

COMMITTEE	CABINET
DATE	12 July 2017
SUBJECT	Statement of Community Involvement
REPORT OF	Director of Regeneration & Planning

Ward(s) All

Purpose To seek Cabinet endorsement of the Statement of Community Involvement (SCI) for formal adoption at Full Council on 19 July 2017.

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Recommendations

1. That Cabinet endorse the Statement of Community Involvement as set out in Appendix 3, and recommend its adoption by Full Council.
2. That Cabinet endorse, and recommend to Full Council, the revocation of the previous Statement of Community Involvement (adopted 2006, amended 2009) as set out in Appendix 4.
3. That Cabinet recommend to Full Council that any minor or technical adjustments found necessary in the Statement of Community Involvement be delegated to the Director of Regeneration and Planning in consultation with the Cabinet portfolio holder.

1.0 Introduction

1.1 Eastbourne Borough Council has prepared a new Statement of Community Involvement (SCI), which sets out the Council's approach to consulting the local community and other stakeholders on planning matters within the local planning authority boundary.

1.2 The Council's previous SCI is considered to be out of date as a result of changes in legislation and national policy since it was adopted in 2006, and a new SCI is being prepared to guide public consultation in the preparation of a new Local Plan for the town.

- 1.3 The SCI was published for consultation with the local community and other stakeholders between 24 March and 18 May 2017, following authority from Cabinet on 22 March 2017. It now needs to be adopted by Full Council, following endorsement from Cabinet. Once adopted, the SCI will be used to guide consultation on planning policy documents.
- 1.4 Once adopted, the new Statement of Community Involvement will supersede the previous Statement of Community Involvement (adopted 2006, updated 2009). Therefore there is a need for the previous SCI to be revoked.

2.0 Background

- 2.1 The Planning & Compulsory Purchase Act 2004 requires local planning authorities to produce a Statement of Community Involvement (SCI), which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications. It is a legal requirement that any consultation on Local Plans is undertaken in accordance with the adopted SCI.
- 2.2 The current SCI was adopted in 2006, with minor amendments made in 2009 as a result in changes in legislation. This SCI was used to co-ordinate extensive community and stakeholder consultation on a number of planning policy documents that have since been adopted, including the Core Strategy, Town Centre Local Plan and the Employment Land Local Plan.
- 2.3 The introduction of the National Planning Policy Framework (NPPF) and changes to the regulations governing the production of Local Plans means that the current SCI is now out of date.
- 2.4 The Council is embarking on a new round of plan making to replace existing planning policies through the production of a new Local Plan. A new, up to date SCI is being produced to ensure that the local community and other stakeholders are provided with opportunities to have their input into the development of the Plan.

3.0 Summary of the SCI

- 3.1 The SCI sets out how Eastbourne Borough Council will engage local communities and other interested parties in the production of the Local Plan and in determining planning applications. In order to assist with understand in local communities, the SCI first provides an overview of the planning system and information about the Eastbourne community.
- 3.2 The SCI then provides more detailed information on how communities and stakeholders will be consulted in Plan-making (the preparation of the Local Plan, SPDs & CIL Charging Schedule); and in Development Management (the

determination of planning applications).

3.3 Plan-Making

3.3.1 Within the plan making process, there are three types of plan that will be produced by Eastbourne Borough Council:

- Local Plan
- Supplementary Planning Document
- Community Infrastructure Levy Charging Schedule

3.3.2 The timetable for the production of these planning policy documents is identified within the Council's Local Development Scheme, which was adopted in February 2017.

3.3.3 The SCI sets out the stages in the preparation in each of these plans that there will be engagement and consultation with the local community and other stakeholders. As regulations limit the types of representation that can be submitted at certain stages, the SCI sets different consultation periods for different stages. This includes 8 week consultations where any type of feedback is welcome, and 6 weeks where consultation is a 'technical' consultation and representations are limited to only addressing issues of 'soundness'.

3.3.4 The SCI sets out the basic consultation standards will be applied as a minimum in all consultation on planning policy document. These are:

- Use of the on-line Consultation Portal to host consultation material and enable responses, either directly via the website or by downloading comment forms that can be uploaded, emailed or posted back
- Direct notifications to organisations and individuals through the Local Plan Consultation Database and the 'GovDelivery' email subscribers list
- Putting paper copies of documentation on deposit at 1 Grove Road
- Putting notices in the local paper to advertise consultation
- The promotion of consultation by local Councillors within their wards, especially in areas where there tends to be a lack of engagement.

3.3.5 In addition, an email newsletter will be sent out on a quarterly basis to everyone on the consultation database and 'GovDelivery' subscribers to provide updates on preparation of planning policy documents and when consultation is expected to be undertaken.

3.3.6 The SCI also identifies additional consultation methods and approaches will be used on a case-by-case basis depending on the nature and scale of the consultation.

3.3.7 Feedback on the consultation, including responses to the representations

received and how they will be addressed in the next stage of plan making, will be published on the website and promoted via the quarterly email newsletter.

3.4 Development Management

3.4.1 The SCI sets out the procedures that the Council undertakes in the process of determining planning applications. Opportunities exist for the community and stakeholders to be informed and consulted on development proposals at each of the following stages:

- Pre-application consultation
- Planning application
- Planning appeals.

