

Durham City Neighbourhood Planning Forum Working Group Meeting, 28 March 2017, Miners' Hall

Present: John Ashby, Pippa Bell, Sue Childs, Roger Cornwell (Chair), Ann Evans, Peter Jackson, John Lowe, David Miller, Matthew Phillips, Ros Ward.

Apologies: Mike Costello, Adam Deathe, Karen Elliott, Kirsty Thomas, Angela Tracy.

1. Notes of 24 March

The notes were agreed and **Sue** will post them on the website. John A noted that Carole had emphasised that the SEA submitted to DCC has to be the final version.

2. Domain Names

Roger reported that the domain names we owned needed renewing at a cost of almost £24. The names are lovedurham.co.uk, lovedurham.org.uk, lovedurhamcity.co.uk and lovedurhamcity.org.uk. We have not used them so far but it was **agreed** to renew them as they might be useful at the implementation stage of the plan and the new Parish Council might welcome them.

3. Meeting with Historic England

It was agreed to meet on Friday 31 March at 3.00 in the Miners' Hall.

4. Consideration of DCC's Feedback on our SEA Template

Carole Dillon and Claire Hattam joined us for this item. We worked through the notes that Claire had sent to Roger dated 20 March. The following points were covered:

- We discussed the difference between Screening and Scoping. Apparently we should have been advised to **screen** the plan at a much earlier stage in the process to assess whether an SEA would be required. The first stage in developing the plan and in the SEA is **scoping**: identifying the characteristics of the area, the issues that need addressing and the various options available to do so. It also involves drawing up a sustainability checklist of objectives against which to assess the alternatives. The outcome of these steps is a **Scoping Report** that has to be submitted to DCC and the three statutory consultees before we proceed to the next stage of assessing the plan. (Note: Yesterday Roger circulated an email from Claire elaborating on this point. I have attached her text as Appendix 1 to these notes.)
- The Screening Report submitted by Ros needs updating as explained in section 2 of Claire's feedback and in the opening paragraph of yesterday's email.
- We have to present statistical evidence about the characteristics of our area as best we can, explaining any technical difficulties and the lack of available evidence as necessary.
- We need to explain the unusual difficulties caused by the pause in the development of DCC's Local Plan so that key documents such as the SHLAA AND OSNA are not yet available. DCC will brief the examiner it appoints so that s/he is aware of the situation.

- We need to use evidence from such documents to triangulate with evidence from our consultations. The evidence also needs to be proportionate to our plan.
- The plan itself does not have to cover all possible issues in the area, but the SEA has to show that we have considered the impact of the plan on the full range of environmental issues. (Note: Claire's email to Ros dated 27 February lists the topics to be considered. I have attached her text as Appendix 2 to these notes.)
- If policies are changed as a result of public consultation they will need to be re-assessed.
- The Sustainability Appraisal (SA) that we are conducting incorporates the Strategic Environmental Assessment (SEA) that we are required to do.
- Claire expressed the view that the DCC template for conducting the SA is a summary guide and the Levett – Therivel template provides more detailed guidance.
- Strategic issues relating to Durham University will be included in DCC's Local Plan.

5. Sustainability Assessment

It was **agreed** to use the grids prepared by John L to carry out this exercise at our next meeting on Tuesday. An objective to address issues of poverty and deprivation will be added as this is included in DCC's list of sustainability objectives. John emphasised that the objectives and the grid were not set in stone; they are working documents that can be improved with experience. A separate grid is needed for each policy and we need the full text of each policy available to carry out the task.

6. Consultation Arrangements

It was **agreed** to hold the consultation from Friday 2 June to Monday 17 July. The first open meeting would not be held during the first week.

7. Response to the University's Plans for Development

Ann offered to draft a response to the University's plans for developments at St Mary's Field and Maiden Castle. The response will focus on the loss of trees at St Mary's Field and the incursion into the Green Belt to provide indoor facilities at Maiden Castle. Both developments would create significant problems of pedestrian congestion and the 2000 spectators at Maiden Castle would also lead to traffic congestion.

