

AGENDA

General Overview & Scrutiny Committee

Date: **Monday 5 September 2016**

Time: **9.30 am**

Place: **Council Chamber, The Shire Hall, St Peter's Square,
Hereford, HR1 2HX**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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If you would like help to understand this document, or would like it in another format, please call Tim Brown, Governance Services on 01432 260239 or e-mail tbrown@herefordshire.gov.uk in advance of the meeting.

Agenda for the meeting of the General Overview & Scrutiny Committee

Membership

Chairman **Councillor WLS Bowen**
Vice-Chairman **Councillor CA Gandy**

Councillor JM Bartlett
Councillor MJK Cooper
Councillor J Hardwick
Councillor EPJ Harvey
Councillor JF Johnson
Councillor MT McEvelly
Councillor AJW Powers
Councillor NE Shaw
Councillor EJ Swinglehurst
Councillor A Warmington
Councillor SD Williams

Co-optees Mr P Burbidge Roman Catholic Church
(education issues) Mrs A Fisher Parent Governor Representative: Primary Schools
 Mr P Sell Church of England

AGENDA

		Pages
1.	<p>APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
2.	<p>NAMED SUBSTITUTES</p> <p>To receive details of members nominated to attend the meeting in place of a member of the committee.</p>	
3.	<p>DECLARATIONS OF INTEREST</p> <p>To receive any declarations of interest by members.</p>	
4.	<p>MINUTES</p> <p>To receive the minutes of the meeting held on 26 July 2016.</p>	7 - 12
5.	<p>SUGGESTIONS FROM THE PUBLIC</p> <p>To consider suggestions from the public on issues the committee could scrutinise in the future.</p> <p>(There will be no discussion of the issue at the time when the matter is raised. Consideration will be given to whether it should form part of the committee's work programme when compared with other competing priorities.)</p>	
6.	<p>QUESTIONS FROM THE PUBLIC</p> <p>To note questions received from the public and the items to which they relate.</p> <p>(Questions are welcomed for consideration at a scrutiny committee meeting subject to the question being directly relevant to an item listed on the agenda below. If you have a question you would like to ask then please submit it no later than 5.00 pm on Wednesday 31 August to tbrown@herefordshire.gov.uk)</p>	
7.	<p>FOUR YEAR FINANCIAL SETTLEMENT</p> <p>To seek the committee's views on the four year central government funding deal.</p>	13 - 26
8.	<p>STATEMENT OF COMMUNITY INVOLVEMENT CONSULTATION, COMMUNICATIONS AND PROGRAMME TO ADOPTION</p> <p>To seek the committee's views having regard to the outcome of public consultation, on a revised draft statement of community involvement.</p>	27 - 94
9.	<p>COMMUNICATION PROTOCOL FOR MEMBERS</p> <p>To consider whether to make any recommendations to inform cabinet's consideration of the communication protocol for members which forms part of the communication strategy.</p>	95 - 104
10.	<p>DATE OF NEXT MEETING</p> <p>The next scheduled meeting is Tuesday 27 September 2016 at 10:00 am</p>	

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- Inspect minutes of the Council and all committees and sub-committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
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HEREFORDSHIRE COUNCIL

MINUTES of the meeting of General Overview & Scrutiny Committee held at Council Chamber, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Tuesday 26 July 2016 at 10.00 am

Present: Councillor WLS Bowen (Chairman)
Councillor CA Gandy (Vice Chairman)

Councillors: JM Bartlett, MJK Cooper, J Hardwick, JF Johnson, MT McEville, AJW Powers, NE Shaw, EJ Swinglehurst, LC Tawn, A Warmington and SD Williams

In attendance: Councillors DG Harlow, cabinet member - economy and corporate services, PM Morgan, deputy leader/cabinet member - health and wellbeing, and PD Price, cabinet member – infrastructure.

Officers: A Floyd – communications manager, R Gabb – programme director housing and growth, M Samuels director for adults and wellbeing, A Scott – assistant director safeguarding and early help, N Silver – assistant director communities, N Webster – economic development manager.

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors CA Gandy, EPJ Harvey, and EL Holton. Apologies were also received from the statutory co-optees: Mr Burbidge, Mrs Fisher and Mr Sell.

2. NAMED SUBSTITUTES

Councillor M McEville substituted for Councillor CA Gandy and Councillor LC Tawn for Councillor EPJ Harvey.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. MINUTES

RESOLVED: That the minutes of the meeting held on 4 May 2016 be approved as a correct record and signed by the Chairman.

5. SUGGESTIONS FROM THE PUBLIC

It was reported that two suggestions for scrutiny had been received, both relating to highways maintenance.

6. QUESTIONS FROM THE PUBLIC

No questions had been received.

7. ECONOMIC MASTER PLAN

The committee was invited to comment on the proposed framework for engaging with communities on the development of an economic masterplan to secure improvement in the development of, and engagement with, the plan.

The cabinet member – economy and corporate services introduced the report commenting that the plan was being presented at a very early stage to enable the committee to engage fully with it. He considered it important that the plan was not seen as party political and believed that the plan's 7 themes should be acceptable to all councillors. It was intended to ask GOSC to be involved in putting forward project suggestions on an ongoing basis.

In summary the plan was intended to pull together the many strands of activity that make Herefordshire great and shout about them on a bigger stage to make the county stand out and so exert a greater influence on regional and national bodies in pursuit of the county's interests.

The economic development manager delivered a presentation, a copy of which had been included with the agenda papers.

In the ensuing discussion the following principal points were made:

- Communication was of key importance to generate engagement.
- Guidance for Councillors as to what was expected of them and how best they could help community groups bring forward and develop proposals would be helpful.

The economic development manager commented that engagement events to date had generated some ideas but these had been quite small scale. The aim through the Plan was to identify more strategic projects. It might be the case that once documentation was produced including criteria for projects people would see the scale of opportunity and respond accordingly.

- Mindful of the pressure on public finances the plan was intended to draw in resources from both investors and local communities. The Council could not be aware of all the ideas in local communities and the aim was to capture those ideas through engagement.
- It was suggested that the retired population in the County might be viewed as a resource and consideration given to how to draw on their experience and encourage their involvement in projects.
- Consideration might usefully be given to ways of pooling ideas for economic development through less structured approaches such as a think tank.
- An inventory of strengths would be helpful. Once those were clearly understood it would seem sensible to identify ideas for economic development that would consolidate those strengths.
- It was noted that use of locations for film and tv productions could generate a great deal of tourism interest if promoted effectively. A number of examples were given in this sphere and others, for example producers of quality products in the County, where it was considered opportunities to promote the County had not been capitalised upon and where there was far greater opportunity to do so. It was suggested that there was the potential for far greater promotion for Herefordshire.
- A doubt was expressed more generally as to whether the County was making the most of the potential of tourism. It was suggested that insufficient account was also being taken of the visitor attraction the work of the many artists in the County represented.

- Clarity should be sought as to how the planning framework accommodates farm diversity proposals, for example in relation to semi-permanent structures such as log cabins and whether that framework is appropriate.
- The cabinet member – economy and corporate services suggested the committee might wish to nominate a member of the committee to contribute to the regular meetings he had with the chief executive and the director of economy, communities and corporate. Some Members indicated that they wanted to accept this invitation. A suggestion was made that whoever contributed should not be a member of the administration.
- The intention to seek to promote projects in the market towns as well as the City was welcomed. Clarification was sought as to how local ward members were expected to contribute. The cabinet member acknowledged that a mechanism for engagement with the Town Councils and others needed to be developed
- It was suggested that it would be helpful to revisit the Economic Development Strategy 2011-16 to establish whether there were any lessons that could be learned from the success or otherwise in delivering that plan that could inform the new plan. The economic development manager suggested that the further report proposed to be submitted to the committee in September 2016 could include highlights of lessons learned in relation to the implementation of the 2011-16 plan and how these might inform the development of the new masterplan.
- One view expressed was that it was important to the Council's financial position to promote economic development that would generate increased business rate income for the Council and that should be the focus of the plan.
- Another view was that there were a number of ways of achieving economic growth and the plan needed to explore all options including those which represented a unique selling point such as tourism, heritage and encouraging the many artists and craftsmen in the County.
- It was suggested that an alternative to the word masterplan should be found as this implied a role for the Council that could be off-putting to some and did not reflect the Council's role as a facilitator rather than a dominant force.
- If the committee was to review the plan as part of its work programme, as was being recommended, it was important that the plan included measurable outcomes.
- The Council should be wary of seeking to imitate initiatives of other authorities, including neighbouring rural ones, and should instead be more visionary seeking a distinctive path for the County where it would be one step ahead of others.
- It was observed that Group Leaders had not had sight of the masterplan and it was requested that there should be greater Member involvement, possibly by a small group, in taking the work forward, noting also the regard that needed to be had to ensuring local ward members were aware of proposed projects and consideration given to their role.

The economic development manager commented in response that the next stage of the plan's preparation would include arrangements for engagement with Members and with others.

RESOLVED:

That (a) the cabinet member–economy and corporate services be invited to consider the following recommendations:

- Consideration be given to ways of pooling ideas for economic development through less structured approaches such as a think tank.
 - An inventory should be made of the County's strengths and opportunities for synergy be then identified.
 - Clarity should be sought as to how the planning framework accommodates farm diversity proposals, for example in relation to semi-permanent structures such as log cabins and whether that framework is appropriate.
 - The invitation to a GOSC member to participate in meetings with chief executive, director and cabinet member on the development of the Masterplan be accepted.
 - The further report proposed to be submitted to the committee in September 2016 should include highlights of lessons learned in relation to the implementation of the 2011-16 economic development plan and how these might inform the development of the new Masterplan.
 - There should be cross-party engagement and engagement with all Members in developing the Plan.
 - An alternative word to masterplan should be found to describe the plan.
 - The plan should take account of the value of the arts and tourism to the County's economy.
 - Consideration should be given to how best to maximise the promotional opportunities for Herefordshire. and
- (b) consideration of the draft economic masterplan be added to the committee's work programme for September 2016 together with an annual review of the effectiveness of the plan thereafter.

(The meeting adjourned between 11.50am and 12noon)

8. COMMUNICATION STRATEGY 2016-19

The committee was asked to consider the communication strategy with associated communication protocols for the period 2016-2019 and whether to make any recommendations to inform cabinet's consideration of the strategy.

The cabinet member – economy and corporate services introduced the report. He commented on the importance of ensuring that the council's priorities and values were clearly communicated and understood. He observed that if the council was to move all offline transactions onto a website platform it could save up to £7m per year in transaction costs.

The Communications Manager gave a presentation, a copy of which had been circulated with the agenda papers. In discussion the following principal points were made:

- The Communications Manager acknowledged that not all residents had internet access and would wish to use that method of communication. She also confirmed that the accessibility of the website would be tested to ensure that it complied with relevant standards. Focus groups and user testing would be taking place.
- The use of a chat facility was to be encouraged taking into account how an operator's time can most effectively be used. The Communications Manager

commented that there were plans for a chat facility to be introduced after the initial phase of website development.

- Clarification should be provided as to how it is intended to implement the “spend within our means” approach outlined in section 3 of the strategy at appendix 1 to the report at p41 of the agenda papers: “making tough but necessary choices which will include ceasing to provide some services and working with communities to help them run services important to them”;
- The opportunity for the community to interact on-line quickly and easily should be fully explored;
- It was requested that clarification be provided on what was meant when the documentation referred to “the Council” as the term was currently sometimes applied to Members as a whole sometimes to officers and at other times to the administration or the executive. It was important that it was clear on whose behalf communications were being issued.
- Some dissatisfaction was expressed about the working protocols for elected members. It was suggested that these were unduly restrictive and implied the exercise of a centralised control over all communications. The assistant director communities replied that the various representational roles of members were recognised and the protocol was not intended to inhibit members in fulfilling those roles. Members proposed that the communication protocols should be subject to further consideration and a further report on them made to the Committee;
- The wording of paragraph 5.13 of appendix 2 to the report relating to the access of the press to premises be reviewed and clarified.

RESOLVED:

- That**
- (a) the communication protocols be subject to further clarification and consideration and a further report on them made to the Committee; and**
 - (b) that, subject to a above, the following recommendations be made to inform cabinet’s consideration of the strategy communication strategy with associated communication protocols for the period 2016-2019:**
 - **the use of a chat facility on the website should be pursued taking into account how an operator’s time can most effectively be used;**
 - **the opportunity for the community to interact on-line quickly and easily should be fully explored;**
 - **clarification be provided as to how it is intended to implement the “spend within our means” approach outlined in section 3 of the strategy at appendix 1 to the report at p41 of the agenda papers: “making tough but necessary choices which will include ceasing to provide some services and working with communities to help them run services important to them”;**
 - **the wording of paragraph 5.13 of appendix 2 to the report relating to the access of the press to premises be reviewed and clarified.**

9. DRAFT WORK PROGRAMME AND TASK AND FINISH GROUPS

The committee considered its work programme.

The chairman highlighted that Appendix 1 to the report set out the topics that had been identified as priorities at the work programme workshop in May and proposed a way of addressing each one. He invited the committee to endorse the proposed approach.

He also drew attention to paragraph 13 of the report which identified two additional subjects that the Committee was invited to consider adding to the work programme: the draft highways maintenance plan and a spotlight review of phosphates issues.

In relation to phosphates issues he added that since the publication of the agenda it had transpired that the Nutrient Management Plan Board had previously agreed to hold a joint seminar for Herefordshire/Powys councillors. All the relevant organisations had agreed to participate and provide presentations. The aim was for the seminar to be held in September. To avoid duplication it was proposed to await the outcome of this event before deciding if any scrutiny work was necessary.

Several members commented on the importance of considering phosphates issues promptly. It was also questioned whether a spotlight review would be sufficient. The chairman acknowledged these concerns and confirmed that it was intended that the approach to scrutiny of the issue would be discussed following the seminar.

He also drew attention to Appendix 3, prepared at members' request to show progress in response to recommendations the committee had made.