3.4.2 The methods that the Council uses to publicise applications and consult the community, which exceed the minimum requirements set out by legislation, are as follows:

- Neighbour Notification Letters
- Site Notice
- Public Notice in the local press
- Publication on the Council's website

3.4.3 The deadline for submitting comments on a planning application will be set out in the publicity accompanying the planning application. This will be not less than 21 days.

4.0 Consultation

4.1 A Draft SCI was subject to an 8 week consultation period between 24 March and 18 May 2017 to allow stakeholders and the local community to comment and make representations, in accordance with the consultation principles set out in the document.

4.2 During the consultation on the SCI, a total of 21 representations were received from 11 respondents. This includes representations from the Clinical Commissioning Group, Highways England, Southern Water, the Health & Safety Executive, Natural England, Bespoke and five individuals. Six of the 21 representations did not comment on the content of the SCI.

4.3 The full representations and the recommended officer response to the representations are contained in Appendix 1. A schedule of changes recommended in light of those representations is provided as Appendix 2. An amended version of the SCI as a result of the recommended changes is provided as Appendix 3. A summary of the main issues raised during the consultation is provided below.

4.4 Consultation on Supplementary Planning Documents

- 4.4.1 A representation received during the consultation raised a concern that the 'evidence gathering' stage in the production of a SPD should involve formal consultation, otherwise there would be an in-built democratic deficit. The SCI currently identifies two consultation stages in the preparation of a SPD: 1) evidence gathering and public participation; and 2) representations of a draft SPD. The 'Representations on a Draft SPD' stage is the public consultation stage where there is no limit on who can make representations. The SCI identifies the 'Evidence gathering and public participation' as being informal consultation, with the Council approaching organisations and consultation bodies for their input.
- 4.4.2 As a SPD can only provide detail on an existing Local Plan policy, and these Local Plan policies will have already been through extensive consultation and public examination, it is not considered necessary to have two formal rounds of consultation on a SPD. Informal consultation at the first stage allows stakeholder who have a particular interest to put forward their views in the development of the SPD. This approach worked well with the Tourist Accommodation Retention SPD, where the Eastbourne Hospitality Association were heavily involved in the 'evidence gathering and public participation' stage and helped shape the document. The extent to which stakeholders are involved in the 'Evidence Gathering and Public Participation' stage can be decided on a case by case basis, and would not preclude anyone making comments at the 'Representations on a Draft SPD' stage. Therefore it is recommended that there should be no change as a result of this representation.

4.5 Neighbourhood Planning

- 4.5.1 A small number of representations requested further information and clarification on the stages in the producing neighbourhood plans. This involves additional information relating to reflect the regulations. This involved clarification as to the process for designating a neighbourhood forum, and clarification on the specific stages in the production of a neighbourhood plans. Amendments are recommended in order to address these issues.

4.6 On-line Discussion Forum

- 4.6.1 A representation suggested that it would be beneficial to have a digital platform to allow the community to discuss and debate issues relating to Council proposals and develop ideas to take forward. EBC's on-line Consultation Portal does have a facility to host a discussion forum for a particular consultation, which is not currently used. This could be used at the 'Evidence gathering and early engagement' and 'Issues and Options consultation' stages in the preparation of Local Plans to allow people to

discuss and debate issues relating to the consultation, and to ask questions of the Council. However it is recognised that this consultation method will only be appropriate for certain types of consultation. Therefore it is recommended that the use of a discussion forum should be added to the list of additional consultation methods in the SCI.

5.0 Implications

5.1 Legal Implications

5.1.1 Section 18 of the Planning and Compulsory Purchase Act 2004 provides that a Local Planning Authority must prepare a Statement of Community Involvement. The SCI has been prepared in order to comply with Regulations 12 and 13 of the Town & Country Planning (Local Planning) (England) Regulations 2012, and with regard to the requirements of the National Planning Policy Framework.

5.1.2 Following adoption, there is a three month period where any person aggrieved by the decision to adopt the SCI may make an application to the High Court for judicial review. Any application for judicial review should be made not later than 3 months after the date of adoption (i.e. no later than Thursday 19 October 2017).

5.1.3 In revoking the previous SCI, Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that the Local Planning Authority cease to make any documents relating to the revoked SCI available and take such other steps as it considers necessary to draw the revocation of the documents to the attention of persons living and working in their area. Therefore, and subject to Council agreeing recommendation 2 to this report, the SCI would be removed from the Council's website and a statement made available on the website and in next year's Annual Monitoring Report that the SCI has been revoked. (*Date of Legal Advice 20th June 2017 - Legal Ref 6092-EBC-JCS*).

5.2 Financial Implications

5.2.1 There are no financial implications to the Council as a direct result of this report. The requirements for future consultation as set out in the SCI will be met from within the service budget. Financial resources will be taken into consideration when determining the specific approach to consultation on a planning policy document.

5.3 Human Resource Implications

5.3.1 Officers in the Planning Policy team will manage consultation procedures as set out in the SCI and can be made from existing resources.