8. Future Meetings

There will be a special meeting on **Friday 31 March at 3.00** to meet Jules Brown and Barbara Hooper from Historic England. They are due to be with us until 4.00. The room is booked until 5.00 to allow the working group to assess the implications of the meeting.

The next ordinary meeting will be on **Tuesday 4 April, 9.00 – 12.00** to work on the sustainability objectives. Please see the documents distributed with these notes.

Both meetings will be in the Miners' Hall.

Appendix 1: Email from Claire Hattam to Roger, 28 March 2017

Roger

Please can you circulate to the group for information.

Updated Screening Report:

As discussed at the meeting today, it is considered sufficient to update the Screening Report (as completed by Ros) to reflect the consultation comments and decision to go down the full Sustainability Appraisal route. This document does not need to be circulated to the statutory consultees again. It should be submitted as part of the suite of documents at the Pre-Submission Stage.

Scoping Report Consultation:

Given the desire to move forward with the DCNP, it was queried at the meeting today whether the Scoping Report needs to be circulated to the statutory consultees for comment prior to Pre-Submission. I wanted to provide some further information for the group's clarity. Consultation on the Scoping Report is an important stage of the overall process. It is also a legal requirement of the SEA Directive that the 'Responsible Authority' (i.e. the Neighbourhood Planning Forum) seeks the views of statutory consultees on the Scoping Report. Provision 15 also adds:

- "in order to contribute to more transparent decision-making and with the aim of ensuring that the information supplied for the assessment is comprehensive and reliable, it is necessary to provide that authorities with relevant environmental responsibilities and the public are consulted during the assessment of plans, and the appropriate time frames are set, allowing sufficient time for consultations".

The purpose of this consultation is to ensure that consultation bodies (i.e. Natural England, Historic England and the Environment Agency) are content the SA/SEA Framework is robust enough to support the plan through the next stage (i.e. assessment of the policies) and the level of detail is appropriate (e.g. are there any gaps in data? Are there any additional problems or opportunities not included? Do the SEA/SA objectives provide a reasonable framework through which to address the likely significant environmental effects?). As such, this is step that should be completed prior to Pre-Submission of the draft Plan and its supporting documents.

You will also see from the Cuckfield Plan that it consulted on its scoping stage (Cuckfield SA Report p. 5):

- "The Scoping Report was circulated for consultation with statutory consultees and local parish councils from 12th September – 19th October 2012. Feedback from the consultation has been taken into account, and modifications made to the evidence base, and some of the Sustainability Objectives and Monitoring Indicators. The topics and sustainability priorities of most concern to Cuckfield were confirmed following the Scoping Report consultation."

I appreciate the group is keen to progress, however, again I stress the need to cover the key elements of the SEA/ SA process to remain compliant. If you choose not to consult on the Scoping Report prior to assessing plan policies, I would advise that this is a risk. Would your project plan timetable really not allow the Scoping Report to be consulted upon? Do you have a particular deadline driving this stage of the process?

Kind Regards,

Claire

Appendix 2: Email from Claire Hattam to Ros, 27 February 2017

Please be aware that it is a legal requirement of the SEA Directive to consider and assess 'reasonable alternatives' to the final policies and allocations included in the plan. This is a fundamental point and one that needs to be addressed for the SEA to be deemed compliant; by the Council and ultimately an Inspector.

Although I appreciate that following consultation comments your key concerns relate to the historic environment, to ensure that your SEA/SA Framework is robust and in accordance with the legislation, it is vital that the framework for assessment includes the following topics as a minimum.

- Nature Conservation
- Landscape
- Heritage
- Air and climate
- Water
- Soil
- Human population
- Human health
- 'material assets' (e.g. transport, waste and infrastructure)

If the Forum intends to conduct an SEA combined with SA, as we have done for the County Durham Plan, you may wish to consider also including criteria in the framework which relate to social and economic factors (e.g. employment, education and skills, community groups). As the assessment framework needs to consider such a variety of topics its development should be supported by the 'Scoping Stage', as described in the guidance supplied.

Essentially the SEA/ SA Framework is the key output of Stage A (Scoping). For more information on the process side of things, please refer to the 'DIY SEA' by Levett-Therival.

I hope you find this helpful.

Kind Regards,

Claire