In relation to the proposed task and finish group on customer services/libraries it was reported that a report was due for cabinet in September. This did not allow time for a full task and finish group. It was proposed that further consideration be given to how best to take this matter forward.

Finally the chairman reported that it was also proposed to add a budget and policy framework item: Statement of community involvement consultation, to the agenda for 5 September.

RESOLVED: That the actions proposed in appendix 1 to the report be endorsed and the work programme at appendix 2 to the report, as amended, be approved.

10. DATE OF NEXT MEETING

The Committee noted the date of the next meeting was 5 September 2016.

The meeting ended at 1.06 pm

CHAIRMAN



Meeting:	General overview and scrutiny committee
Meeting date:	5 September 2016
Title of report:	Four year financial settlement
Report by:	Head of corporate finance

Classification

Open

Key decision

This is not an executive decision.

Wards affected

County-wide

Purpose

To seek the committee's views on the four year central government funding deal.

Recommendation

THAT:

- (a) the committee determines whether to recommend to cabinet acceptance of the four year central government funding deal for 2016-17 through to 2019-20; and
- (b) the committee determines whether there are any specific matters it wishes cabinet to consider in making its recommendation to full council.

Alternative options

- 1 It is open to the committee to recommend alternatives to accepting the four year deal. However, should not accepting the deal result in further funding reductions, compensatory savings proposals must be identified.

Reasons for recommendations

- 2 The council's budget and policy framework rules require that cabinet has regard to

Further information on the subject of this report is available from
Josie Rushgrove, head of corporate finance tel (01432) 261867

the views of overview and scrutiny in developing their recommendations to Council on budget and policy framework items.

Key considerations

- 3 The four year financial settlement offer was made as part of the 2016/17 final central government funding settlement in February 2016. The offer, if accepted, will confirm Herefordshire's revenue support grant, rural services delivery grant and transitional grant funding up to and including 2019/20.
- 4 The Secretary of State wrote to all local authorities' leaders and chief executives in March 2016 with further details of the four year settlement offer, a copy of the letter and annex are provided at appendix 1 and 2. The offer requires an efficiency plan to be produced showing the benefits that will be gained from those that wish to accept it.
- 5 The offer excludes the current business rate income top up grant that Herefordshire receives (£6.9m in 2016/17). The offer letter goes on to say that for those that accept the four year offer there will be no changes to the business rate tariffs and top-ups will "not be altered for reasons related to the relative needs of local authorities". This implies that there may be changes as a result of the 2017 revaluation of business rates; new rateable values are due to be shared later in September 2016.

Background

- 6 The council has seen significant funding reductions and budget pressures since 2010. The council has risen to this challenge by delivering £59m of savings in the financial years 2010-11 to 2015-16, and is targeting an additional £28m in the financial years 2016-17 through to 2019-20. This gives total savings for the financial period 2010-11 to 2019-20 of £87m.
- 7 The current savings plan is shown below; by accepting the funding offer this plan remains appropriate.

Directorate	2016-17 £m	2017-18 £m	2018-19 £m	2019-20 £m	Total 16-20 £m
Adults and wellbeing	4.1	2.3	1.8	1.7	9.9
Children's wellbeing	1.6	1.3	1.4	1.0	5.3
Economy, communities and corporate	5.2	3.4	2.3	2.3	13.2
Total	10.9	7.0	5.5	5.0	28.4

- 8 Successfully delivering savings of this scale requires longer term planning; knowing the grant element of longer term plans enables increased accuracy in targeting the financial challenges ahead.
- 9 If the offer were not accepted council funding would continue to be allocated under the current existing yearly process. The annual allocations could be subject to additional reductions to the current offer dependent on the fiscal climate and the need for central government to make further savings to reduce the national deficit. There is at this stage no indication of the potential levels of support which could be expected under such a system, and the council would be less able to rely on longer term plans. It is also possible, although currently not considered likely, that if national policy changed during the settlement period funding allocations could increase.

Further information on the subject of this report is available from
Josie Rushgrove, head of corporate finance tel (01432) 261867

The four year funding deal: 2016-17 to 2019-20

- 10 The four year funding offer is shown below. The offer excludes a number of significant grant funding streams but does provide a degree of increased funding certainty. The offer has been labelled as a guaranteed minimum grant funding envelope however central government reserves the right to change the settlement due to unforeseen circumstances.

	2016/17	2017/18	2018/19	2019/20
	£000	£000	£000	£000
Revenue Support Grant	17,470	10,090	5,370	620
Rural Services Delivery Grant	5,069	4,093	3,149	4,093
Transitional Grant	572	576	0	0
Total	23,111	14,759	8,519	4,713

Efficiency statement and business rate retention

- 11 The funding offer is conditional on the publication of an efficiency statement. There are no mandatory requirements for the efficiency statement however the published plan must demonstrate increased efficiency over the four year period.
- 12 The draft efficiency statement is included at appendix 3 and is based on the current medium term financial strategy (MTFS) approved by Council in February 2016, <https://www.herefordshire.gov.uk/media/4506617/medium-term-financial-strategy-2016-20.pdf>.
- 13 The efficiency statement supports the council's journey to self-sufficiency; from 2019-20 it is intended that all councils will be funded locally from council tax and full business rate retention. The exact detail of how this funding mechanism will be implemented is yet to be shared and the council is currently preparing a response to the open consultation process. The intended timetable in respect of moving to full local business rate retention is as shown below:

Summer 2016	Consultation on the approach to 100% retention
Autumn 2016	Further technical consultation on the specific workings of the reformed system
Early 2017	Legislation introduced
April 2017	Pilots of the new approach
Before May 2020	100% business rates implemented

Implications of not accepting the offer

- 14 The funding offer confirms the implications of not accepting the offer as follows:

Further information on the subject of this report is available from Josie Rushgrove, head of corporate finance tel (01432) 261867

“Those councils that chose not to accept the offer, or do not qualify, will be subject to the existing yearly process for determining the local government finance settlement. Allocations could be subject to additional reductions dependent on the fiscal climate and the need to make further savings to reduce the deficit. At present we do not expect any further multi-year settlements to be offered over the course of this parliament”.

Timeline

- 15 The offer must be accepted before 14 October, with this in mind the following timetable has been set:

Date	Action
5 September 2016	General overview and scrutiny committee
19 September 2016	Cabinet
30 September 2016	Council
14 October 2016	Deadline

Community impact

- 16 The MTFS, associated budget and funding demonstrates how the council is using its financial resources to deliver the priorities within the agreed corporate plan.

Equality duty

- 17 The Public Sector Equality Duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying “due regard” in our decision making in the design of policies and in the delivery of services. This funding offer is in line with our current MTFS therefore there would be no additional adverse impact on different protected characteristics if the offer is accepted.

Financial implications

- 18 As set out in the report.

Legal implications

- 19 There is no requirement to accept the four year settlement. If the council chooses not to accept the offer, or does not qualify, we will be subject to the existing yearly process for determining the local government finance settlement. The only legal requirement under the Local Government Finance Act 1992 requires a council to set a balanced budget which should be possible under either settlement process however accepting the offer provides increased longer term certainty and improved planning opportunities.

Risk management

- 20 By accepting a longer term funding offer, the risk of unbudgeted spend is decreased. The most substantial risks have been assessed as part of the budget setting process

Further information on the subject of this report is available from
Josie Rushgrove, head of corporate finance tel (01432) 261867

and reasonable mitigation has been made. Risks will continue to be monitored through the year and reported to cabinet as part of the budget setting and monitoring process.

Consultation

- 21 Consultation on the budget proposals for 2017/18, based on the indicative funding allocations within the funding offer, has commenced and the outcome of the consultation will be used to guide decisions within a balanced budget. A link to the live consultation can be found here

<http://newsroom.herefordshire.gov.uk/2016/july/council-launches-budget-consultation.aspx>

and the 2017/18 budget setting timetable is shown below:

Date	Action
29 July to 7 October	Budget consultation open
14 November 2016	Both scrutiny committees
1 December 2016	Cabinet – capital budget
16 December 2016	Council – capital budget
19 January 2017	Cabinet – budget, MTFS & Treasury Management Strategy
3 February 2017	Council – budget, MTFS & Treasury Management Strategy
3 March 2017	Council – council tax setting

Appendices

Appendix 1 – letter from secretary of state to council leaders – 10 March 2016 – multi-year settlements and efficiency plans

Appendix 2 – annex to letter from secretary of state to council leaders

Appendix 3 – draft efficiency statement

Background papers

- None identified.



Department for
Communities and
Local Government

The Rt Hon Greg Clark MP
*Secretary of State for Communities and Local
Government*

**Department for Communities and Local
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www.gov.uk/dclg

10 March 2016

Dear Colleagues

MULTI-YEAR SETTLEMENTS AND EFFICIENCY PLANS

On 17 December I announced a historic opportunity for councils to achieve greater certainty and confidence from a 4-year budget. I see this as a key step to supporting you to strengthen your financial management, at the same time as working collaboratively with your local partners and reforming the way services are provided.

The settlement consultation process showed great support for this approach and identified a number of queries about what the offer includes and the requirements for applying to accept this offer. I have therefore set out some further details in the attached annex. But I want to reiterate that I want this offer, and the production of an efficiency plan, to be as simple and straightforward as possible, and reassure you that this is not about creating additional bureaucracy.

If you wish to apply to accept the offer you simply need to send an email or letter to MultiYearSettlements@communities.gsi.gov.uk by **5pm on Friday 14th October** and include a link to your published efficiency plan.

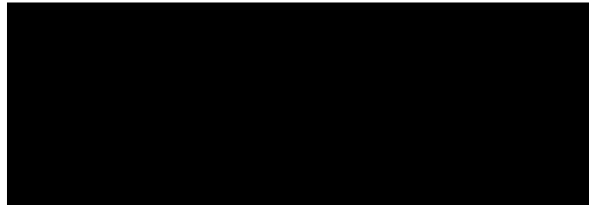
I do not intend to provide further guidance on what efficiency plans should contain – they should be locally owned and locally driven. But it is important that they show how this greater certainty can bring about opportunities for further savings. They should cover the full 4-year period and be open and transparent about the benefits this will bring to both your council and your community. You should collaborate with your local neighbours and public sector partners and link into devolution deals where appropriate.

Of course this offer is entirely optional. It is open to any council to continue to work on a year-by-year basis, but I cannot guarantee future levels of funding to those who prefer not to have a four year settlement.

I have been delighted by the response of councils all over the country to the offer of four year budgets and I look forward to hearing from you if you would like to avail yourself of it.

For any further queries, please contact officials at the above address.

Yours sincerely



THE RT HON GREG CLARK MP

Annex

Conditions of the multi-year settlement

The Government will offer any council that wishes to take it up a four-year funding settlement to 2019-20. This includes:

- Common Council of the City of London
- London borough councils
- district councils
- county councils
- Council of the Isles of Scilly
- Greater London Authority
- metropolitan county fire and rescue authorities
- combined fire and rescue authorities.

The Government is making a clear commitment to provide minimum allocations for each year of the Spending Review period, should councils choose to accept the offer and if they have published an efficiency plan.

What the offer includes

On 9 February we provided summaries and breakdown figures for each year to your s151 Officer. From those figures the relevant lines that are included in the multi-year settlement offer, where appropriate, are:

- Revenue Support Grant;
- Transitional Grant; and
- Rural Services Delivery Grant allocations.

In addition, tariffs and top-ups in 2017-18, 2018-19 and 2019-20 will not be altered for reasons related to the relative needs of local authorities, and in the final year may be subject to the implementation of 100% business rates retention.

The Government is committed to local government retaining 100% of its business rate revenues by the end of this Parliament. This will give them control over an additional £13 billion of tax that they collect.

To ensure that the reforms are fiscally neutral local government will need to take on extra responsibilities and functions. DCLG and the Local Government Association will soon be publishing a series of discussion papers which will inform this and other areas of the reform debate.

The new burdens doctrine operates outside the settlement, so accepting this offer will not impact on any new burden payments agreed over the course of the four years.

The Government will also need to take account of future events such as the transfer of functions to local government, transfers of responsibility for functions between local authorities, mergers between authorities and any other unforeseen events. However, barring exceptional circumstances and subject to the normal statutory consultation process for the local government finance settlement, the Government expects these to be the amounts presented to Parliament each year.

Process for applying for the offer

Interest in accepting this offer will only be considered if a link to a published efficiency plan is received by 5pm Friday 14th October. We will provide confirmation of the offer shortly after the deadline.

Efficiency Plans

Efficiency plans do not need to be a separate document. They can be combined with Medium Term Financial Strategies or the strategy set out in the guidance (<https://www.gov.uk/government/publications/guidance-on-flexible-use-of-capital-receipts>) on how you intend to make the most of the capital receipt flexibilities if appropriate.

The Home Office will provide guidance on the criteria and sign off process for efficiency plans for single purpose Fire and Rescue authorities. All Fire and Rescue authorities, including those which are county councils, should set out clearly in their efficiency plans how they will collaborate with the police and other partners to improve their efficiency.