5.4 Equalities Implications

- 5.4.1 The SCI aims to promote consultation across all sectors of the community, particularly amongst age groups and neighbourhoods that do not usually participate, with additional effort to engage 'hard to reach' groups. It also identifies that public exhibitions will be held in accessible venues, and consultation material will be easily understandable and accessible, and sense checked for 'Plain English'. Although consultation will be 'digital by default', paper copies of documentation will be made available for people to view at the Council offices.
- 5.4.2 An Equalities Impact Assessment for the Statement of Community Involvement is a background paper to this report. This Equalities Impact Assessment is currently a draft and subject to sign-off by the Equalities and Fairness Planning Group.

6.0 Conclusion

- 6.1 There is a need to produce a new Statement of Community Involvement (SCI) ahead of the new round of plan making as the previous SCI is out of date due to changes in legislation and national policy.
- 6.2 Past experience, best practice, the geo-demographic profile of the town and results from the Resident Consultation Survey (2015) and Community Survey on Participation in Planning Consultation (2016) have identified issues that have been addressed within the SCI.
- 6.3 Public consultation was undertaken on the Draft SCI, resulting in 21 representations from 11 respondents. As a result of these representations, a small number of modifications to the SCI are recommended.
- 6.4 In order for the SCI to be formally adopted, it requires approval from Full Council. The previous SCI, which the new SPD will replace, will also need to be revoked. Cabinet are requested to endorse the SCI and recommend to Full Council that the SCI be formally adopted.

Background Papers:

- Eastbourne Statement of Community Involvement (2006, amended 2009)
- National Planning Policy Framework (DCLG, 2012)
- Town & Country Planning (Local Planning) (England) Regulation 2012
- Community Infrastructure Levy Regulations 2010
- Equalities and Fairness Analysis Findings Report – Statement of Community Involvement (EBC, 2017)

To inspect or obtain copies of the background paper, please refer to the contact officer listed above.

APPENDIX 1

Table of Representations Received on Draft SCI

Rep ID	Name	Section	Representation	Officer Response
SCI/1	Kay Warner	Introduction – Consultation on Draft SCI	<p>The first thing I would say about this document is whilst it is fine to have planning consultations accessible via this route, as this is not a specific planning consultation but refers to Council Policy in Involving The Community, it should appear on the main website under the heading of “Consultations”.</p> <p>I also think this consultation should be widely advertised and printed copies available for those residents not having computer access. Otherwise a significant number of residents will be excluded from this Community Involvement process.</p>	<p>It is accepted that consultations on plan-making should be advertised on the Council’s main webpage under the “Consultation” headings, and an amendment will be made to the SCI to reflect this. However it is not consider appropriate for consultation on Development Management to be advertised via this method due to the nature, scale and number of consultations that take place.</p> <p>The Council operates a ‘digital by default’ consultation method and all consultation material is made available on-line. However it is recognised that some residents may not have access to a computer. In order to notify these residents about the consultation, a public notice is placed in the Eastbourne Herald newspaper at the start of the consultation period. In addition, press releases could be issues to the media in order to make the wider community aware of consultation. Paper copies of consultation material are also made available at the Customer Contact Centre at the Eastbourne Borough Council offices at 1 Grove Road. In the event that an interested party is unable to access the consultation on-line and is physically unable to pick up a hard copy, a paper copy could be posted.</p>
SCI/3	Hastings & Rother CCG (Nicky	Introduction – Why get involved	Eastbourne, Hailsham and Seaford CCG would like to be actively informed and potentially involved in planning developments.	Comments noted.

Rep ID	Name	Section	Representation	Officer Response
	Cambridge)			
SCI/4	Hastings & Rother CCG (Nicky Cambridge)	Overview of the Planning System – Plan-making – Local Plans	Eastbourne, Hailsham and Seaford CCG would like to be involved in the development of local plans.	Comments noted.
SCI/5	Hastings & Rother CCG (Nicky Cambridge)	Overview of the Planning System – Plan-making – Community Infrastructure Levy	Eastbourne, Hailsham and Seaford CCG would like to ask that the Levy includes consideration of health and well-being impacts and issues.	Although the CIL Charging Schedule itself cannot consider health impacts as it relates to how much financial contribution development should make to the provision of infrastructure, the need for and issues surrounding health infrastructure will be considered through the Infrastructure Delivery Plan and considered for the Regulation 123 list.
SCI/6	Hastings & Rother CCG (Nicky Cambridge)	Background to Eastbourne – Eastbourne and its residents	Eastbourne, Hailsham and Seaford CCG would ask that all relevant health data (including health inequalities data) is considered as part of the needs of the local population affected.	The 'Eastbourne and its residents' section of the SCI will be updated to include some information about the health of residents. All relevant health data (including health inequalities data) will be considered through the Sustainability Appraisal in terms of the needs of the local population and how this can be affected by planning policy.
SCI/7	Hastings & Rother CCG (Nicky Cambridge)	Community Involvement in Plan Making	This sounds very helpful and the CCG would be keen to be involved in proportionate ways.	Comments noted.
SCI/8	Bespoke (P Humphreys)	Overview of the Planning System – Plan-making – Local Plans	Too many EBC plans and strategies have vague targets. Some strategy and planning documents, appear to deliberately avoid using real measurable targets. Without this plans are hard to review later in terms of success or failure. Bespoke are interested in active travel. There are no real targets to increase	Each of EBC's Local Plans includes a Monitoring Framework that sets out a number of detailed targets and indicators in order to allow the performance of Local Plan policies to be monitored. Each year EBC prepares an Annual Monitoring

