explicitly explaining the way in which everyone could engage and access documentation.
- The SCI detailed the minimum engagement that the Council was obliged to deliver but it planned to do more including contacting all Council tax payers and businesses via post.
- Councillor Brown could not guarantee that all residents would be reached, although it would use its database of residents who had taken an interest in the Local Plan and also urge Parishes to help the Council identify residents and get the message across.
- In response to a deputation that had been received, Councillor Brown confirmed that the Parish Forum was not a constituted body and therefore not a place where they could make representations on the soundness of the SCI and the Local Plan. Parishes could instead call their own meeting and have the SCI as a specific agenda item.
- Over the last five months RCC had been well engaged with Parish Councils through the medium of the Parish Briefings and the fortnightly parish council conference call. These would continue throughout the consultation period.
- There were resourcing issues about accessing the documents at the three Rutland libraries outside of Oakham, two of which were open on a very limited basis. However discussions to enable this were ongoing with the relevant parish or town council.
- Committee members felt that there should be more engagement with young people and students as the Local Plan would be affecting their future. Varied and increased use of social media should be used to deliver this.
- Councillor Razzell, the Council's Armed Forces Champion, queried how the Council would be communicating with the Armed Services given their transient nature. Councillor Brown confirmed that visits to Kendrew and St Georges Barracks would be made but acknowledged that as some of the forces personnel were not Council Tax payers, not all of them would be reached by the proposed mail out.
- The resource required and the subsequent cost of contacting 100% of residents rose exponentially and therefore Councillor Brown felt that that the extent to which the Council committed to contacting every single resident had to be carefully considered. The Council had had 130 plus responses so far having identified and contacted relevant groups, including approximately 1700 residents via the Local Plan newsletter. In addition, although the Government had been clear that it did not require documents to be available at Council offices, RCC had implemented this.
- The Peer Review had identified that there needed to be improved communication between the County Council and Parish Councils and the new Interim Chief Executive, Mark Andrews planned to take up this issue.
- Roger Ranson, the Planning Policy Manager, in response to a question from Councillor MacCartney, confirmed that the Strategic Environmental Assessment (SEA) and the Habitats Regulation Assessment (HRA) would be included in the Supplementary Planning documentation and would be consulted on.
- Councillor Jones raised concerns outlined in a deputation which had criticised the questionnaire for containing leading questions and for contradicting the Gunning principles. Councillor Brown was therefore asked whether he felt that Scrutiny and full Council should have had an opportunity to discuss the questionnaire before it was issued. In response, Councillor Brown again stated that there was no legal requirement for the Council to go out to consultation on the proposed changes to

the SCI however the Council *had* undertaken a public consultation exercise and made changes in response to concerns raised.

- Regardless of the Covid crisis, there was not an option to delay the consultation as the Secretary of State, Robert Jenrick had made it very clear in his statements that Local Plans must proceed, and with haste, in order that housing building continued and homes could be delivered. The Secretary of State was to be kept informed of the Council's timetable for the Plan submission.
- The role of a Ward Councillor in the SCI process was to consult and discuss with their Parish Council and to share information with the Executive. The Leader, Councillor Hemsley feel that it was not the ward member's responsibility to contact every resident with limited internet access.
- The duty of the Council under the Equality Act to those with protected characteristics had been noted and a number of measures had been put in place to ensure that the impacts were minimised for those who had a protected characteristic. Councillor Brown pointed out that this had been a key consideration.
- Councillor Razzell wanted to make sure that the focus was not just on one particular area and that other Rutland communities ensured that their voice was heard as the Plan affected the whole of the County. Councillor Brown concurred and added that one of the advantages of Rutland was that every area, including those most isolated, was covered by a Parish Council or Meeting and therefore there was an opportunity for views to be fed in via them.
- Councillor MacCartney reminded Councillors that despite Robert Jenrick's request for Councils to 'move at pace', Rutland did currently have a Local Plan and therefore was not at risk of the secretary of state getting involved. Councillor Brown stressed that the Council needed to deliver 160 houses per year and whilst it had a 5 year housing supply at present, without adding additional sites it would come under increasing pressure. Without a five year housing supply there was a risk of inappropriate development plans anywhere within the County and the Council risked losing any objections on appeal.
- Councillors assured members of the public who were listening that all deputations had been considered carefully and formed the basis of their discussion tonight. In addition, all councillors were reaching out to residents so that their concerns could be heard.