Process for those who do not take up the offer

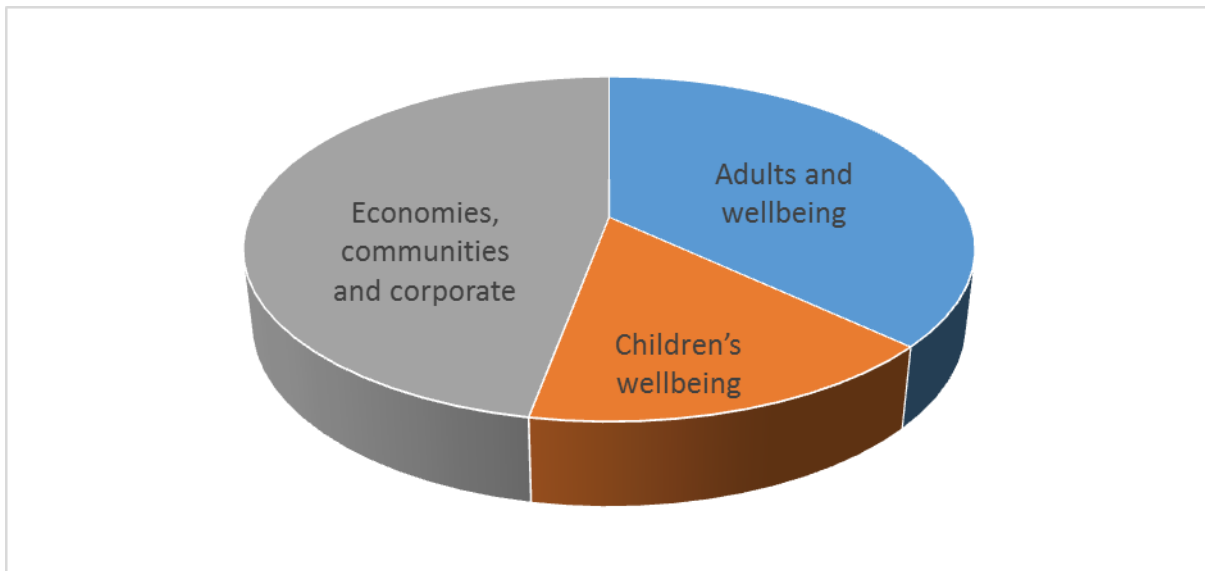
Those councils that chose not to accept the offer, or do not qualify, will be subject to the existing yearly process for determining the local government finance settlement.

Allocations could be subject to additional reductions dependant on the fiscal climate and the need to make further savings to reduce the deficit.

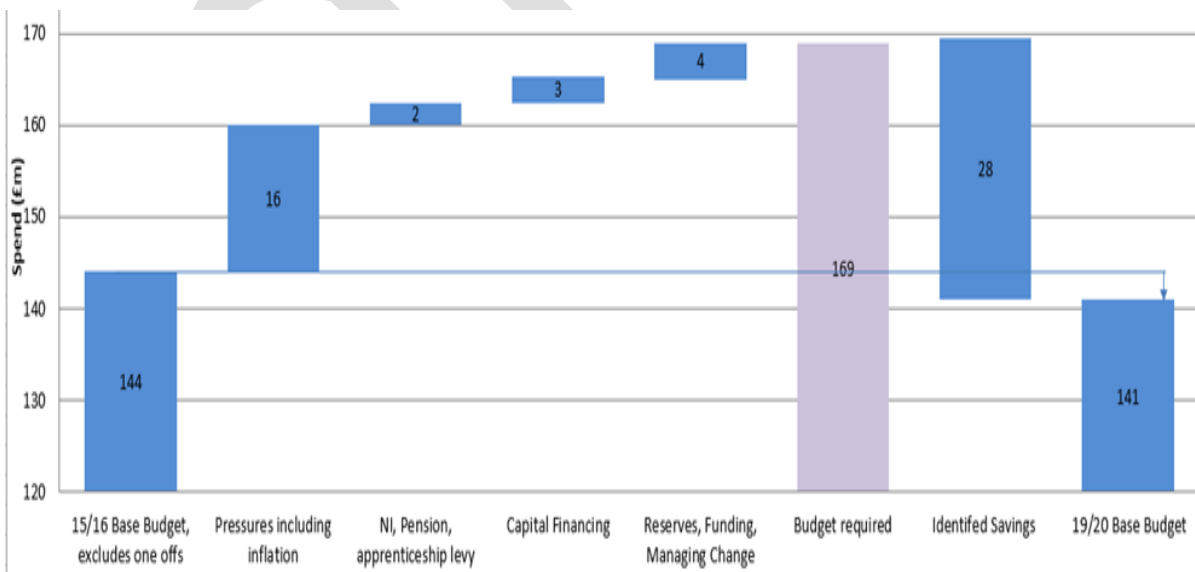
At present we do not expect any further multi-year settlements to be offered over the course of this parliament

Herefordshire council’s draft efficiency statement: 2016/17 to 2019/20

Herefordshire council provides public services costing approximately £328m per annum alongside capital investment in the county of approximately £75m per annum. Since 2010 Herefordshire council has delivered essential savings whilst protecting and enhancing the services it provides to the county’s citizens. The majority of the council’s net budget requirement funds providing essential services to the vulnerable citizens of Herefordshire.



The council is focussing on become self-reliant, being funded wholly through local resources, from 2019-20. It has set its plans in line with this and how this will be achieved whilst ensuring essential services continue to be provided in recognition of increasing budget pressures. To achieve this will require the delivery of savings over the intervening period to ensure the budget available is enough to fund local demand.



Focussing on the longer term enables different service delivery modules to be considered and implemented providing longer term sustainability.

Following consultation the council has reconfirmed its priorities, which are to:

- Enable residents to live safe, healthy and independent lives
- Keep children and young people safe and give them a great start in life
- Support the growth of our economy
- Secure better services, quality of life and value for money

These objectives set out our priorities to focus on to make sure we make the best use of resources and deliver services that make a difference to people in Herefordshire.

Herefordshire council has approved its medium term financial strategy (MTFS) and corporate plan both to 2019-20.

https://www.herefordshire.gov.uk/media/8060372/corporate_plan_2016-20.pdf

<https://www.herefordshire.gov.uk/media/4506617/medium-term-financial-strategy-2016-20.pdf>

The MTFS specifically addresses the financial challenges being faced over the period. The council has already delivered savings of £59m and is targeting a further £28m ahead of 2020, a total of £87m between 2010 and 2020. Herefordshire intends to deliver these savings through growing its local economy, reducing costs, managing current and future demand. Details can be reviewed here: <http://councillors.herefordshire.gov.uk/documents/s50031032/App%204%20Directorate%20Savings%20plan%20to%2019-20.pdf>

The Corporate Delivery Plan identifies the key projects planned for the year to achieve progress towards the council's priorities in the Corporate Plan.

https://www.herefordshire.gov.uk/media/4763825/2016-17_corporate_delivery_plan.pdf

Directorates within the council produce a business plan which sets out how they will progress the achievement of the corporate objectives, the objectives specifically for the directorate, the changes it will go through to achieve them and the performance targets it will monitor to check its progress.

<https://www.herefordshire.gov.uk/government-citizens-and-rights/performance-and-risk/performance-reports>

Both plans will be continuously reflected upon as more of the anticipated changes and their effects become known. For example, the implications of leaving the European Union, localising business rates, additional responsibilities, the future of new homes bonus and pension fund reviews. These changes are largely outside the council's control however the council will play an active role in consultations and reflect on the implications on a regular basis in tandem with the delivery of local savings already targeted.

The council recognises it can't successfully navigate the journey alone and understands the importance of working effectively with its partners. Herefordshire has in place a Better Care Fund with Herefordshire clinical commissioning group; it is an active member of the Marches Local Enterprise Partnership; it is working on a devolution deal and its Sustainability Transformation Plans. In addition to this Herefordshire has recently become a non-constitution member of the west midlands combined authority. This ensures collaborative working delivers the best outcomes.

Herefordshire council is currently in the process of consulting on the 2017/18 budget and has a number of specific consultations live to ensure we consider the full views of residents of the county when changing the delivery of the services we provide.

<https://www.herefordshire.gov.uk/government-citizens-and-rights/democracy/council-finances/budget-consultation-2017>

Herefordshire council reported its 2015/16 outturn on 16 June delivering a small under-spend which has been added to reserves. This means that Herefordshire's prudential general reserve balance at 31 March 2016 was £7.3m, representing 5% of the 2016/17 net budget.

<http://councillors.herefordshire.gov.uk/documents/s50035709/End%20of%20year%20corporate%20performance%20and%20budget%20report.pdf>

The general reserve balance is expected to increase by £4.5m in 2016/17 to give an estimated total general fund reserve of £11.8m as at 31 March 2017. The increase is due to the additional rural and transitional grant funding received in the final 2016/17 funding settlement from government confirmed after the budget for 2016/17 was approved by Council in February 2016. This one off grant funding will be used to provide increased resilience in the MTFS supporting rural service delivery.

The audit of the 2015/16 statement of accounts is almost complete, the draft statements and annual governance statement are available to view here: <https://www.herefordshire.gov.uk/media/4740382/unaudited-accounts-201516-and-draft-ags.pdf>

The previous year's audit reviewed the financial resilience, value for money and statement of accounts of the council by looking at key indicators of financial performance, its approach to strategic financial planning, its approach to financial governance and its approach to financial control. The overall conclusion was rated as green in all of these areas, meaning adequate arrangements are in place.

Monthly reviews of the budget position, performance to targets and challenge are held in tandem with public reporting. The budget setting timetable and monitoring reporting is shown below.

	Health and wellbeing overview scrutiny committee	General overview and scrutiny committee	Cabinet	Audit and governance committee	Council
2015/16 financial and performance outturn			16.06.16		
2016/17 Q1 finance and performance			21.07.16	22.09.16	
Draft 2017/18 budget and medium term financial strategy (MTFS)	14.11.16	14.11.16			
2016/17 Q2 finance and performance			01.12.16		

2017/18 capital programme			01.12.16		16.12.16
Detailed 2017/18 budget, MTFS and treasury management strategy			19.01.17		03.02.17
2016/17 Q3 finance and performance			09.02.17	20.03.17	
Council tax for 2017/18					03.03.17

This efficiency plan demonstrates how Herefordshire council is using its vision, policies, opportunities and challenges in its journey to local financial sustainability. The key to this success will be delivering the councils priorities and plans which will ensure Herefordshire council moves to:

- self-reliant, vibrant communities;
- growing the economy;
- supporting the most vulnerable through ensuring their families, friends and communities can support them;
- people helping themselves through the choices they make.

Approved for publication on by:

.....

Leader of the council

.....

Chief executive of the council

I confirm that the above efficiency statement is likely to achieve and sustain a balanced budget position, subject to the delivery of targeted savings, over the four years to 2019-20.

.....

S151 of the council



Meeting:	General overview and scrutiny committee
Meeting date:	5 September 2016
Title of report:	Statement of community involvement consultation, communications and programme to adoption
Report by:	Local and neighbourhood planning community engagement officer

Classification

Open

Key decision

This is not an executive decision.

Wards affected

Countywide

Purpose

To seek the committee's views, having regard to the outcome of public consultation, on a revised draft statement of community involvement.

Recommendation

THAT: the committee provides comments on the revised draft statement of community involvement at appendix 1.

Alternative options

- 1 To continue use of the existing statement of community involvement. This is not recommended as it does not give due consideration to principal use of online communication whenever practical, contains information which is now obsolete and does not provide information on neighbourhood development planning, community right to build and neighbourhood development orders.

Further information on the subject of this report is available from
 Susi Gilson, local and neighbourhood planning community engagement officer
 on Tel (01432) 383357

Reasons for recommendations

- 2 To ensure the council adheres to the local development scheme and the requirement to review the statement of community involvement as and when the need is identified.
- 3 The statement of community involvement forms part of the local plan framework and as such is a budget and policy framework item. The views of the committee are sought to inform cabinet's consideration before making a recommendation to full Council.

Key considerations

- 4 The revised statement of community involvement would replace the current document adopted in March 2007. Extensive review of the planning process leading to the publication of the Localism Act in 2011 and National Planning Policy Framework in 2012 means there is now far greater emphasis on early engagement with all potentially affected parties.
- 5 Over the last eight years, use of online technology as a communication and information tool has increased extensively. It is accepted that more traditional 'offline' modes of communication, such as letters via post and hard copies of documents are still necessary; however, these can now be used to a much lesser degree. The draft of the new statement of community involvement reflects this culture shift.
- 6 The basis of the Localism Act is to devolve power from central government. It gives communities the opportunity to take responsibility for the shaping of development in their area, within the parameters of the core strategy.
- 7 Along with the new legislation came the introduction of neighbourhood planning, subject to majority support in a referendum and working in tandem with the strategic policies within the Herefordshire local plan – core strategy.
- 8 Each neighbourhood development plan establishes general planning policy for sustainable growth and use of land within a defined area.
- 9 Communities are also given the opportunity to manage development without the need to go through the conventional planning application process, in the form of a neighbourhood development order or community right to build. However, proposals will still need to meet certain criteria and overwhelming community support must be demonstrated before any work can go ahead.
- 10 The revised statement of community involvement details the various ways in which people are able to be involved in the planning process and the commitment the council has to ensure there is ample opportunity to do so.
- 11 Public consultation on the new statement of community involvement has been conducted on-line including email correspondence to specified consultees and the local development framework database to publicise the consultation. It included an on-line questionnaire using the questions set out in appendix 2.
- 12 The consultation was also publicised through the council social media pages and website. A report has been produced setting out the results of the consultation and the conclusions that can be drawn from it – appendix 3.

Further information on the subject of this report is available from
Susi Gilson, local and neighbourhood planning community engagement officer
on Tel (01432) 383357

Community impact

- 13 The statement of community involvement identifies those groups considered to be more of a challenge to engage with and sets out suggested methods to achieve greatest participation.
- 14 Established organisations representing these groups provide a vital communication network for the council to utilise. Many of the organisations listed in the original document, produced in 2007, no longer exist, hence the revised statement of community involvement replaces those with current information.

Equality duty

- 15 In order to ensure that due regard for equality and diversity is met, the following measures will be taken:
 - The document is available in alternative formats
 - A number of changes have been made to the document in light of the consultation including the removal of acronyms and the use of plain English.
 - An easy read summary will be made available to ensure that the information is accessible.

Financial implications

- 16 Emphasis on utilising online communication as much as possible means potential savings if the revised document is adopted.

Legal implications

- 17 Adoption of the revised document fulfils the statutory requirement for the council to maintain an up to date statement of community involvement, detailing its commitment to engage with the public during preparation of planning documents. This is in accordance with the Planning and Compulsory Purchase Act 2004 which brought in changes to the development plan system including the creation and use of regional special strategies and local development schemes to replace existing development plan.

