

CORONAVIRUS (COVID-19) AND ACCOMPANIED SITE VISITS, PEM's, HEARINGS AND INQUIRIES

Planning Appeals, Local Development Plan examinations and other DPEA work

During Covid-19 restrictions, DPEA and appointed Reporters as far as possible will seek to keep casework and all other DPEA work progressing and in doing so will be guided by guidance issued by the Scottish Government and NHS Scotland.

We recognise that the current outbreak represents a very fast moving set of circumstances and any or all guidance will be updated as matters and related professional advice develop.

Individual decisions will be made about individual circumstances in seeking to maintain business continuity and as appropriate case officers will be in touch with parties in the period ahead.

Current Scottish Government guidance (issued on 16 March) is that there is no need to cancel or postpone events unless likely to be attended by more than 500 people. We have no relevant DPEA events ahead which fall into that category (site inspections, PEM, Hearings or Inquiries).

Our current intention is that these will therefore continue, though subject to case specific decisions by Reporters and potentially to changes in arrangements which allow them to proceed using alternative technologies, reducing risks of the spread of the virus (see below).

As things stand our office in Falkirk remains open and staff available to assist in the usual way. Email communication remains in place.

That availability includes telephone contacts, with call re-direct arrangements in place where staff are not present in our office. Please continue to use the same phone numbers when needing to contact us.

We may find non-email communication services such as document receipt or delivery requires to be modified or suspended and further advice will be issued in that event.

In order to help us reduce the risks of spreading COVID-19 and to keep all attendees safe at any public meeting, please take note of the following:

Before any site visit:

- If the site visit is accompanied, we will cancel the visit if a key participant (including the Reporter) thinks that he or she might have COVID-19, if such a person has been to a country or area with a high risk of COVID-19 in the last 14 days; or if such a person has been in close contact with someone with COVID-19;

- Parties are reminded that the purpose of a site visit is simply to see the site and representations should not be made. But please follow the general advice when in the presence of the Reporter by using tissues to cover your mouth if coughing and/or sneezing and do not shake hands;
- Please consider whether your presence at the visit is essential in any event or whether you could be represented by a single person. For access required visits there is no need for multiple people to be present – all that is required is for access to be allowed to the property or land;
- If no one is available to give access to the Reporter, then please advise the case officer as soon as possible.
- Should an unaccompanied visit be considered feasible (or be proposed to the Reporter), the case officer will advise parties of decisions and arrangements in that event.

Before a PEM

- Postponement will be considered on the same basis as above. Please do not attend if you if you think you might have COVID-19, if you've been to a country or area with a high risk of COVID-19 in the last 14 days; or if you've been in close contact with someone with COVID-19.
- Please consider whether your attendance at the event is essential or whether your views will be adequately understood by the Reporter based previous written communications. See below on alternative ways to ensure interests are represented despite non-attendance in person.
- Please consider whether you are part of a group that could be represented by one person attending, having particular regard to whether the representative falls within one of the categories of person that have been identified as being susceptible to becoming adversely affected by this virus <https://www.nhsinform.scot/illnesses-and-conditions/infections-and-poisoning/coronavirus-covid-19>.

Before any hearing or inquiry:

- Postponement will be considered on the same basis as above. Please do not attend if you if you think you might have COVID-19, if you've been to a country or area with a high risk of COVID-19 in the last 14 days; or if you've been in close contact with someone with COVID-19.
- Please consider whether your attendance at the event is essential, or whether your contributions would be covered by your previous written submissions. See below in relation to webcasting.
- Please consider whether you are part of a group that could be represented by one person attending, having particular regard to whether the representative falls within one of the categories of person that have been identified as being susceptible to becoming adversely affected by this virus.

- As above, DPEA will be following the latest official advice so please keep a watch on Scottish Government & NHS Scotland guidance.

If you are planning to attend any of these:

- Please refer to the latest NHS Scotland guidance <https://www.nhsinform.scot/illnesses-and-conditions/infections-and-poisoning/coronavirus-covid-19> shortly before the site inspection, PEM, Hearing or Inquiry so that you have the most up to date information on the risks and on how to avoid catching or spreading coronavirus;
- Please check with the local planning authority or with the DPEA case officer that it is going ahead before travelling to the site inspection, PEM, Hearing or Inquiry;
- Follow the advice below about precautions at the site inspection, PEM, Hearing or Inquiry.

If you cannot attend for the reasons above:

- If those representing the local planning authority or the appellant are unable to attend a PEM or Hearing, then it is possible that it may have to be postponed. This might apply to events due to take place and those already started. Please let the case officer know in that eventuality as soon as it arises. Reporters will, at their discretion, consider options for using technological solutions to enable these to proceed or continue but that will depend on a number of factors including the issues involved, the likely number of participants and whether fairness can be ensured as well as the capability of the venue and/or the parties to accommodate this way of proceeding. This equally applies to Inquiries in terms of use of technology but is more challenging and clearly is not an option in relation to site inspections;
- If you are an interested person and able to rely on your written representations, then you need take no further action.
- If you are an interested person consider whether someone else can make oral representations on your behalf. Whether to proceed will be at the discretion of the Reporter but it is unlikely that an event will be curtailed because one person is unable to be present. In that event it may be possible to submit further written representations but that would be for the appointed Reporter to decide. Please be aware that some sessions will be webcast in any event, which has the benefit of keeping interested parties informed without having to be physically present.

At any public meeting:

- Use the hand sanitiser regularly, where provided, and when washing hands ensure the hand soap is used, using the advised method (i.e. washing your hands for at least 20 seconds);
- Do not shake hands and more generally we expect all participants to comply with current hygiene advice; and

- Keep your distance from other individuals, where possible.

Thank you for your co-operation.