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			cycling and pedestrian numbers. ESCC congestion data appears to be missing from recent EBC plans and replaced by vague statements about an increase. If it is a target then state it, track it and review any progress.	Report (AMR) that monitors the policies using the indicators set out in the Monitoring Frameworks to identify how well the policy is performing. This information is then used in reviewing policies and their effectiveness.
SCI/9	Bespoke (P Humphreys)	Background to Eastbourne – Eastbourne and its residents	The above reads like Eastbourne is separate to the rest of the area. Most plans seem to play down the reality of the neighbouring District and Boroughs. (See above) Polegate and Willingdon are part of the same conurbation. Planning for road and active travel infrastructure cannot just be around Eastbourne. Even more so with the 10,000 new homes in South Wealden. Bespoke would like more joined up work with the neighbouring Authorities.	<p>Eastbourne Borough Council is the local planning authority for the Eastbourne Borough, with the exception of the area in the South Downs National Plan, which is under the planning jurisdiction of the South Downs National Park Authority. Therefore the Local Plans prepared by Eastbourne Borough Council have to cover the Eastbourne local planning authority area.</p> <p>However it is recognised that Eastbourne’s area of influence extends further than the Borough boundary into Willingdon and Polegate, and Eastbourne Borough Council does work with Wealden District Council in relation to this.</p> <p>Eastbourne Borough Council has a ‘Duty to Co-operate’ with neighbouring authorities on strategic planning matters, as identified in para 1.14 of the SCI. This ‘Duty to Co-operate’ is enacted at both the Member and Officer level. However it should be noted that the ‘Duty to Co-operate’ is not a ‘Duty to Agree’.</p> <p>In order to make this clearer, additional information will be added to the ‘Eastbourne and its residents’ section.</p>
SCI/10	Bespoke (P Humphreys)	Community Involvement in Plan Making – How	Bespoke have found that consultations are often too late. Discussions need to take place earlier. Plus pressure groups are likely to state their ideal. This will clash with other groups so the process is	The SCI at para 4.5 identifies an ‘Evidence gathering and early engagement’ stage in the preparation of a Local Plan, whereby there will be engagement with stakeholders to identify locally

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		will we consult	adversarial. So the assumption is there is no agreement. In fact these positions are sometimes negotiable and Bespoke might support other groups stands or agree a joint position. Where meeting take place with other groups there is often agreement.	<p>relevant visions and objectives for the area and identify what the Local Plan must cover to address the critical issues in the area.</p> <p>This stage provides an opportunity for early discussion and negotiation with groups such as Bespoke.</p>
SCI/11	Stuart Bannerman	Overview of the Planning System – Development Management	More detail is needed at 2.29 and 2.30 about the scheme of delegation - as it affects the planning process. The footnote link is to the whole council-wide scheme but the planning bit is too hard to find (way down at para 47). I suggest a proper summary of the relevant parts of said para 47, at g, h, I & j, should be provided within the body of the SCI as part of 2.30 or as a new para. This is to inform others how their rights are affected by delegated powers.	<p>The types of application that may be decided by delegation and those that are more likely to go to Planning Committee are set out in the Council’s Scheme of Delegation. This Scheme of Delegation may be amended during the life of the SCI, meaning that if additional information was added to the SCI, this information could be out of date and incorrect at some point in the future.</p> <p>However it is recognised that people may want to understand how delegated powers work, and therefore a more specific reference to where this information can be found will be included in the SCI.</p>
SCI/12	Stuart Bannerman	Community Involvement in Plan-Making – Who will we consult - Para 4.6	Evidence gathering to inform SPD should be by formal consultation - not informal consultation - and involve all registered email subscribers to EBC planning policy (not limited to certain bodies). This is essential to ensure all views are taken into account at the earliest stage, and especially because the draft SPD is not subject to any independent examination. In my view, as currently written, 4.6 has an in-built democratic deficit and requires closer consideration to improve community consultation and involvement.	It is important to recognise that a SPD relates to an existing policy in a Local Plan that will already have been subject to extensive consultation and scrutiny through a Public Examination. The SPD can only provide additional detail on the implementation of the policy and cannot amend or change the existing policy. This is explained at para 2.16 of the SCI. This is why SPDs do not require Public Examination, as their related Local Plan policy has already been through the consultation and examination process. As such, an SPD is only a material consideration in the determination of a planning application and not

Rep ID	Name	Section	Representation	Officer Response
				<p>part of the development plan.</p> <p>The Town & Country Planning (Local Planning) (England) Regulations 2012 require that any person may make representations about a SPD (Reg 13). In the SCI, this consultation stage is the 'Representations on Draft SPD' identified in para 4.6. There are no other requirements to consult on a SPD in the regulations, and therefore the SCI is in accordance with the regulations.</p> <p>However, EBC recognises that, depending on the topic of the SPD, additional early engagement with organisations and communities that the SPD is relevant to will help in the preparation of the SPD. For example, in the preparation of the Tourist Accommodation Retention SPD, the Eastbourne Hospitality Association were heavily involved in the 'evidence gathering and public participation' stage and helped shape the document, as this was appropriate for this SPD. Where it is appropriate, organisations and communities will be engaged at this stage in the future preparation of SPDs, but all interested parties without limitation will have the opportunity to comment at the 'Representations on Draft SPD' stage.</p>
SCI/13	Stuart Bannerman	Community Involvement in Development Management – Appeals - Para 5.26	The matter of 'third party rights' (or lack of) requires a more complete explanation, preferably as a stand-alone para, not tacked on the end. It should appear earlier within 5.26 defining 'third parties' so that it is obvious to neighbours et al and clearly explain their status and limited rights following a decision.	Agreed. Additional explanation will be added to the SCI to provide more information on this subject.
SCI/14	Stuart Bannerman	Community Led Planning – Who	A footnote link should be provided to enable the community to access the process for setting up	Agreed. Additional information will be provided on the process for setting up a neighbourhood forum.