Risk management

- 18 By consulting on and adopting the revised document, the council will avoid breaching its statutory duty to maintain a statement of community involvement.

Consultees

- 19 A consultation report is provided at appendix 3 and a list of consultees at appendix 5.

Appendices

Appendix 1 - Draft Statement of Community Involvement including proposed changes

Appendix 2 – List of proposed changes to original draft

Further information on the subject of this report is available from
Susie Gilson, local and neighbourhood planning community engagement officer
on Tel (01432) 383357

Appendix 3 - Consultation questions

Appendix 4 – Summary and results of consultation

Appendix 5 – List of consultees

Background papers

- None identified.

Contents

Document summary

1. Summary of planning documents
2. Role and purpose of the Statement of Community Involvement
3. When can you get involved?
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5. Community Profile
6. Diversity of interests and those at risk of exclusion
7. Herefordshire's approach to community involvement
8. Community Involvement Methods and Techniques
9. Herefordshire's consultation standards for Development Plan Documents and Supplementary Planning Documents
10. Community Involvement in the planning application process
11. Neighbourhood Development Planning
12. Monitoring and reviewing

Appendices

Document Summary

Revisions of the planning process, since the Planning and Compulsory Purchase Act 2004, have resulted in a more user-friendly, streamlined mechanism with which to bring plans to fruition. In March 2012, the National Planning Policy Framework (NPPF) was published and set out the Government's planning policies for England and how they were expected to be applied.

The NPPF replaced over a thousand pages of policy with a much more succinct and uncomplicated structure to follow.

Publication of the NPPF, along with the publication of the Localism Act 2011, means that emphasis is now firmly placed on early engagement and collaboration with neighbourhoods, local organisations and businesses, making planning inclusive of people and communities who want to be involved and a dispersal of power from central Government to local authorities.

Every Council in the country is now creating a countywide planning strategy, known as a Local Plan. As a cornerstone of planning and future development, Herefordshire's Local Plan (formally the Local Development Framework) fits consistently with the principles and policies set out in the NPPF. The Local Plan is there to deliver sustainable development that reflects the vision and aspirations of local communities.

The Local Plan sets out the strategic priorities for Herefordshire, taking measured consideration of the impact on every aspect of social, economic and environmental matters through progress and change.

Following extensive research and public consultation, as well as intensive examination by an independent inspector, the Local Plan provides the basis for all future planning within the County until 2031.

As part of the make-up of the Local Plan, a Local Development Scheme (LDS) has been devised in order to set a timetable for production of a series of accompanying documents, known as Local Development Documents (LDDs). A comprehensive list of the different types of documents produced is provided in section 1 of this document.

This Statement of Community Involvement (SCI) is one of the Local Development Documents, and sets out how the Council will engage with the community in respect of planning matters.

A vital part of the Statement of Community Involvement is to identify those groups most at risk of exclusion and to identify how the Council will approach this potential challenge. Section 6 has more details about this. Section 8 gives more information about the selection of general methods and techniques the Council use to engage with people.

In order to fulfil the pledge to award more power to local communities, the NPPF has introduced Neighbourhood Planning. Creating a Neighbourhood Development Plan gives communities the opportunity to shape and direct sustainable development within their area. Section 11 gives more information about this.

The overall ethos behind the SCI is that local planning authorities should be informative and receptive to views right from the earliest stages and throughout the planning process, to give everyone the opportunity to contribute.

The aim of this is to ensure that the outcome reflects a collective vision and a set of agreed priorities for the ongoing development of Herefordshire.

1. Summary of Planning Documents

1.1 Local Development Document (LDD)

These comprise of: Statement of Community Involvement, Development Plan Documents and Supplementary Planning Documents. Definitions of these documents are provided below.

1.2 Local Development Scheme (LDS)

This is a list of what documents will be included in the Local Plan and timetable for their production. The Local Development Scheme for Herefordshire can be found on the Council's website. The scheme is regularly reviewed. The Local Development Scheme can be found on the Council's website at:

<https://www.herefordshire.gov.uk/local-plan>

1.3 Statement of Community Involvement (SCI)

This sets out how and when the local community can become involved in the preparation of the Local Development Documents and in the consideration of planning applications. The Council must comply with its adopted Statement of Community Involvement when preparing its Local Development Documents and this compliance will be tested when these are independently examined. The Statement of Community Involvement can be found on the Council's website at:

<https://www.herefordshire.gov.uk/local-plan>

1.4 Development Plan Documents (DPD)

Development Plan Documents will have the status as part of the development plan for the area. They must be subject to sustainability appraisal and community involvement during their preparation and can only be adopted after independent examination resulting in recommendations which are binding on the Council.

1.5 DPDs will include the following:

- The Core Strategy, which sets out the long term vision for the area and the policies required to deliver that vision.
- Development Plan policies, based on topics such as housing, employment, and retail and will guide development in the County.
- Site specific allocations of land for individual uses e.g. housing, employment
- A Proposals Map illustrating the spatial extent of the policies
- Action Area Plans for key areas of change.

1.6 Supplementary Planning Documents (SPD)

These documents are optional and may cover a range of issues, both theme based and site specific which provide additional detail to the policies in the development plan document. They are subject to sustainability appraisal and community involvement and do not require independent examination.

1.7 Neighbourhood Development Plans (NDP)

These are also optional and give every parish community the opportunity to shape the way their area develops within the guidelines of the Local Plan. Guidance on how to formulate a Neighbourhood Development Plan and details of the help that is available can be found on the website at:

<https://www.herefordshire.gov.uk/neighbourhood-planning>

1.8 Sustainability Appraisals (SA)

Sustainability Appraisals are to form an assessment of the social, economic and environmental impacts of the policies and proposals contained within the Local Plan. All Local Development Documents are subject to a Sustainability Appraisal to assess the contribution the document or policy makes in achieving sustainable development in terms of social, economic and environmental factors.

1.9 Annual Monitoring Report (AMR)

The Council are required to produce an Annual Monitoring Report. This report will consider the effectiveness of the policies within the Local Plan and identify what needs to be reviewed/prepared in the future. The Annual Monitoring Report also sets out the Council's performance in achieving the key milestones set in the Local Development Scheme.

1.10 Planning Applications

The National Planning Policy Framework (NPPF) encourages pre-application discussions. In order for the planning process to work as efficiently and fairly as possible, every effort will be made to ensure that all valid planning applications are available for public viewing at the earliest convenience, giving the opportunity to all interested parties to have their say before the final decision is made.

2. Role and purpose of the Statement of Community Involvement

2.1 A key element of the planning process is to ensure more effective community involvement in the planning process, particularly in the early stages of plan preparation. The Council fully embraces the Government's objectives for improving community involvement in the planning system and has embodied in its Statement of Community Involvement ways in which the Council will seek the views of the community and build on existing consultation mechanisms to continue to make community involvement more effective.

2.2 In complementing the above, the Statement of Community Involvement seeks to explain the Council's policy for actively engaging the local community and stakeholders throughout the preparation, alteration and continuing review of planning documents and in the consideration of planning applications.

2.3 The planning system through its Statement of Community Involvement looks to overcome the traditional reactive way people have previously become involved in the planning process by recognising that people who are likely to be affected by new developments should be encouraged to participate more directly in the preparation of the documents which will form this framework and in the processing of planning applications. For plan documents this will help strengthen the evidence base of Local Development Documents as well as encourage a sense of local ownership and commitment to plan policies and their delivery. For both plan documents and planning applications this front loading approach should help to resolve conflicts and reach a consensus on essential issues in the early stages of the

process, thereby reducing the time taken by examinations and revisions in the later stages.

2.4 A statement of community involvement is required under Section 18 of the Planning and Compulsory Purchase Act 2004 as amended by the Planning Act 2008, Localism Act 2011, The Town and Country Planning (Local Planning) (England) Regulations 2012 and is informed by the National Planning Policy Framework 2012.

2.5 **The role and purpose of this Statement of Community Involvement is to:**

- Identify who will be consulted on plan documents and planning applications and when they will be actively involved in plan making and in reaching decisions on planning applications.
- Set out transparent, accessible and meaningful approaches to community involvement in plan preparation and decision making on planning applications.
- Encourage early involvement in decision making between the community, interest groups and stakeholders. This can help to resolve any initial conflicts and can generate a sense of ownership.
- Recognise and understand the different needs of all sections of the community and stakeholder interests and establish the most effective means of enabling all sections of the community to make their views known and help shape planning decisions in their areas.
- Explain how the results of the consultations will be fed into preparation of Local Development Documents and how those involved will be kept informed.
- Set out standards for the Council to achieve and explain how the process will be resourced and managed and how the planning process will be coordinated with other community involvement and consultation initiatives undertaken by the Council.
- Ensure that the Council complies with the adopted Statement of Community Involvement when preparing its Local Development Documents and compliance be kept under review and revised where necessary.

2.6 Minimum consultation requirements are set by the Government in the Town and Country Planning (Local Development) (England) Regulations 2012. This statement demonstrates how these will be met.

2.7 Development Plan Documents will be formally examined by independent inspectors from the Government's Planning Inspectorates team. It is no longer a requirement for Statement of Community Involvement to be independently examined.

3. When can you get involved?

- 3.1 People can participate in all aspects of the planning process, including the preparation and examination of Development Plan Documents and Supplementary Planning Documents and in the consideration of planning applications. Section 11 will have more information on how Communities can come together and play a big part in how the area around them develops in the future by writing their own Neighbourhood Development Plan.

4. Who will be involved in the consultation?

- 4.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out those bodies that the Council must consult with when preparing plan documents and planning applications.
- 4.2 The main groups to be targeted are Central, Regional, Local Government organisations, statutory bodies, community, voluntary, resident and interested groups, members of the public, Parish/Town Councils, local businesses and developers/agents. A comprehensive list of specific consultees can be found in appendix 2 of this document.
- 4.3 The preparation of Local Development Documents will be more relevant to some groups than others. The list will therefore be used as a guide to identifying the types of groups to involve and consult with. The groups and organisations will change over time and the planning consultation database will be reviewed regularly to maintain an up to date and relevant list of groups and organisations to consult.

5. Community Profile

- 5.1 Any meaningful and practical programme of community engagement must have regard to the physical characteristics of the County and the dispersed nature of settlements and communities. Community profiling is a useful tool in understanding the composition of the County.
- 5.2 Herefordshire is a large, predominately rural, landlocked county situated in the south western corner of the West Midlands region, on the border with Wales. It has a close relationship with neighbouring Shropshire and Worcestershire and there are a range of interactions taking place which cross Herefordshire's boundaries in all directions, including service provision, transport links and commuting patterns.
- 5.3 At the county's heart is the city of Hereford which is the main centre for civil and ecclesiastical administration, health, education and leisure facilities, shopping and employment. The five market towns of Bromyard, Kington, Ledbury, Leominster and Ross-on-Wye, surround the city with still almost medieval regularity. Outside of these urban areas, nucleated villages and smaller settlements, farms and other isolated properties characterise much of Herefordshire.
- 5.4 Whilst Herefordshire is widely regarded as being an affluent county, this masks issues of deprivation, poverty and a continued widening of the gap between the most and least deprived. Close to two thirds of the county are amongst the 25% most

deprived in England with respect to geographical barriers to services and the average income of residents is significantly below both the regional and national averages. There are pockets of severe deprivation in parts of Hereford and Leominster, as well as potentially 'hidden' deprivation in rural areas.

- 5.5 According to the latest official estimate, Herefordshire's resident population is 187,200. The projected estimate by 2031 is 205,400.
- 5.6 Being sparsely distributed, Herefordshire has the fourth lowest overall population density in England (ninth in England and Wales). Just under a third of Herefordshire residents live in Hereford, with about a fifth in the five market towns and nearly half in the surrounding rural areas. Despite other counties having a lower overall population density, Herefordshire has the greater proportion of its population living in 'very sparse' areas (25%).
- 5.7 This scattered population presents many challenges, both for residents in terms of dependence on the private car, increased household costs, access to services, often poor or no broadband access and social isolation, as well as for the delivery of services, particularly to community members already experiencing disadvantage.
- 5.8 Like the national population structure, Herefordshire's population is ageing with one in five people aged 65 or over (compared to one in six nationally). There is a much older age structure in Herefordshire compared to England and Wales, with higher proportions of residents in all age groups from 45-49 upwards and less in the middle aged groups. Both national and local forecasts predict a further rise in the proportion of older people.

6. Diversity of interests and those at risk of exclusion

- 6.1 As a result of previous experiences in engaging with different groups on planning matters, it is understood that no single method of communication is adequate when trying to ensure effective and fully inclusive consultation.
- 6.2 Different ways of communication will suit different people. Using organisations that are there to provide a support network to specific groups of people is also important. With the use of good communication, everyone can find the information they need and will know how to get involved if they choose to. It is important when contact is made that the council invite feedback on what has been the most convenient and successful method of communication for the recipient.
Suggested pro-active approaches are set out in the following table.

Groups at risk of exclusion	Approach
Minority Ethnic Groups	Utilise links with the Council's Equality, Sustainable Communities Team, Integration & Partnership Team, social media.

Travellers/Gypsies	Utilise links with the Herefordshire G & T strategy group, Travellers Advice Team at Community Law Partnership and 'Friends, Families and Travellers', social media, specific publications such as Travellers' Times and national organisations such as The Showmen's Guild of Great Britain.
Disabled People including those with numeracy, literacy disabilities	Utilise links with the Council's Community Involvement Coordinator, Herefordshire Disability United, Mencap and Local Access groups, social media.
Older people	Make contact with Age UK and other local network groups supporting the elderly, social media.
Children and young people	Work with the Council's Youth service and Children's Services Directorate, British Youth Council (BYC), School Councils, and Youth Clubs, social media.
Those following different religions or with certain beliefs	Utilise links with the Council's Equality, Integration & Partnership Team, Sustainable Communities Team, social media
Young single parents	Local community centres, post-natal groups, online forums such as Mums Net & social media.
Homeless	Herefordshire Council Homelessness and Housing Advice Team.
People located in dispersed rural areas.	Utilise consultation methods e.g. use of the Council's website, community forums, social media.
Adults with Learning difficulties	Liaison with the Council's Adult Social Care team, Mencap and Aspire, social media.
Those who are too busy to respond	Endeavour to ascertain the most convenient means of communication for future involvement, social media.

