



Lewisham Local Plan

Examination Hearing Sessions

Response to Actions

Matter 1 Legal and Procedural Matters

Prepared to inform the Local Plan Examination

August 2024

1. Introduction

- 1.1. This Paper is one of a series that provides the London Borough of Lewisham's (the Council's) response to specific actions raised, identified, and agreed during the course of the Lewisham Local Plan Examination Hearing Sessions. The actions are agreed with the Inspectors.
- 1.2. The Paper seeks to respond to a specific request for further information made during the Examination Hearing Session that discussed questions raised under Matter 1 Legal and Procedural Matters. In this case the Action was raised on Tuesday 18 June 2024.

2. Statement of Community Involvement 2023

Action 2 – The Council agreed to produce a clarification note for a participant (Alan Hall) explaining the dates during which the adopted Statement of Community Involvement was subject to consultation and subsequent publication. For clarity, Action 2 seeks to resolve the perception that consultation on the Statement of Community Involvement was undertaken simultaneously with engagement on the new Lewisham Local Plan under Regulation 18.

Introduction

- 2.1 The Lewisham Local Plan Regulation 22 Consultation Statement (Submission Document PD 09) provides a full report on the consultation undertaken in preparing the new Lewisham Local Plan: Proposed Submission Document. It has been prepared in accordance with Regulation 22(1)(c) of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). It was submitted to the examination during November 2023.
- 2.2 The Consultation Statement (PD 09) outlines how the Council has engaged with key stakeholders in accordance with Regulations 18,19 and 20 and the adopted Lewisham Statement of Community Involvement. The actions and activities taken by the Council at Regulation 18 are set out under its Sections 4.2 and 4.3. Details of the actions taken at Regulation 19 are set out under Section 4.5. These set out the scale and nature of engagement and the responses received.
- 2.3 The Council maintains that it has complied with the relevant legislative requirements for plan preparation. This is evidenced through several documents submitted to the examination. This position is set out under the Council's response to the Inspectors' Matters, Issues and Questions Matter 1 – Legal/ Procedural Requirements MIQ 1.2 Paragraph 1.2.1 – 1.2.3 (WS 1/1).

Lewisham Statement of Community Involvement 2023

- 2.4 The Council adopted its Statement of Community Involvement on 25 September 2023, after being approved by Mayor and Cabinet on 20 September 2023. The new Statement supersedes the previous version which was adopted in 2006 (with its 2020 and 2021 updates).
- 2.5 The preparation and production of the Statement of Community Involvement was subject to public consultation. The following sets out a timeline of public consultation on the Statement and in parallel the new Local Plan. The Council maintains that the timeline demonstrates that consultation periods on amendments to the Statement that relate to the

plan-making process did not run in parallel with consultations on the new Local Plan under Regulations 18 or 19.

- 2.6 For clarity the Council notes that changes to the Statement were consulted upon at a period of time that overlapped with the Regulation 19 consultation. However, the Council highlights that these specific amendments (that were at that time subject to consultation) were solely focused on changes to the Development Management process component of the Statement and had no bearing on the Local Plan or matters of engaging with the community through the plan preparation process. For that reason, the Council maintains that there was no conflict.
- 2.7 The following factual information on the timeline for preparing the Statement of Community Involvement has been drawn from the Lewisham consultation hub [Lewisham Council - Citizen Space](#) which is publicly available and provides all ongoing and closed consultation events.
- **2nd October 2020 to 13th November 2020**
Consultation on the Addendum to the Statement of Community Involvement (2020) – This was an update to the previous Statement 2006 and focused on updating aspects of the plan making process.
 - **9th December 2020**
Addendum to the Statement of Community Involvement (2020) Adopted by Mayor & Cabinet.
 - **15th January 2021 to 11th April 2021**
Consultation on the Main Issues and Preferred Approaches Local Plan – Regulation 18
 - **20th February 2023 to 2 April 2023**
Consultation on changes to the Statement of Community Involvement (2023) – This was an update to the Development Management processes within the Statement. The plan making processes remained as per the Addendum 2020.
 - **1st March 2023 to 25th April 2023**
Consultation on the Proposed Submissions Local Plan – Regulation 19
 - **20th September 2023**
The Statement of Community Involvement (2023) adopted by M&C

Conclusion

- 2.8 On the basis of previous submissions, and the above, the Council maintains that the relevant legislative requirements that relate to consultation for plan preparation have been met. Consequently, it is contended that the new Lewisham Local Plan has been prepared in accordance with Regulation 22(1)(c) of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

2.9 It is concluded that whilst consultation on a component of the new Statement of Common Ground was undertaken during February – April 2023, this was specific to changes to the Development Management process component of the Statement and had no bearing on the Local Plan or matters of engaging with the community through the plan preparation process. Consequently, the Council maintains that there was no conflict, in respect of subject matter, with the parallel consultation on the new Lewisham Local Plan under Regulation.