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		can prepare a Neighbourhood Plan or Order	Neighbourhood forums and creating Neighbourhood plans.	
SCI/15	Stuart Bannerman	Community Led Planning – Community Right to Build	A footnote link should be provided to enable the community to access the process for Community Right to Build Orders, as mentioned at 6.9 in a similar way as my comment on Neighbourhood Forums at 6.5.	Agreed. Additional information will be provided on the process for setting up a community right to build.
SCI/16	Highways England (Elizabeth Cleaver)	General	<p>Thank you for inviting Highways England to comment on the Eastbourne Borough Council Draft Statement of Community Involvement.</p> <p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the strategic road network.</p> <p>Having reviewed the published documentation, we do not have any comments on the Eastbourne Borough Council Draft Statement of Community Involvement. However, please could you amend your database so that consultations to Highways England are sent to our general planning team email address, PlanningSE@highwaysengland.co.uk</p>	The Local Plan Mailing List has been amended to contain the email address referred to in the response.

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			<p>instead of sending them to my colleague Keith Jacobs?</p> <p>We look forward to continuing to work with Eastbourne Borough Council as your Local Plan progresses and to receiving consultations on any planning proposals that may affect the SRN.</p>	
SCI/17	Peter Martin	General	<p>A rule which needs to be enacted now is the complete ban on residential building below the 10 metre above sea level contour. With the current cycle of Global Warming, the tilting of the UK & movement of the World's Axis even this current contour may disappear under the sea within the lifetime of the new generation & unfortunately drown part of this Town.</p>	<p>EBC take flooding issues very seriously. The coastal defences are maintained to a level to protect the town from tidal flooding, and the Eastbourne Park flood storage scheme helps to protect the town from river and surface water flooding.</p> <p>It is also important to ensure that residential properties are provided in order to contribute towards meeting local housing need. However this development will only take place in areas that are not at high risk of flooding and through the development management process it should be ensured that development does not increase the risk of flooding elsewhere.</p>
SCI/18	Southern Water (Charlotte Mayall)	Community Led Planning – Neighbourhood Plans and Community Development Orders	<p>Between points (2) and (3) of paragraph 6.8 an additional point should be added to reflect the requirements of Regulation 14 of the Town and Country Planning (Neighbourhood Planning) (England) Regulations 2012, namely the pre-submission consultation and publicity of the neighbourhood plan.</p> <p>From Southern Water's perspective, as a statutory consultee on local and neighbourhood development plan documents, we would wish to ensure that the additional numbered point includes reference to the 'consultation bodies' that should be consulted as a</p>	<p>Agreed. Para 6.8 will be amended to include an additional key step of pre-submission consultation and publicity of the neighbourhood plan. This will also include reference to the 'consultation bodies' that should be consulted as a requirement of Regulation 14(b).</p>

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			requirement of Regulation 14(b).	
SCI/19	Health & Safety Executive (Allison J Chippendale)	General	<p>We have concluded that we have no representation to make at this stage of your local planning process. This is because there is insufficient information in the consultation document on the location and use class of sites that could be developed. In the absence of this information, HSE is unable to give advice regarding the compatibility of future developments within the consultation zones of major hazard establishments and MAHPs located in the area of your local plan.</p> <p>HSE acknowledges that early consultation can be an effective way of alleviating problems due to incompatible development at the later stages of the planning process, and that we may be able to provide advice on development compatibility as your plan progresses. Therefore, we would like to be consulted further on local plan documents where detailed land allocations and use class proposals are made; e.g. site specific allocations of land in development planning documents.</p>	Comments noted. The level of detail in the Statement of Community Involvement is appropriate at this stage. Where it is relevant to the consultation, the location and use class of sites that could be developed will be provide for the HSE to comment.
SCI/20	Phil Belden	General	<p>One earnest plea, is that you honour your pledge, that this genuinely is for "the local community and other interested parties" as the recent proposed Eastbourne Downs sale involved neither the local community nor interested parties.</p> <p>The council decision to dispose of the majority of the downland estate (75% / 3,000 acres) was made in secret and didn't even involve the whole democratically elected council, but a small Cabinet minority. The reason given, once ordinary people had found out and protested at the town hall, was</p>	<p>This Statement of Community Involvement relates to engaging the community and stakeholders in planning decisions, particularly those relating to the plan-making and development management.</p> <p>Whilst this response is focused on issues relating to the Downland, which do not fall under the scope of the SCI, some points are raised that are relevant to the SCI.</p> <p>Notification of consultation on the Local Plan goes out to those on the Local Plan mailing list, and there is no restriction on people living outside of</p>