* Other organisations representing these groups are included in the consultee list maintained by the planning office.

In all future engagement and consultations, the council will pay regard to broader policies, including: Human Rights Act 1998, Freedom of Information Act 2000, Data Protection Act 1998, Equality Act 2010, Disability Discrimination Act 2005 and Race Relations Act 2000.

6.3 It is important to recognise that well established local partnerships and communication networks representing many key organisations and groups exist and operate effectively within the County. To make good use of resources the Council will seek to engage with these partnerships and utilise these communication networks whenever it is possible and appropriate to do so.

7. Herefordshire's approach to community involvement

7.1 In producing its Statement of Community Involvement, the Council seeks to promote effective community involvement in the planning system. The Council corporately has a strong commitment to community engagement and has adopted the following objectives through its Strategy for Community Involvement:

- Purpose should be clear
- Consultation should be well planned, timely and inclusive
- Methods should be appropriate and well-managed
- Relevant documentation should be accessible to all, so opinion is fully informed
- Decisions should be based on evidence
- Results should be acknowledged and fully considered
- Accessible feedback should be given
- Effectiveness should be evaluated
- Opportunity should be given to public wherever possible to register ongoing interest

7.2 In following these principles the consultation approach developed within this Statement of Community Involvement will reflect local circumstances, be deliverable building on existing practice, be meaningful and easy to understand and capable of being resourced and managed effectively.

8. Community involvement methods and techniques

8.1 Section 5 identifies the key characteristics of the County. The dispersed population spread over a wide rural area raises particular problems in devising the most appropriate means of consultation to be used. There may also be problems in identifying representative groups to be consulted on behalf of ethnic minority or socially excluded groups, where fairly small numbers of people are involved. As and when it is deemed necessary by the Council, in order to widen the involvement of the community and especially those at risk of exclusion, a broader range of engagements methods will be used. In preparing this Statement of Community Involvement and in developing the approach, it is necessary to give consideration as to how the authority informs, involves, consults and provides feedback.

8.2 To engage effectively over a range of planning documents the Council will use a combination of consultation methods appropriate to the policy area being prepared and its stage of preparation. The table of engagement methods sets out a range of formal and informal community involvement methods and techniques which will be selected from depending on what is thought to be most appropriate. This is based on the Regulations, advantages and disadvantages of different methods, local circumstances, previous experiences, feedback from the Statement of Community Involvement questionnaires and the resources available to manage the community involvement process.

8.3 There is no significance in the order of the various methods and it is not anticipated that every one of these methods need be used. However, electronic communication will be considered as the principle means wherever possible due to its invaluable potential to circulate large amounts of information to the widest range of the Herefordshire audience. This is especially important, given the county's rural nature; therefore those who may have difficulty accessing information at key sites such as libraries can still take part in the consulting process. It should be noted

however that information centres and libraries across the county and well as major county publications will be used to make information available and keep the public informed.

8.4 Table of engagement methods

Method	Main Considerations
Council web site	Information can be provided quickly and efficiently and accessed by the public from their own home or office at a time which is convenient to them. This can overcome the problems of trying to consult over dispersed rural communities. However, access to the internet is not universal and therefore may disadvantage certain groups. The Council has web access at all Customer Service Centres and libraries and will continue to consider ways in which access to web based information can be improved. Web pages should be user friendly. Use is likely to continue to increase.
Email	Information and responses can be provided quickly and efficiently. Increased use of this means of communication is sought with Town and Parish Councils, specified consultees and all other parties will be communicated in this way wherever possible. Every effort will be made to gather and maintain email addresses, unless an individual specifies otherwise.
Social media	Use of sites such as Facebook and Twitter keep users informed with regular updates for low cost. Likely to be utilized as a means of keeping people informed, rather than a formal part of consultation. Still many people not using these mediums. Therefore, where appropriate, pages should be referred to on literature & website to raise awareness.
Formal advertisements in local press	Statutory requirements to publish notices advertising certain planning applications
Press releases	It is cost effective in terms of bringing local issues into the broader local arena. Releases will be sent out to all major county publications. Items may only be reported if they are considered newsworthy by the newspaper editors, therefore publication is not guaranteed.

Consultation documents available for sale, CD or inspection at Council offices, by post and on the web	Traditional means of consultation and the information supplied can be in detail. Information needs to be in plain English with simplified formats. Due to limitations for people with mobility or sight disabilities and where English is not a language that is understood, modified versions need to be made available at no extra cost to the individual.
Leaflet, newsletters and brochures	Can publicise and explain in simple language and invite comment. The Parish newsletters are a good communication link and should be utilised where appropriate. Newsletters can be sent to all residents; however, may be viewed as junk mail and disregarded. Can be expensive to distribute.
Formal written letter	Letters will be sent when there is no other means of communication or a person has requested to be written to by post specifically. High postage and administration costs.
Public Exhibitions/Public meetings/presentations	Can be used to circulate information, seek views and endorse proposals. Gives residents some flexibility in deciding when to visit and can encourage feedback. Takes planning issues to the people and provides an opportunity for people to discuss local issues directly with planning officers in an environment which local people will be familiar and therefore comfortable with. However, people attending may not be representative of the whole community and there is no guarantee of turn out. High staff and material costs. Countywide consultations require extensive coverage and numbers of events. Displaying information in local shops where people frequent should be considered as an alternative, where appropriate.
Notices displayed on a site	Direct and local notification of proposals to those around a site and in local area, however notices can be vandalised or removed before the end of consultation period.

Through partnership organisations and focus groups, existing forums/panels	Useful for topic based discussions and to find out what specific groups feel. Provides opportunity to discuss issues in depth and to have ongoing dialogue. However high direct costs of facilitating. Important to build on existing networks rather than reinvent with new ones.
Councilor networks	Councillors play a very important role in terms of community engagement. They are a recognised point of contact for the local community to go to with regard to Council matters. It is vital to ensure that Councillors are kept well briefed.
One to one meetings and briefings	Useful for seeking views from targeted groups/individuals however they are time consuming and require costly staff resource.
Parish and Town Council networks	If Town and Parish Councils are effectively involved with consultation exercises they can provide an invaluable contact with local communities. Many have developed their own websites and social media pages and should be used as a platform to provide information relevant to parish residents. There is also opportunity to assist in the preparation and distribution of consultation material e.g. on town, parish and village notice boards and other locations deemed appropriate.
Questionnaire/surveys	Enables quantifiable information to be collected. Questionnaires need to be well designed. There is no guarantee of response rate. Likely to be time consuming and costly.
Workshops	Organised discussion based event to present and gather information. Can be targeted at key stakeholders. Requires skilled facilitators to ensure objectives are achieved. Requires costly staff resource.

8.5 Resourcing and managing the process

In preparing this approach to community consultation and to ensure that it is deliverable, consideration has to be given to the resources available to manage the process. Officer time is a key resource issue. Electronic communication will be utilised whenever possible, including regular updates on the council website, and social media. A balance has to be struck between consultation and the various production and management issues associated with the range of Local Development Documents that are to be prepared.

- 8.6 The budget for Local Plan – Core Strategy preparation will meet the costs of the legal requirements for community involvement in plan making. The Council's Local Development Scheme sets out a phased programme for the preparation of Local Development Documents, ensuring that consultation activities are staggered and that the Statement of Community Involvement's requirements can be met without undue pressure on resources. Resources for the Local Plan are assessed through the Council's budget review process, which will include consultation requirements. Where possible, consultations will be coordinated with other departments, external stakeholders and local communities to lever in more resources.
- 8.7 In addition as a Local Development Document is being prepared particular issues may arise which may require additional community involvement work and the approach needs to be sufficiently flexible to enable this to be incorporated in the Local Development Document preparation process. An issue that needs serious thought is the possible limitations on the ability of the community to fully engage in the consultation process.
- 8.8 **Role of elected members**
Herefordshire Council has 53 councillors who are elected to represent the constituents of 53 wards. They have an important role to play in the community involvement process by keeping their local communities informed, representing their views and encouraging and assisting them to engage in the future planning and development of their area.
- 8.9 It is vital that all elected members are involved in the Local Plan preparation process to provide ownership, leadership and commitment to future implementation. Where appropriate and depending on the issue in question, arrangements will be made with Councillors to involve them in emerging policy work. This approach will be additional to the Council's established procedures for decision making.

9. Herefordshire's consultation standards for Development Plan Documents and Supplementary Planning Documents

- 9.1 The minimum legal requirements for consultation and public participation for the Local Plan are set down in formal regulations, Town and Country Planning (Local Planning) (England) Regulations 2012. Specified bodies must be consulted if the Council considers that the body may be affected by what is proposed. In addition to the formal bodies, it is the intention of the Council to involve the community at an early stage in the preparation of Local Development Documents. This is essential to work towards the key objectives of openness and consensus and resolving conflicts.

9.2 Development Plan Documents (DPDs)

Development Plan Documents are produced in order to set out the local authority's policies and proposals for development and use of land and buildings in the area. Development Plan Documents are subject to mandatory public consultation in order to prepare preferred options, as well as independent examination. Examples of Development Plan Documents include Core Strategy and Neighbourhood Development Plans.

DPD stage: Initial technical consultation – establish evidence base and prepare issues and options – Regulation 18
(Statutory 6 week consultation period)

9.3 Herefordshire Council will:

- Email prior notification to all consultees on the main planning database, or send letter if email addresses are unavailable or they have requested communication by other means, that issues and options documents are to be published for consultation and are available for inspection. This will give people time to prepare in light of any representation they may wish to make. Communication should include details of where documents will be available to view, start/finish of consultation and how anyone wishing to make representation is able to do so.
- Email copies of any issues and options documents to relevant specified bodies and any other interested party who requests it.
- Send a press release to local papers outlining details of the consultation.
- Make copies of any issues and options documents available for inspection at the Council offices and any other venue the Council considers appropriate.
(Regulation 35)
- Publish a notification on Council website and social media, along with links to any issues and options documents.
- Carry out a range of other community involvement methods, appropriate to the scope and potential impact of the Development Plan Document. The programme of such exercises will be set out and publicised prior to the commencement of this consultation stage.

DPD Stage: Pre-submission draft consultation – Regulation 19 & 20
(Statutory 6 week consultation period)

9.4 Herefordshire Council will:

- Email prior notification to all consultees on the main planning database, or send letter if email addresses are unavailable or they have requested communication by other means, that the draft document and accompanying sustainability appraisal report will shortly be published for consultation and be available for inspection. This will give people time to prepare for the formal consultation. At this stage, the emphasis is on exploring the legality and 'soundness' of the document, rather than content.
- Email copies of the preferred options document and accompanying sustainability appraisal report to those relevant specified bodies and any other interested party who requests them.
- Send a press release to local papers, outlining details of the consultation.
- Make copies of the preferred options document and accompanying sustainability appraisal report available for inspection at the Councils offices and any other venue the Council considers appropriate. (Reg 35)

- Publish the documents on the Council website. Include guidance notes on how to make a representation and what will happen when a representation has been received. Produce a standard response form to enable people to make representations in writing or on line via the Council website.
- Publish consultation details, dates and links on social media.
- Issue press release with details of consultation dates, where and when documents will be available for inspection, as well as how representation can be made.
- Use additional, more targeted community involvement methods if deemed appropriate to do so by the Council.
- Acknowledge receipt of all representations submitted and publish them on the Council website.
- Consider all representations received within the specified 6 week period (Reg 20)
- Publish a summary of the representations received indicating how they have been considered and whether any changes are proposed as a result.

Site allocations representations.

Where developers or individuals submit representations during the consultation that promote alternative sites for development

9.5 Herefordshire Council will:

- Email notification to all potentially affected consultees on the main planning database, or send letter if email addresses are unavailable or they have requested communication by other means, (including those who made other representations during the draft consultation stage) that the representations promoting alternative sites have been received. Include information on where these can be viewed and confirm start/finish date of consultation.
- Send a press release to local papers, outlining details of the consultation.
- Make copies of any site allocation representations received available for inspection at council offices and any other venue where pre-submission documents were displayed and if practical publish them on the Council website. (Reg 35)
- Publish a formal notice on Council website and social media, detailing how to make representations within a specified 6 week period, indicating where and when the site allocation representations will be available for inspection.
- Send to the Secretary of State at time of submission of the Development Plan Document a statement of the additional representations received, a summary of the main issues raised and copies of all additional representations. (Reg 20)

DPD Stage: Submission of the DPD to Secretary of State – Regulation 22

9.6 Herefordshire Council will:

- Submit a statement of compliance demonstrating how the Council has complied with its Statement of Community Involvement along with accompanying documents. This will set out whom and how the Council consulted at pre-submission stage, the representations received and the main issues raised and how these have been addressed in the Development Plan Document.
- Email notification to all consultees on the main planning database, or send letter if email addresses are unavailable or they have requested communication by other means, (including those who made representations at the draft submission stage) that the submission Development Plan Document and accompanying sustainability appraisal report is published and submitted to the Secretary of State for independent examination. Include information advising where hard copies of all documents submitted can be viewed.
- Make copies of the Development Plan Document, the accompanying sustainability appraisal report and other supporting documentation available for inspection at the Council offices and any other venue where pre-submission documents were displayed.
(Reg 35)
- Email copies of the submission Development Plan Document and accompanying sustainability appraisal report to those relevant specified bodies and any other interested party who requested them.
- Publicise the submission on Council website and social media.