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The Chair invited questions and comment from non-committee members.

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- Councillor Powell, welcomed the review by the new Chief Executive into the Council's engagement with Parishes. The point was also made that although it had been stated that less than 10% were without internet access, those who did have it often used phones and tablets on which it was difficult to download and view the detail of planning documents and plans. Therefore work with parishes should be done to make hard copies as accessible as possible.
- It was not the Council's plan to provide hard copies of planning applications, except where it was a significant development and major application, due to the cost involved. However every Parish Council or Meeting would receive one hard copy of the Regulation 19 documentation as a matter of course and further copies if they were needed.
- Copies of documents could always be requested but a fee would be charged.

RESOLVED

That the Committee **RECOMMENDS** that Cabinet should, as part of adoption of the amended and revised Statement of Community Involvement;

1. Write to all Rutland households to explain the various ways in which they can respond to the consultation.
2. Review the use of social media in particular the channel mix being used.
3. Encourage Parish Councils either via the Parish Council Forum or through the fortnightly briefings to explore best practice in providing the most appropriate access for their residents who don't have access to the internet.
4. Constantly review how the Council is engaging with its residents, and articulate what good engagement looks like, including the setting of attainment targets for consultation response.
5. Increase communication with schools to engage pupils.

9 DATE OF NEXT MEETING

The next meeting of the Growth, Infrastructure and Resources Scrutiny Committee would be held on Thursday, 22 October 2020.

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Chairman closed the meeting at 8.40pm.

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Minute Item 10

Questions from Councillor Begy and their responses:

1. Does the help from the Planning Officer extend beyond simply helping accessing documents via some means? Filling in the forms and questions? ie - tests of soundness and legal compliance?

Yes, as a last resort and if necessary it will be possible to dictate a response over the phone to a planning officer but we will also provide advice and guidance on all aspects of what the consultation is about and how a customer can be best equipped to respond to this.

2. Will calls go through the main switchboard or will there be a dedicated phone number for these calls?

Customer service - telephone 01572 722577

3. What day/hours will this line be manned at the Catmose Offices? Will this include Saturday/Sundays if the libraries are unable to be used?

Yes, we will have slots for the inspection of documents at Catmose during normal office hours and will use libraries when open if this is possible and practicable to do so.

4. What will be the response time target between the first call and the call back by the planning officer?

CST will be taking the initial call and providing a call back request to the local plan team to respond the next day; this will be on basis of a morning or afternoon call

5. Will the caller be given a time for the call back, will this be limited in any way, ie morning or afternoons only? A lot of elderly people prefer to use a landline and it is not reasonable for them to sit by the phone waiting for a call back if a time is not given.

Call back request will be offered in the morning or afternoon

6. If a call back is made but no reply, will the Planning Officer try a second/third time?

Yes – they will keep on trying until contact is made and will record failed calls

7. If a caller has internet access but still needs help, will they go through the same triage system?

We will encourage them to access documents via the internet and encourage them to email if they have queries for Planning Officers.

8. Are any arrangements in place for callers who can only call or take a call back outside of office hours?

No

9. Will a daily records of all calls be made, including a planning officer response log?

Yes, all call back requests and emailed enquiries will be logged by the Local Plan team

If we can answer these points, I will in the main be happy all residents remain connected.

It is worth noting a point spotted by Miranda, that the level of engagement to this paper compared to the last time this was consulted on is about 10 times higher, so by definition we must be better at community engagement.

Responses to questions put to the Growth, Infrastructure and Resources Scrutiny Committee – 13 August 2020

Please see full text of items appended to the agenda under item 5: Petitions, Deputations and Questions

1. Points made by the Rutland Parish Council Working Group

The proposed changes to the SCI are the minimum requirement for Local Plan consultation to take place whilst Covid-19 restrictions remain in place. The Parish Forum is an un-constituted body which is chaired by the Chairmen of the County Council. The Forum was not established for the purpose of responding to consultations and therefore does not have a role in making representation. Each individual Town and Parish Council and Parish Meeting is individually consulted in their own right as a statutory consultee. The parish briefings originally set up by the Council as part of Covid-19 arrangements offer an opportunity for parish councils to ask questions and communicate with the Parishes. However, the SCI allows flexibility to use forums such as the Parish Forum to engage different groups in the process.