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			<p>that it was not considered significant enough to involve the public. This does not bode well for any serious attempt at community involvement – such a statement may “not be worth the paper it is written on”.</p> <p>Eventually, the council bowed to considerable pressure from the people, locals and others, opposition parties, the collective media etc, and decided to run a poll for its local residents in the council-owned propaganda freesheet (not my words, but those of The Times, 24/7/17). This loaded poll (not my words, but the headline in the Eastbourne Herald, 14/2/17) makes one seriously question the motives behind any community involvement – making it hard to accept the sincerity of any words in a council “statement of community involvement”. The council has a job to do, to restore trust as a result of the ill-judged Eastbourne Review poll, essential if this is to be a key organ for community involvement which the draft statement seems to be pinning its hopes on (p.6 Of the Summary).</p> <p>If the council had not changed its mind and had stuck to its minority cabinet decision, which would have been a shock in the face of such overwhelming opposition, though not with the way the poll was loaded with public service threats and fear, then all this would have been tested in the courts. As it is, we move on in a spirit of reconciliation and optimism for a conserved and enhanced Eastbourne Downs, protected in perpetuity (not my words, but your previous Mayor’s session in the House of Lords when this land was being secured for the people).</p> <p>Finally, community involvement needs to involve the local community AND other interested parties. The</p>	<p>the Eastbourne Borough to signing up for email notifications. All community members and interested parties are encouraged to sign up for email notifications as a quick and easy way to keep up to date with planning issues in Eastbourne.</p> <p>EBC has a ‘Duty to Co-operate’ with neighbouring authorities, including the South Downs National Park Authority, on strategic planning matters, and this duty is taken seriously.</p> <p>The SCI sets out a number of different approaches to consultation on plan-making that could be used depending on the scale and nature of the consultation. For instance, consultation on a Local Plan that impact upon the whole of Eastbourne and beyond will employ the widest range of consultation methods. These consultation methods will be identified by officers and recommended to Cabinet when Cabinet make the decision to approve the document for public consultation, which is the process that is set out in the Council’s constitution.</p> <p>Consultation on planning policy documents that only affect a small area or those on a detailed and technical topic may employ a narrower range of consultation methods. Again, these consultation methods will be identified by officers and recommended to Cabinet when Cabinet make the decision to approve the document for public consultation.</p> <p>In order to demonstrate that consultation responses are taken seriously and fully considered, responses to consultation responses are provided in a form similar to this. Paras 4.34 to 4.36 of the</p>

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			<p>highly selective targeting of the poll, which only went to some local residents was only eligible to Eastbourne residents. What about all those other interested parties, such as the local resident neighbours of East Dean, Friston, Jevington, Folkington, ... ? I live in Brighton and am a regular user of the South Downs, where the eastern end has the greatest draw because of its iconic landscape, the impressive sheer white cliffs and dramatic verdant rolling topography of the coastal hinterland – it is THE most popular part of the South Downs National Park. Regionally, nationally and internationally the Eastbourne Downs is a renowned and much-loved place. If Eastbourne Borough Council is to involve the community over downland issues then it needs to make sure it knows who that community is, and it is far from being just a proportion of local residents. In its Duty to Co-operate role, the council will need to take this into full consideration, so please make sure the words in the statement are robust and sincere.</p> <p>The Statement of Community Involvement has to reflect what community involvement is needed for the various issues being considered. As such, it should be flexible, but inclusive, not left to a handful of cabinet members to dictate whether any issue is significant enough for involving the community. I have used the recent Downs debacle to illustrate the point – this matter is pertinent to the town and all future planning, town and down. Many planning decisions affect the South Downs and, as to Eastbourne’s downland, it will require some solid links to join town and down, planning authorities of Eastbourne and South Downs National Park</p>	<p>SCI identifies the process for responding to representations made during consultation.</p>

Rep ID	Name	Section	Representation	Officer Response
			Authority.	
SCI/21	Natural England (Sharon Jenkins)	General	<p>Thank you for your consultation on the above, which was dated and received by Natural England on 24 March 2017.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.</p> <p>We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals.</p> <p>We now ask that all planning consultations are sent electronically to the central hub for our planning and development advisory service at the following address: consultations@naturalengland.org.uk. This system enables us to deliver the most efficient and effective service to our customers.</p>	Comments noted. EBC can confirm that the email address provided in the representation is the email address that is currently held on the Local Plan Mailing List and will be sent notifications of consultation.
SCI/22	Carol McAuley	Introduction	There has been much spontaneous on line discussion around the Council's proposals to sell off the Down Land Farms. It seems the people of Eastbourne are keen to become involved in the plans for our Town. I	The Council's on-line Consultation Portal allows consultation material to be hosted on-line and accessed by anyone, and also allows comments to be made directly on the consultation. The use of