DPD stage: Independent Examination – Regulation 24

(Anyone with an outstanding objection has the right to have their representation considered by an Independent Planning Inspector at an examination into the soundness of the DPD)

9.7 Herefordshire Council will:

- Email any person who made a representation on the submission document (where the representation has not been withdrawn), or send letter if email addresses are unavailable or they have requested communication by other means. Notification should be at least 6 weeks before the time and place at which the independent examination will take place and the name of the person appointed to carry out the examination should be included.
- Written representations, round table discussions, informal hearings or formal examinations may be involved, with each carrying equal weight. Only those seeking changes to the Plan have the right to appear and the Government anticipates that written representations can deal with the majority of cases.
(Reg 23)
- Publish information on the Council website and social media.

DPD Stage: Inspectors Report – Regulation 25

(After examination, the Inspector will produce a report which is binding upon the Council, with specific recommendations as to how the document must be changed)

9.8 Herefordshire Council will:

- Email notification to all relevant consultees on the main planning database, or send letter if email addresses are unavailable or they have requested communication by other means, that the Inspector's report has been received and when it will be published.
- As soon as is reasonably practical, publish the Inspector's report and make it available for inspection at the Council offices and any other venue where pre-submission documents were displayed. (Reg 35)
- Publish the Inspector's report on the Council website.
- Publish a notification on social media.

DPD stage: Adoption and publication – Regulation 26

(The Council must adopt the submitted document as changed by the binding Inspector's report)

9.9 Herefordshire Council will:

- Email notification to all relevant consultees on the main planning database, or send letter if email addresses are unavailable or they have requested communication by other means, that the Development Plan Document has been adopted and include a copy of the adoption statement. A reasonable charge will be made for any hard copies requested to be sent to consultees personally.
- As soon as is reasonably practical, publish the adopted Development Plan Document, the adoption statement and accompanying sustainability appraisal report and make these documents available for inspection at the Council offices and any other venue where pre-submission documents were displayed. (Reg 35)
- Publish notification and documents on the Council website.
- Publish a notification on social media.
- Send out a press release to local newspapers stating that the adopted Development Plan Document and the adoption statement are available for inspection, indicating where and when they can be inspected.

The Council may make a reasonable charge for a hard copy of a document. Specially modified versions can be made available in large print, audio cassette, Braille or languages other than English for those that require it at no cost.

9.10 Supplementary Planning Documents (SPDs)

Supplementary Planning Documents are produced to expand on policy and provide additional information and guidance in support of policies and proposal in Development Plan Documents. They can be site specific or topic based. The process for preparing a Supplementary Planning Document is similar to that for a Development Plan Document, but simplified. There is no requirement to prepare preferred options and Supplementary Planning Documents are not subject to independent examination. As with Development Plan Documents, their preparation is informed by community involvement and sustainability appraisal.

SPD Stage: Preparation of draft plan – Regulation 12 & 13 (statutory 4-6 week consultation period)

9.11 Herefordshire Council will:

- Email notification to all consultees on the main planning database, or send letter if email addresses are unavailable or they have requested communication by other means, of issues to be addressed in the Supplementary Planning Document. Information sent should include details of consultation period, where any background information can be viewed and how representation can be made.
- Where a site specific Supplementary Planning Document is being prepared, undertake more targeted consultation with the local community in the vicinity of the site. This should only be undertaken if the council deems it to be a necessary part of the process, in order to gather sufficient feedback from interested parties.
- Make copies of any issues and options documents available for inspection at the Council offices and any other venue the Council considers appropriate. (Reg 35)
- Publish a notification on Council website, along with any issues and options documents.
- Publish a notification on social media.

SPD Stage: Adoption and publication – Regulation 14 (The Council will adopt the SPD having considered any representations received)

9.12 Herefordshire Council will:

- Prepare a statement setting out the main issues raised by representations received and how they have been addressed in the Supplementary Planning Document the Council intends to adopt.
- Email notification to all consultees on the main planning database, or send letter if email addresses are unavailable or they have requested communication by other means, that the Supplementary Planning Document has been adopted and send them a copy of the Supplementary Planning Document and adoption statement.
- Make copies of the adopted Supplementary Planning Document and adoption statement available for inspection at the Council offices and any other venue the Council considers appropriate.
- Publish a notification and these documents on the Council website.
- Publish an update on social media.

Decision Making Processes

The Council will maintain a record of consultation responses received during the preparation of planning documents and will present a transparent decision making process to the community. Consultation responses are one of the matters to be taken into account by Councillors when making decisions on plan making.

A summary of consultation responses will be made available prior to any decision being made upon planning documents.

A Statement of Compliance will be produced for every planning document which will include a summary of consultation responses and details of where the document has been amended in light of responses received.

The comments received will be made publicly available so they can be viewed by others with an interest in the matter.

When a Development Plan Development is submitted to the Secretary of State, the Regulations require that the Statement of Compliance is also provided.

The Inspector when testing the soundness of the Development Plan Document at examination will use the Statement of Compliance to determine whether the Statement of Community Involvement has been correctly followed.

If there has been a failure to comply with the Statement of Community Involvement or the Regulations, in a way that undermines the Development Plan Document, the Inspector can recommend that the document be withdrawn.

10. Community involvement in the planning application process

10.1 This section sets out how you can find out about and get involved in the planning application process in Herefordshire.

Herefordshire Council is responsible for the processing and decision making of planning applications. This work which is undertaken by the development management team involves handling a wide range of planning and related applications ranging from house extensions to large housing and employment development and minerals and waste proposals

The operation of the development management process is governed by requirements that are set out in national legislation. With respect to publicity and consultation on planning applications the requirements are set out in The Town and Country Planning (Development Management Procedure)(England) Order 2015 (as amended)

This part of the Statement of Community Involvement sets out in detail how public involvement in the planning application process will operate in Herefordshire. It sets out:-

- The approach to consultations and publicity for planning applications
- The approach to decision making
- The approach to pre-application advice

10.2 How can I find out about planning applications in Herefordshire?

When a planning application is received the Council are firstly required to confirm that it is a valid application; that is to check that it contains all the correct documentation. If it does not then the application will not be processed and it will not be publicised. Once the application is confirmed as being valid the Council are required to carry out certain publicity.

The following sets out the publicity given to planning applications:-

Planning applications online

10.3 Details of all applications that are received are displayed on the Council website. During the processing of the application these details are updated with any new information received, such as consultation responses. The record will include the officer's or Planning Committee report, the decision notice, the discharge of conditions and any subsequent appeal.

If you do not have internet access you are able to use the facility at one of our Customer Service Centres.

Site Notices

10.4 For every planning application at least one site notice will be displayed; in some cases there will be more than one notice. The notices are coloured yellow and are displayed at public vantage points on and/or near the site.

Press Notices

10.5 Certain types of application will additionally be advertised in the local press. Currently the adverts are placed in the Hereford Times. The types of application are:-

- Those which affect the character or appearance of a conservation area
- Those for works to listed buildings and development which affects the setting of a listed building
- Those which affect a public right of way
- Those for ten or more houses
- Those for 10,000 square metres or more of employment floor space
- Those for sites with an area of one hectare or more
- Those for waste management or minerals extraction
- Those which are a departure from development plan policy
- Those which are likely to be of a wider community interest, such as wind turbines
- Those which are subject to an environmental impact assessment

Weekly Lists

10.6 A weekly list of applications received is available on the Council website www.Herefordshire.gov.uk

City/Town/Parish Council notification

10.7 The local council are notified of all applications within their area

How can I comment on a planning application?

Once you become aware of a planning application the complete details of the proposal can be viewed on the Council's website.

If you wish to comment on any application then you can:-

Use the online comment form on the website

E-mail us to: planning_enquiries@herefordshire.gov.uk

Write to us at: Planning Services, PO Box 230, Hereford, HR1 2ZB

(Oral/verbal or anonymous comments cannot be taken into account)

We recommend that when you make a comment that these relate to relevant planning matters

10.8 Relevant planning matters include:

- Planning policy
- The design and visual impact
- The impact on privacy/daylight/sunlight
- Environmental factors - noise, smell, pollution
- The economic benefits
- Highway issues - access, traffic, parking
- Impact on the landscape and ecology (nature conservation)
- Impact on the historic environment, heritage assets and their setting.

10.9 Matters which are not normally relevant:

- Loss of a view
- Impact on property value
- Land ownership/property covenant
- Effect on trade/competition
- Personal circumstances of the applicant (except in exceptional circumstances)
- The number of representations

10.10 Any comments you may wish to make should be received within the time period which will be specified on the website or the site/press notice. Following the specified date the Council is able to make a decision on the application. If we do receive a comment after the specified date it will only be considered if it is received before the decision is issued and raises material issues.

Any comments you make will be open to public inspection. They will be published on the application record on the Council's website. In this we will include your name and

address but your signature, e-mail address and telephone number(s) will be redacted.

The Council will not accept responsibility or liability for the comments received and reserves the right to withdraw and/or redact comments from public inspection where they are not of a valid planning nature.

All comments made are taken into account in the making of the decision.

10.11 How and when are decisions made?

The majority of decisions on planning and related applications are made in accordance with the Council's Scheme of Delegation – that is the decision is made by an Officer on behalf of the Council. It is important to note that the officer who makes the decision will not be the officer who has dealt with the application.

A number of applications will be determined by the Planning Committee. The types of application are set out in the Council's Constitution. The Committee meets on a three weekly cycle with meetings starting at 10.00am. The agenda, including reports on all the planning applications to be considered, is published five working days before the meeting. The dates for the meetings and the agenda is available to view on the Council website.

10.12 Which applications are determined by Planning Committee?

- Those agreed to be called in under the Ward Member redirection procedure
- Those made by the Council itself where material objections have been received
- Those by Council Members
- Those by certain Council Officers
- Those which if approved would be a departure from Council policy
- Significant or strategic applications

Note: the above is a summary with the precise wording set out in the Constitution

10.13 The Planning Committee encourages public speaking at its meetings. For any application on the agenda the applicant, parish/town council and those making representations will be invited to speak for three minutes. If you have made a representation within the required consultation period we will invite you to speak.

10.14 Please note that if there are a number of representations from the public the speaking time will need to be shared.

Full details of the role and functions of the Planning Committee and the Public Speaking Procedures are set out in the Council's Constitution. This can be viewed on the Council's website.

10.15 Significant planning applications – Community engagement

The Council encourages anyone seeking planning permission to discuss their proposal first. The Council believes these are valuable as they allow discussions to take place around the likely acceptability of a proposed development.

As part of this process the Council always recommend that anybody seeking planning permission should discuss their proposal at an early stage with those potentially affected. There will be certain developments which in the view of the Council are likely to generate public interest which should be canvassed prior to any formal application. The following list, which is neither exhaustive nor prescriptive, lists those more significant applications.

10.16 What are “significant” applications in respect of initial discussion with potentially affected parties?

- Housing schemes for ten or more houses
- New buildings greater than 1,000 square metres
- Development on a site greater than 1 hectare
- Minerals development
- Waste development
- Those which are likely to be of a wider community interest, such as wind turbines
- Those which are subject to an environmental impact assessment

The Council itself does not undertake any form of public/community consultation at pre-application stage but if the development proposed is considered to be significant, it would encourage the applicant to involve the community:

10.17 Applicant’s duties for Community Consultation

- Identify groups and/or individuals who should be involved
- Agree a method for their involvement
- Agree a timetable for their involvement
- Set out how any feedback from the consultation will be assessed
- Identify where the feedback has resulted in a revision to the proposal
- Include in the planning application a statement on the consultation exercise

11. Neighbourhood Development Planning

The Localism Act 2011 has reformed the planning system to give local people new rights to shape the development of the communities in which they live.

There is no compulsion for parishes to prepare a Neighbourhood Development Plan (NDP), however there are a number of benefits to having one:-

- It will help a community play a greater role in shaping the future of its surrounding area.
- It will bring together local residents, businesses, local groups, landowners and developers to share ideas and build consensus about what needs to be done within the local community. It can also build relationships between the local community and service providers.
- Neighbourhood planning offers communities the opportunity to set priorities for planning within their area.
- Areas with adopted Neighbourhood Development Plans will also be entitled to a large share of any Community Infrastructure Levy to put towards infrastructure projects in the area.

11.1 Neighbourhood Development Plans will set out the vision for an area and the planning policies for the use and development of land within a parish or neighbourhood area. The policies within a Neighbourhood Development Plan are intended to support the strategic policies within the Herefordshire Local Plan – Core Strategy, and should focus on guiding development, rather than stopping it.

11.2 Once a plan has been adopted, it will become a statutory plan carrying equal weight to the Core Strategy and be part of the Local Development Framework to be used in making decisions on planning applications in your area by Herefordshire Council.

11.3 Plans will need to conform to planning policies and guidance at a local, national and European level and meet the Neighbourhood Planning Regulations. This will be tested in an independent examination. They will also need to demonstrate involvement of the local community in decision making and be subject to a community referendum.

11.4 Neighbourhood Development Plans can:

- Decide where and what type of development should happen within a parish
- Promote more development than provided for within the Herefordshire Local Plan – Core Strategy
- Include detailed planning policies for the parish which do not conflict with the Herefordshire Local Plan – Core Strategy

11.5 Neighbourhood Development Plans cannot:

- Conflict with the policies within the Herefordshire Local Plan – Core Strategy
- Be used to prevent development
- Be prepared by a body other than a parish or town council in Herefordshire
- Include County Matters such as Minerals and Waste

11.6 Who can create a Neighbourhood Development Plan?

Within Herefordshire, only the parish or town council is the ‘relevant body’ who have the responsibility for producing a Neighbourhood Development Plan for their area. The parish/town can enlist help from others within the community but only the parish council can make a neighbourhood area application and submit the relevant draft documents to Herefordshire Council for consideration.

11.7 What might a Neighbourhood Development Plan include?

Neighbourhood Development Plans can contain a variety of issues and policies which are most relevant to a specific parish. Below is a list of possible issues which could be covered in the next column. This is not meant to be an exhaustive list and parishes do not need to include every item. The plan should be responsive to the needs and aspirations of the relevant community.