2. Question from Mrs Sharon Ashworth

“Given that the scrutiny committee did not have sight of the consultation questionnaire for the Statement of Community involvement before the process started, how many members of the scrutiny committee took the time to respond to the consultation?”

We are not aware that any members of the scrutiny formally responded to the consultation.

3. Questions from Mr J Orme

“Is the Committee satisfied that officers have fully analysed and set out the considerations which ought to be taken into account in finalising the SCI in relation to the Parish Council Forum?”

“If so, does the Committee agree with the conclusion that the SCI not be amended in respect of the Parish Council Forum?”

“If so, how does the Committee propose that the Council avoid damage to the Council’s reputation”

It is accepted by the Scrutiny Committee that the SCI allows sufficient flexibility to use forums such as the Parish Forum to engage different groups in the Local Plan consultation process.

4. Question from Mrs C. Gwilliam

“How useful is an acknowledgment in the SCI that limited telephone contact is available and is this evidence enough to satisfy the duty on Local Authorities?”

The SCI makes clear that telephone contact is available and it satisfies the duty on Local Authorities. Customer Services will be taking initial calls and providing a call back request to

the Local Plan team to respond the next day; this will be on the basis of a morning or afternoon call. Planning Officers will then keep trying until contact is made and will record failed calls.

5. Question from Melanie Mansell

“Given that one of the Gunning principles require that ‘conscientious consideration’ must be given to the consultation response, and that there have been some serious challenges to the legality and appropriateness of the consultation, are the scrutiny committee satisfied that the leading nature of question 3 has not unfairly influenced those people who took the time to respond?, and to what extent does this render the Consultation on the Statement of Community Involvement ineffective?”

The Scrutiny Committee are satisfied the SCI consultation meets the Gunning Principles. Although there is no statutory requirement to undertake consultation on the SCI, consultation was undertaken following the 2012 Planning Regulations. The SCI consultation document clearly sets out the changes and why they’re being made. Furthermore, the changes proposed are necessary to reflect legislative changes and the restrictions during the current pandemic. The consultation on the SCI is considered appropriate and proportionate, particularly given that it relates to the minimum methods of consultation with the community and as such undertaken in accordance with the Government’s code of recommended practice on Local Authority publicity and aligned with the Gunning principles.

6. Question from Mr P. Gwilliam

There are 3 strands to my question to scrutiny -

1. The cabinet have seemingly made it unnecessary difficult for the scrutiny committee to do their job in the way the information on the proposed changes to the SCI have been presented. Why is this and what can be learnt?
2. What is the view of each and every committee member on this point and is there any agreement amongst the committee members?
3. Do committee members feel they understand the reasons for endless changes, corrections and tidy ups to fully consider the draft revised SCI?

The Committee Members understand the reasons for the manner in which the changes and revisions made to the SCI have been presented and do not feel that this has made reviewing the document unnecessarily difficult.

7. Question from Mr N. Milne

In the June 2020 Ketton Parish Council meeting minutes it is noted that Ketton Together has taken the time to consider how they can best support the village going forward. They acknowledged that a number of villagers will need to continue to self-isolate to protect themselves and their families & there will also be people who need to self-isolate because they have symptoms, or, have been contacted through the track and trace process.

Can Karen Payne confirm if she has discussed with Ketton Together the changes to the SCI, if so when was this and what was their view on the steps taken to unsure engagement by all those continuing to self-isolate?

I am interested to learn their thoughts on a suggested triage systems for callers without internet access and the decision to still have documents available at the office. How would they get to the Catmose office if they are self-isolating and do not have access to transport?

What would they need from the planning officers to respond to the next stage of the Local Plan consultation?

Do the organisers of Ketton Together think there is a need for the planning officer support to be available for those who HAVE internet access but are self-isolating, this could be needed to compensate for the difficulty in having any form of contact with members of their local community who may be able to assist with answering questions on the Local Plan regulation 19 process?

There is much to consider and ward councillors need to be sure they have talked with their parishioners in order to comment. Perhaps sign off by full council is needed.

Councillor Payne consulted with Ketton Parish Council on the issue of the SCI. During the meeting, the Leader of the Council, Councillor Oliver Hemsley stated that it was his belief that the role of a Ward Councillor in the SCI process was to consult and discuss with their Parish Council and to share information with the Executive; it was not the ward member's responsibility to contact every resident with limited internet access.

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