Rep ID	Name	Section	Representation	Officer Response
			<p>understand the Council already has on line mechanisms in place where by we can be informed about developments. But such platforms are 'passive' involvement (i.e. we sit back and receive information and may then make a point or 2). What I believe this Town would greatly benefit from is a more interactive platform. The recent spontaneous debate and discussion hugely demonstrated this. We would benefit from a platform where we can post, comment, share and develop our understanding and views about our Council's proposals; and where in turn, our own proposals can be generated, voted upon and put forward. This would involve some sort of digital participatory platform. I know these sorts of platforms are not main stream yet but they are being effectively used for similar business as the business of this Town. And, there are people in this Town who are much more knowledgeable on this than I am. These are 3 such digital platforms that were posted on the Eastbourne Can Facebook Page, set amongst a fruitful discussion on how to raise the 1.1 million shortfall that was indicated in the Sussex Review Poll.</p> <p>Perhaps it would be more cost effective to install and run such a platform considering the great cost involved in the much criticized poll? Indeed, consultations in the regular sense are costly. My understanding is that the digital participatory platforms I refer to are not that expensive to run.</p> <p>I would be proud to live in a Town whose Council was prepared to seriously explore the use of such platforms. I would be even more proud to live in the Town where they are put into use. If you are</p>	<p>social media, which would allow discussion, is also identified as an additional consultation method in consultation on plan-making at para 4.20.</p> <p>The on-line Consultation Forum also has a function that allows the creation of a Discussion Forum for a particular consultation. This could be used at the 'Evidence gathering and early engagement' and 'Issues and Options consultation' stages to allow people to discuss and debate issues relating to the consultation, and to ask questions of the Council. This consultation method will only be appropriate for certain types of consultation, for example in the preparation of a Local Plan. Therefore the use of a discussion forum will be added to the list of additional consultation methods (at para 4.20 of the SCI) that could be used depending on the nature and scale of the consultation that is being undertaken.</p>

Rep ID	Name	Section	Representation	Officer Response
			interested in finding out more, I would be happy to put you in touch with a local person who has more knowledge on these matters than I.	

APPENDIX 2

Schedule of Changes to the Draft SCI

Note: Deleted text highlighted by ~~strikethrough~~. New text highlighted in red and underlined.

Ref	Section	Modification
C1	Introduction – What is a Statement of Community Involvement	Amend para 1.7 The Council is now taking the opportunity <u>has reviewed and amended the previous</u> to review its SCI to take into account legislative changes since 2009 and to reflect on previous experience of consultation in order to make the consultation process more <u>accessible</u> , efficient and effective. <u>This SCI was subject to public consultation between 24th March and 19th May 2017.</u>
C2	Introduction – Consultation on the Draft SCI	Delete paras 1.17 to 1.19
C3	Overview of the Planning System – Development Management	Amend para 2.30: <u>The criteria used to decide which applications</u> Applications that should be determined by Planning Committee are covered in <u>at paragraph 47 of</u> the Council’s Scheme of Delegation. The dates for Planning Committee can be found on the Council’s website.
C4	Background to Eastbourne – Eastbourne and its residents	Add new paragraph after para 3.1: <u>Eastbourne Borough Council is responsible for planning within the Eastbourne Local Planning Authority area. This includes the Eastbourne Borough boundary with the exception of the area within the South Downs National Park, which is in the planning jurisdiction of the South Downs National Park Authority. However it is recognised that Eastbourne’s area of influence extends further than the Borough boundary into Willingdon and Polegate, and Eastbourne Borough Council does work with Wealden District Council and the South Downs National Park Authority on cross-boundary strategic planning matters in accordance with the ‘Duty to Co-operate’.</u>
C5	Background to Eastbourne – Eastbourne and its residents	Add new paragraph after para 3.12: <u>6.1% of Eastbourne’s population described themselves as having bad or very bad health at the</u>

Ref	Section	Modification
		<p><u>2011 census, compared to 4.4% across the South East region. There are over 20,000 people with a limiting long-term illness, and 10.6% of Eastbourne’s population provides unpaid care for others. The rate of teenage pregnancy is 22.2 per 1,000 females aged 15-17, and the mortality rate of circulatory diseases for persons aged 0-74 is higher than the average for East Sussex.</u></p>
C6	Community Involvement in Plan-Making – How will we consult	<p>Amend 4th bullet point to para 4.19:</p> <ul style="list-style-type: none"> • Local Media – A public notice will be placed in a local newspaper to advertise formal periods of consultation. These will include details of the consultation, including where to view the consultation and the deadline for submission of representations. <u>Press releases will also be issued to publicise the consultation more widely.</u>
C7	Community Involvement in Plan-Making – How will we consult	<p>Add additional bullet point to para 4.18:</p> <ul style="list-style-type: none"> • Website - <u>The consultation will be advertised on the Eastbourne Borough Council website, particularly under the ‘Consultations’ heading.</u>
C8	Community Involvement in Plan-Making – How will we consult	<p>Add additional bullet point to para 4.20:</p> <ul style="list-style-type: none"> • Discussion Forum – <u>Where it is appropriate for the stage of consultation, a discussion forum could be made available through the on-line Consultation Portal to allow the community to debate and discuss issues and proposals related to the consultation and to ask questions of the Council. However it is recognised that this consultation method will only be appropriate for certain types of consultation.</u>
C9	Community Involvement in Plan-Making – How will we consult	<p>Amend the 5th bullet point to para 4.20:</p> <ul style="list-style-type: none"> • Presentations and forums – Presentations and forums may be arranged to enable discussion with appropriate groups, organisations or stakeholders, or to target particular sectors of the community who may be interested in certain topics or may be under-represented. <u>Examples of such groups may be the Eastbourne Disability Involvement Group or the Eastbourne Cultural Communities Network.</u>
C10	Community Involvement in Plan-Making –	<p>Amend the 7th bullet point to para 4.20:</p>