- Identify sites for housing, including affordable housing
- Provision of a settlement boundary
- Provision for businesses to set up or expand in the parish

- Provision of cycle ways and footpaths
- Identify sites for community use, such as schools, village halls, health centre, leisure facilities
- Design guidance for your parish
- Protection and creation of open space, green amenity areas, nature reserves, allotments, play areas
- Protection of important local buildings and other historical assets
- Promoting of renewable energy schemes and projects
- Restrict the types of development or change of use, for example; non retail uses in town centres
- Provide sites for gypsies and travellers

11.8 Creating a Neighbourhood Development Plan (NDP)

Defining the Neighbourhood Area – Regulation 7

(Statutory 4 week consultation period)

- The Neighbourhood Development Plan will cover an area defined as the Neighbourhood Area. The council would encourage the area to follow the parish boundary; however part of the parish would be considered, if reasonably justified. It is also possible for neighbouring parishes to team up and create a joint plan, but it should be noted that areas/plans cannot overlap and there can only be one plan per Neighbourhood Area.
- An application can be found at:
<https://www.herefordshire.gov.uk/neighbourhood-planning>
The application form should be accompanied by an ordnance survey map, illustrating the designated area and a statement explaining why the area is considered to be appropriate. (Reg 5)
- The Council will publicise the application online, along with site notices across the Neighbourhood area, informing interested parties how a representation can be made. (Reg 6)
- Following consideration of any representations received within the 4 weeks and consultation with the Ward Member, the decision on designating a Neighbourhood Area will be made at Assistant Director level.
- Following the decision, the Council will inform the parish council/s and publicise the Neighbourhood Area on the Council website and within the Neighbourhood Area. This will form the 'decision document' (Reg 7)
- If the Neighbourhood Area is refused, the Council will publish 'the decision document' outlining the reasons why, along with details of how to re-submit.

Write and publicise the draft Neighbourhood Development Plan – Regulation 14

(Statutory 6 week consultation period)

- It is up to the parish to decide the level of detail that will make up their Neighbourhood Development Plan. Views of the local community, interest groups and stakeholders should be sought, in order to form a well evidenced foundation for the plan. A consultation statement detailing how this has been achieved will be required for the final submission of the Neighbourhood Development Plan.
- The Ward Member is a valuable source of information with regard to Council policy and existing community issues, and therefore should be involved early in the process.
- The Council's Neighbourhood Planning team can provide guidance and advice to ensure the plan is in line with the regulations and legislative requirements and conforms to planning policies.
- Evidence and information from existing documents used to form the Local Plan-Core Strategy are available from the Council. Alternatively, the parish will need to provide any evidence more specific to their area.
- The draft plan should be published locally for a minimum period of 6 weeks in order for any representations to be made. Consultation must also be made with specified consultees. A checklist is available on the Neighbourhood Development Plan web page, to assist compliance with Reg 14. (It is advisable to send a copy of the draft plan to the Council Neighbourhood Development Plan team at this stage, in order to check for conformity with national planning policy and the Herefordshire Local Plan – Core Strategy, as well as any other relevant Development Plan Documents.
- Any amendments required to the plan should be made based on representations made during the consultation period.

Submission of the final plan – Regulation 16
(Statutory 6 week consultation period)

- The final plan should be submitted to Herefordshire Council Neighbourhood Planning team.
- In accordance with Reg 15, the plan should consist of:
 1. A map showing the area in which the Neighbourhood Development Plan covers.
 2. The proposed Neighbourhood Development Plan.
 3. A consultation statement detailing how the opinions of interested parties have been sought.
 4. A written statement explaining how the Neighbourhood Development Plan has met the basic conditions. This includes, having regard to national policy, general conformity with the Herefordshire Local Plan-Core Strategy, contribute to sustainable development, have regards to the desirability of preserving and enhancing listed buildings and conservation areas and compatible with any European obligations.
 5. Any required environmental assessments (Strategic Environmental Assessment and/or Habitat Regulation Assessment)
- The Neighbourhood Planning team will publish the plan for a minimum 6 week consultation period.
- Following conclusion of the consultation, the Neighbourhood Planning team will make a recommendation regarding progress of the plan. Final approval for the plan to

move forward to examination stage will be given by the Director of Economy, Communities and Corporate or the Programme Director - Growth.

Independent Examination – Regulation 17

- The Council will organise and pay for an independent examination of the Neighbourhood Development Plan and supply the relevant documents to the examiner, including any details of any representations during the final consultation. Many examinations will be dealt with by written representation; however there may be some via hearing or public examination, depending on the circumstances.
- The examiner will recommend either:
 1. The plan move to a referendum
 2. Following a few minor amendments the plan move to a referendum
 3. The plan should be refused
- The examiner's report is not binding and consideration will be given to the recommendation within it with the parish council. A decision statement will be produced by Director Economy, Communities and Corporate or the Programme Director – Growth, outlining the decision reasons, where it can be inspected and any modifications made to the plan. The report and Council decision will be published on the website and within the Neighbourhood Area.

Referendum – Regulation 18

- Once the plan is finalised and any amendments have been made, Herefordshire Council will arrange and pay for a referendum, including all those on the electoral roll within the designated Neighbourhood Development Plan area. This may also include those from neighbouring parishes if the examiner has deemed it to affect them directly also.
- If the referendum result rules in favour by 50% or more, then the Neighbourhood Development Plan will move on to the final stage in the process.

Adoption of the Neighbourhood Development Plan – Regulation 19/20

- Recommendation will be made to Herefordshire Council's Cabinet to adopt the agreed Neighbourhood Development Plan and this will form the basis of development and determine planning applications as part of the Local Plan-Core Strategy.
- Adopted plans will be published on the Council website and made available for viewing at local customer service centres and libraries.
- Copies of the decision to adopt will be sent to the parish/es and any person asking to be notified.

Neighbourhood Planning (General) Regulations 2012

11.9 Community Right to Build

The Community Right to Build enables community organisations to progress new local developments without the need to go through the normal planning application process, as long as the proposals meet certain criteria and there is community backing in a local referendum.

Communities may wish to build new homes or new community amenities, and providing they can demonstrate overwhelming local support, the Community Right to Build will give communities the powers to deliver this directly.

All profits derived from a Community Right to Build Order proposal must be used for the benefit of the community, for example to provide and maintain local facilities such as village halls

11.10 Neighbourhood Development Order

A Neighbourhood Development Order allows communities to grant planning permission for development they want to see go ahead in a neighbourhood. For example, it enables them to allow certain developments, such as extensions to houses, to be built without the need to apply for planning permission.

Herefordshire Council conform to a Service Level Agreement developed specifically to ensure that all parishes wishing to take an active role in the shaping of their area will receive sufficient advice and support throughout the process.

12. Monitoring and reviewing

Preparing this Statement of Community Involvement has enabled the Council to give significant thought to how the authority is best able to involve people in planning matters from an early stage in the process.

The Council will keep the adopted Statement of Community Involvement under review by:

- Monitoring the success of community involvement techniques by assessing the representations received during the planning process
- Any problems raised by consultees
- Advice on best practice.

The document will be examined every year through the Herefordshire Council Monitoring Report. Any proposed review will be identified within the Council's Local Development Scheme with a clear timetable for its production.

For further information or clarification on any aspect of the Statement of Community Involvement please contact Info in

Herefordshire on 01432 260500 or email ldf@herefordshire.gov.uk

: <http://www.facebook.com/hfdscouncil>

: <http://twitter.com/HfdsCouncil>

: <http://www.flickr.com/photos/hfdscouncil>

Appendices

Appendix 1 - Glossary of terms

Adoption - The final formal stage in the evolution of a statutory planning document. Once a plan is adopted it has full legal weight in the determination of planning applications.

Communities and Local Government (CLG) - The Government department with responsibility for planning and local government.

Core Strategy (CS) - A type of development plan document, which should set out the long-term spatial vision for the local planning authority area and the strategic policies and proposals to deliver that vision.

Development Management - Alternative name for development control. The act of determining planning applications (and similar) in conformity with the development plan and material considerations.

Development Management Standards of Service - The Council's detailed approach to involving people in the process of making decisions on planning applications. It goes beyond the principles and legal requirements as set out in Section 3 of the SCI.

Development Management policies - A set of criteria-based policies required to ensure that all development within the area meets the vision and strategy set out in the core strategy.

Development Plan - The suite of development plan documents that collectively provide the planning framework used to assess development proposals for a given local planning authority area.

Development Plan Document (DPD) - Spatial planning documents that set out the local planning authority's policies and proposals for the development and use of land and buildings in the authority's area. In two-tier areas it may include adopted district local plans, adopted county local plans for minerals & waste, core strategies and / or area action plans (where these have been prepared) and neighbourhood plans. All DPD's are subject to independent examination. There is a right for those making representations seeking change to be heard at an independent examination.

Elected Members - Locally elected community representatives that form part of the decision making body in a local authority.

General Consultation Bodies - These organisations are listed in the Town and Country Planning (Local Development) (England) Regulations 2012.

Independent Examination - The process by which a planning inspector may publicly examine a Development Plan Document.

Inspector's Report - This will be produced by the Planning Inspector following the Independent Examination.

Localism Act - The Localism Act devolves greater powers to local government and neighbourhoods and gives local communities more rights and powers over decisions about development. It also includes reforms to make the planning system more democratic and more effective.

Local Community - A generic term which includes all individuals (including the general public) and organisations external to the Council. It can also include statutory and other consultees.

Local Development Scheme (LDS) - Sets out the programme for the preparation of the development plan documents.

National Planning Policy Framework (NPPF) - A document setting out the Government's national planning requirements, policies and objectives. It replaces much of the national advice previously contained within Planning Policy Statements, Planning Policy Guidance and Circulars. The NPPF is a material consideration in the preparation of planning documents and when considering planning applications.

Pre-application Community Engagement - The process by which a prospective developer will give local people an opportunity to help shape development proposals before they are formally submitted to the planning authority as a planning application.

Planning Inspectorate - An organisation which processes planning appeals and holds examinations into DPDs or Local Plans and the Community Infrastructure Levy (CIL).

Public Consultation - A process through which the public is informed about emerging plans or proposals put forward by a planning authority or by development promoter, and are invited to submit comments upon them.

Specific Consultation Bodies - These organisations are listed in Town and Country Planning (Local Development) (England) Regulations 2012.

Appendix 2 – Specific consultation bodies

The relevant adjoining local planning authority/ies

Environment Agency

Highways England

English Heritage

Historic England

Natural England

Dwr Cymru Welsh Water

Severn Trent Water

Health and Safety Executive

Department for Environment Food and Rural Affairs (DEFRA)

Department of Trade and Industry (DTI)

UK Civil Aviation Authority

Homes and Communities Agency

Relevant Primary Care Trust/s – Herefordshire Primary Care Trust, Wye Valley NHS Trust, NHS West Midlands, NHS England

Office of Rail and road

National Rail

Local Chamber of Commerce

General consultation bodies

Other bodies representing the environmental interests of the county such as Woodland Trust

Voluntary bodies, some or all of whose activities benefit any part of the authority's area

Bodies which represent the interests of different racial, ethnic or national groups in the authority's area

Bodies which represent the interests of different religious groups in the authority's area

Bodies which represent the interests of disabled persons in the authority's area

Bodies which represent the interests of persons carrying on business in the authority's area

Parish Councils

A comprehensive list of specific and other consultees will be maintained by Herefordshire Council planning department.

Appendix 3 - Guidance Notes on making a representation

Throughout the planning process, opportunities will be given in the form of consultation for all interested parties to be involved and make their views known.

At the start of a consultation period, a form will be made available for anyone wanting to make a representation. Dates of the consultation will be made clear and only representations received inside these dates, will be taken into consideration.

A completed form should include contact details and the comments on the form should relate directly to the aspect of the Development Plan Document as indicated on the form by the planning office.

Only names and/or organisations will be published on the Council website, as well as comments made on the form. However, other information will be shared with the Planning Inspector, who may want to contact those who have made a representation to discuss comments and concerns prior to concluding the formal examination.

All representations will be considered by the Planning Inspector as part of the examination of the plan. The purpose of the examination is to enable the inspector to decide whether the plan is 'sound'. For a plan to be sound, it must be:

- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development
- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

The above points should be considered when making a representation.

Appendix 4 - Public speaking procedure at meetings of the planning committee

Herefordshire Council is committed to public involvement in the planning process. As part of this commitment there is a scheme of public speaking for applications that are being determined at a meeting of the Planning Committee. There are already extensive consultation and neighbour notification procedures for applications, but the ability to speak at the committee meeting enables an even wider opportunity for the applicant/supporters, objectors and the Parish/Town Council, to put forward their views directly to the Members of the Committee, before the decision is made.

How does the scheme work?

This scheme only operates for planning applications that for various reasons are the subject of a report to the Planning Committee. In order to have the opportunity to speak you will have:

- Made an application being the applicant or agent, or
- Made your views known as the Parish/Town Council
- Made your views known as a member of the public on an application within the period specified for receipt of representations.

The right to speak applies equally to those who are objectors or supporters or their representatives.

If the application is to be considered by the Committee you will be notified in writing and advised of the procedure for registering your wish to speak. Time will be allowed for speaking after the Chairman of the meeting calls the item and officers have given their presentation. After speaking is completed Members will normally debate the merits of the application and make a decision. In the case of some applications, Members may decide to defer determination. In these instances only those who registered to speak at the first meeting will be permitted to do so when the deferred item is considered at a subsequent meeting.

What is the registration period?

The letter to you will set out the date and time of the meeting that will consider the application(s) you are interested in. In order to register your wish to speak you must contact Committee Services no later than 48 hours before the start of the meeting by telephone, fax or e-mail. The telephone/fax number and e-mail address will be set out on the letter.