Ref	Section	Modification
	How will we consult	<ul style="list-style-type: none"> • Summary Documentation – Non-technical summaries of consultation documents will be produced in order to provide a more accessible way to access and understand the consultation. <u>These summary documents will be sense checked for 'Plain English'</u>. Depending on the scale of the consultation, different versions of consultation documents that clearly set out the expected amount of time that it would take to read, based on: <ul style="list-style-type: none"> ○ the full plan (1 hour read) ○ a shorter version of the plan (10 min read) ○ key questions from the plan (5 mins to answer)
C11	Community Involvement in Plan-Making – How will we consult	<p>Amend 8th bullet point to para 4.20:</p> <ul style="list-style-type: none"> • On-line Videos/Presentations – Videos and presentations may be published on-line as an easy visual way of presenting the consultation material. It is envisaged that they would present the background to the consultation, and highlight opportunities for people to comment using other methods identified. <u>Where relevant, British Sign Language (BSL) will be incorporated in any online consultation videos that are produced.</u>
C12	Community Involvement in Development Management – Appeals	<p>Add new paragraph after para 5.24:</p> <p><u>Only the applicant can appeal against a planning decision. There is no 'third party' right of appeal for other people who disagree with the Council's decision. However, anyone can challenge a planning decision in the courts if they have evidence that the decision was not made following the proper procedures. Legal challenges cannot take into account whether the decision was right or not in planning terms, only whether regulations and conventions about making decisions were properly followed.</u></p> <p><u>Footnote: The 'first party' in planning is the applicant for planning permission and the 'second party' is the local authority. 'Third parties' are anyone else with a view on a planning application, whether they have a direct interest (e.g. as owner of the land on which the application is submitted) or a personal interest (e.g. as a neighbour) or a wider interest (e.g. as a parish council or interest group).</u></p>
C13	Community Involvement in Development Management – Appeals	<p>Amend para 5.26:</p> <p>The Inspector will consider the evidence and decide whether the Council's decision was correct.</p>

Ref	Section	Modification
		The Inspector's decision is binding on the Council, although it can be challenged by anyone on a point of law in the High Court. Third parties do not have the right to appeal decisions.
C12	Community Led Planning – Who can prepare a Neighbourhood Plan or Order	<p>Add new paragraph after para 6.4:</p> <p><u>Detailed information and guidance on Neighbourhood Planning and the required processes can be found in the Neighbourhood planning section of the national Planning Practice Guidance.</u></p> <p><i>Footnote: https://www.gov.uk/guidance/neighbourhood-planning--2</i></p>
C13	Community Led Planning – Who can prepare a Neighbourhood Plan or Order	<p>Add new paragraph after para 6.6:</p> <p><u>An application to the Council to form a Neighbourhood Forum must include the following:</u></p> <ul style="list-style-type: none"> • <u>The name of the proposed neighbourhood forum</u> • <u>A copy of the written constitution of the proposed neighbourhood forum</u> • <u>The name of the neighbourhood area to which the application relates and a map which identifies the area</u> • <u>The contact details of at least one member of the proposed neighbourhood forum (to be made public)</u> • <u>A statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the Localism Act 2011</u> <p><i>Footnote: For further information about submitting an application for a Neighbourhood Forum, please contact the Council's Planning Policy team.</i></p>
C14	Community Led Planning – Neighbourhood Plans and Community Development Orders	<p>Add new numbered bullet point to para 6.8:</p> <p><u>3. Pre-submission consultation and publicity – before a neighbourhood plan is submitted it should be publicised in a manner that is likely to bring it to the attention of people who live and/or work in the neighbourhood and provide the opportunity for the local community and other stakeholders, including the statutory consultation bodies that are identified in the Neighbourhood Planning Regulations.</u></p>
C15	Community Led Planning – Neighbourhood Plans and Community Development Orders	<p>Amend the third bullet point of para 6.8:</p> <p>3. 4. Submission of the Plan or Order to Eastbourne Borough Council – once a draft plan</p>

Ref	Section	Modification
		<p>or order has been <u>subject to consultation, it can be</u> submitted to Eastbourne Borough Council. the Council will publicise the Plan or Order and arrange public consultation to ask for representations to be submitted. <u>The Council will check that the submitted plan to ensure that it is consistent with the Neighbourhood Planning Regulations, and then arrange for examination.</u></p>
C16	Community Led Planning – Community Right to Build	<p>Amend para 6.10:</p> <p>A Community Right to Build Order may be prepared by local community organisations in addition by <u>to</u> parish and town councils, but only where they meet certain legal requirements. <u>The prescribed conditions for community right to build organisations are set out in in Section 13 of the Neighbourhood Planning Regulations 2012.</u></p> <p><i>Footnote: http://www.legislation.gov.uk/uksi/2012/637/regulation/13/made</i></p>

APPENDIX 3

Statement of Community Involvement (2017)

APPENDIX 4

Statement of Community Involvement (adopted 2006, updated 2009)