Please be prepared to give details of a telephone number and times when you can be contacted to the Committee Services Officer. Where more than one person registers to speak for or against a proposal, speakers will be encouraged to share the time allotted. Where no agreement is reached the Committee Services Officer will allot the time to the first person to register. If you have any special needs, please advise the Committee Services Officer on registration.

Where and when are meetings held?

Normally meetings are held at The Shire Hall, St Peter's Square Hereford HR1 2HX at the time stated on your letter. If an alternative venue is chosen then you will be given notice.

At the meeting

If you have registered to speak you are asked to arrive at the Council Chamber 30 minutes before the meeting starts. Committee Services Officers will be in attendance to advise on seating and to answer any other queries that concern you.

Order of speaking and time allotted

The order of speaking will be:

1. Parish/Town Council appointed representative(s) - 3 minutes in total
2. Objectors - 3 minutes in total
3. Applicant/Agent/Supporters - 3 minutes in total

Please note that in each case there is just one 3 minute slot per category. Speakers are welcome to share a 3 minute slot. In exceptional circumstances the Chairman has discretion to allow a longer period for speaking.

Please ensure that your mobile phone is switched off at the meeting and note that the following are not permitted: Visual aids such as plans or photographs, the circulation of material at the meeting, the taking of photographs, the use of voice recording equipment

What can I say?

Your comments should be limited to relevant planning issues already raised in your representation such as:

- planning policies, including those in the relevant Development Plan; (These can be viewed on the Council's website – www.herefordshire.gov.uk or, at Hereford Customer Services, Franklin House, Commercial Road, Hereford, HR1 2BB)
- appearance and character of the development
- traffic generation, highway safety and parking
- overshadowing, overlooking and loss of privacy
- noise disturbance or other loss of amenities
- layout and density of buildings

You should avoid matters that cannot be considered by Committee such as:

- boundary disputes, covenants or other property rights
- personal remarks (i.e. the applicant's motives)

You may not ask questions of others at the meeting, nor, other than for clarification, will the Chairman ask you questions.

Once you have spoken you will take no further part in the meeting.

Important information

It is advisable to contact the planning application Case Officer a few days before the meeting to confirm the application is still to be considered. Applications are sometimes withdrawn at short notice. You do not have to attend a meeting since the points you have raised will be summarised in the report. The Committee Agenda is available for public inspection at least 5 working days before the meeting. You should note that the Committee does not always agree with the recommendation of the Case Officer.

Committee Services can be contacted on:

Telephone No: 01432 260239

E-mail address: Publicspeaking@herefordshire.gov.uk

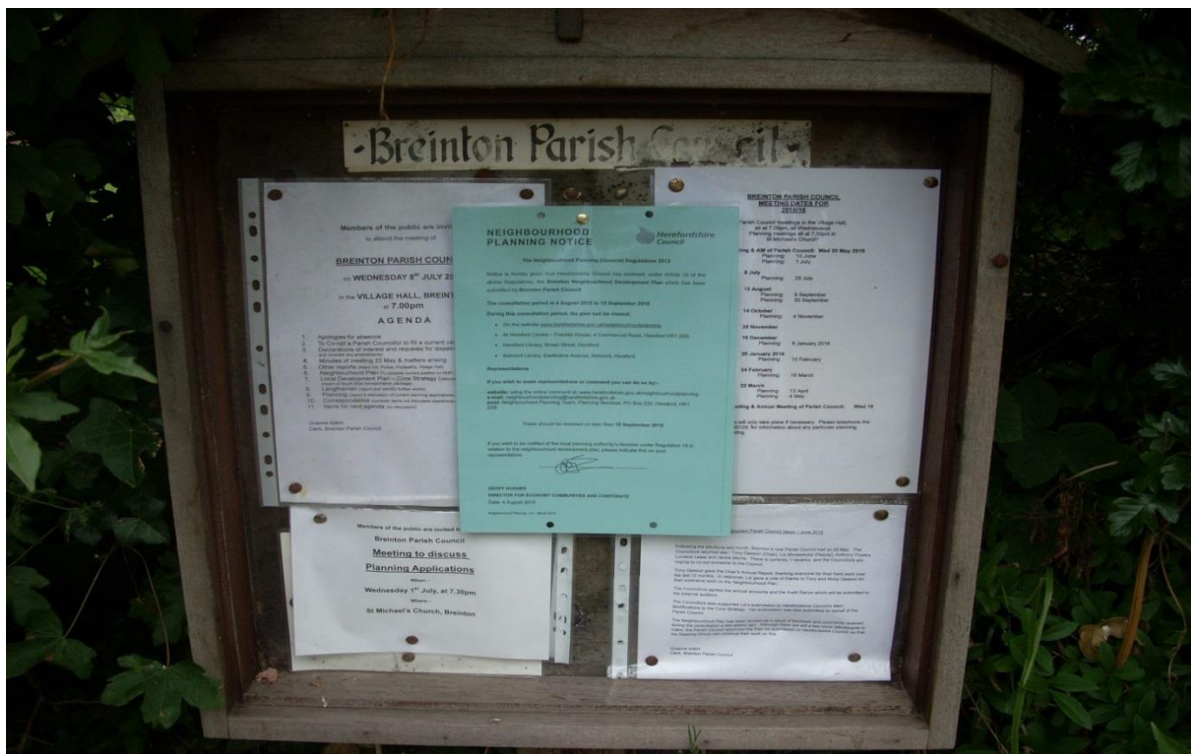
Location of the Meeting The Shirehall, St Peter's Square, Hereford HR1 2HX

Appendix 5 – Planning notices

Planning application notice



Neighbourhood planning notice



Appendix 6 – Useful information

The National Planning Policy Framework sets out the government's planning policies for England and how these are to be applied.

www.National Planning Policy Framework

The Localism Act 2011, introduced in order to shift power away from central government and towards local authorities and neighbourhood communities in the planning decision making process.

www.Localism Act 2011

This guide outlines how planners can better understand the important role that planning can play in supporting the Government's commitment to tackling disadvantage by reviving the most deprived neighbourhoods, reducing social exclusion, and supporting society's most vulnerable groups

www.Diversity and Equality in Planning - A good practice guide

With the aim of an integrated and well-rounded approach, the preparation of the Statement of Community Involvement has been informed by a number of Council strategies.

These include: Herefordshire Council Corporate Plan 2013-2015, Economic Development Strategy for Herefordshire 2011-2016, Herefordshire and Shropshire Housing Strategy 2015-2016, Herefordshire County Council Local Transport Plan 2013/14-2014/15

Further information

www.Planning and Compulsory Purchase Act 2012

www.Planning Inspectorate

www.planningportal.gov.uk

Appendix 7 – Sources of help and advice

Forward Planning section
Blueschool House
Blueschool Street
HR1 2LX
Tel no 01432 383357
Email ldf@herefordshire.gov.uk

Neighbourhood Planning
Tel no 01432 260386
Email neighbourhoodplanning@herefordshire.gov.uk

The Royal Town Planning Institute
41 Botolph Lane, London,
EC3R 8DL
Tel 020 79299494
Email: online@rtpi.org.uk
Website: www.rtpi.org.uk

Now you have read the Statement of Community Involvement (SCI):

1. Were the contents of the SCI:

Yes No

Clear

Informative

If no, please explain:

.....
.....

2. Do you feel confident that all potentially interested parties will be kept informed during the preparation of planning documents?

Yes

No

If no, please explain:

.....
.....

3. Do you think the methods of consultation are effective?

Yes

No

If no, please specify what we could do more to make the consultation effective?:

.....
.....
.....

In order to reach the widest audience, Herefordshire Council is committed to providing information electronically whenever possible, i.e. Email, Website & Social Media. Site notices will continue to be used and hard copies of relevant literature will be circulated to libraries and information centres.

Are you happy to receive information in this way?

Yes

No

Any further comments:

.....
.....
.....
.....

If you would like a response to your comments, please provide your name and email address:.....

.....

Please return your questionnaire to:

Susi Gilson
Herefordshire Council
Blueschool House
Blueschool Street
Hereford
HR1 2ZB

Statement of Community Involvement



Summary of Responses

April 2016

The Herefordshire Council Statement of Community Involvement (SCI) sets out how the Council undertakes engagement with its communities and other stakeholders on planning matters. The original SCI was adopted by the Council in 2007 but as a result of various changes to national planning policy and guidance, including revisions to elements of the planning process, together with a need to utilise modern approaches for engaging with our communities it is now necessary for the document to be revised.

In March 2012, the National Planning Policy Framework (NPPF) was published and set out the Government's planning policies for England and how they were expected to be applied. The idea behind the new policy framework being to introduce a more user-friendly, streamlined mechanism with which to bring plans to fruition

The NPPF replaced over a thousand pages of policy with a much more succinct and uncomplicated structure to follow.

Publication of the NPPF, along with the publication of the Localism Act 2011, means that emphasis is now firmly placed on early engagement and collaboration with neighbourhoods, local organisations and businesses, making planning inclusive of people and communities who want to be involved and a dispersal of power from central Government to local authorities.

The revised SCI was published for a 6 week public consultation on 10 February 2016. The existing Local Development Framework database was utilised in order to reach as many potentially interested parties as possible. Many of the contacts had been consulted with and had made representations during the preparation of the Local Plan – Core Strategy.

Approximately 900 contacts were written to initially with an invitation to offer feedback on the new document. Included in this list were ward members, parish council members, specified consultees (The Town and Country Planning (Local Planning) (England) Regulations 2012) and key organisations representing groups at risk of exclusion. A reminder was also sent out mid-way through the consultation period to all those contacts.

In addition to making direct contact with those stakeholders already on the Council's database, the Council also:

- Made hard copies of the draft document, along with copies of the consultation questionnaire, available for inspection at all information centres and libraries across the county.
- Issued media to all main publications in the county and the consultation featured in Hereford Times and Ledbury Reporter online.
- Used Herefordshire Council web newsreel and regular social media articles on Facebook and Twitter to raise awareness and remind the public of deadlines.

In response to the consultation 48 responses were received. Among the organisations responding were, the Woodland Trust, Severn Trent Water, Place Partnership (on behalf of Herefordshire Police and Fire & Rescue Service), Natural England, Network Rail, Historic England and Gloucestershire County Council. A full summary of the representations received can be found overleaf.

Careful consideration of the consultation responses will be undertaken and, where appropriate, changes recommended to the Cabinet and Council for inclusion prior to the adoption of the revised SCI.

Total responders during consultation period 10 February – 23 March 2016: 48

Contributors include:

Woodland Trust
Severn Trent Water
Place Partnership on behalf of Herefordshire Police and Fire & Rescue Service
Natural England
Network Rail
Historic England

Now you have read the Statement of Community Involvement (SCI):

1. Were the contents of the SCI:

	Yes	No
Clear	27	9
Informative	28	7

If no, please explain:

My objections are three fold: a) the title 'Executive Summary' is an implicit insult to all who are not executives, the majority of Herefordians, b) the summary is much more of a guide to what is in the document than a summary, and c) to read over 30 pages as an alternative and still not have all information to hand makes the consultation process a mockery. Please provide a 3 page summary of key matters residents need to know.

Far too many words and pages. No real summary, Most people will not have the time to read it all.

But too verbose - too much explaining rather than bare facts. 38 pages!!! How many people have time or inclination to read and comment? By making it so big you are self-selecting the more able.

The document needs to be rewritten in plain, jargon-free English. It is much too long and is tortuous to read (other, perhaps, than for those suffering from insomnia). Also, it uses too many acronyms.

Whilst the information is informative, there's a lot of it. In communicating with hard to reach groups it may help to have a shortened version as an introduction - in these terms the Exec summary isn't quite what I mean.

Shrouded in confusion

The document is 39 pages long, full of acronyms and to many members of the public is baffling. It does not actually state what methods of communications in regard to planning are recommended to be used going forward.

We moved to Herefordshire last year & as a family have many years involvement in local government across many disciplines & at many levels. We were horrified to discover that Herefordshire Council does not routinely notify neighbours of planning applications, even when these could have considerable impact upon nearby properties. This is certainly the only place we have lived where such notifications were not routine and, while it may not be obligatory for a planning authority to notify neighbours, we have it on the authority of a senior planning professional that it is considered good practice to notify neighbours & that very few LPAs do not do so. We are very surprised that Herefordshire Council is content NOT to follow good practice when surely it should be the aspiration of all authorities to do so. We were told that planning applications are published in the local press, online & advertised on site. Many people do not regularly have a local newspaper, a number of people do not have internet access (& many certainly do not have reliable access unless they have gone with BT's recently installed Superfast broadband), certainly not many older people. Even if one does look online (which we have done occasionally & will now do diligently), in an area like this, with so many little lanes, often without name plates or even sometimes with multiple names, it is not easy to know whether a planning application is relevant or close to one's property. Indeed, we only discovered a recent planning application adjoining the rear of our property by chance when out for a walk one afternoon hence a number of other adversely affected residents may be unaware of it & so miss the opportunity to comment. We also have to say that we feel the Council's planning area of its website is not particularly easy to negotiate, certainly it is one of the most unclear we have used, and it would take a quite determined lay person to access the information they are seeking (eg there is no way to search a weekly list by parish that we can find, only search all the applications for 7 days or all for a parish over a considerable period of time). Planning is, in our view, the most important function of the Council and, probably, the one which has the potential for the greatest affect on the lives of residents; this failure to notify neighbours, in our view, limits the opportunities for residents to take part in the democratic process and could lead to residents unnecessarily suffering loss of amenity & enjoyment of their properties. We understand that local government budgets are being squeezed by central government but, in our view, it is unacceptable to limit access to democratic rights & use budget cuts as an excuse for this, the planning budget & associated costs should NEVER be cut, it is too important.

Document too long, too wordy and in a language the person in the street will find laborious to wade through. A two page summary document cross referenced with the relevant paragraphs in the main document would go a long way to achieving better and constructive consultation. But do Herefordshire Council want people to understand what goes on?

It is not clear. The use of numerous similar acronyms such as LDD, LDS, DPD etc is not appropriate for the general public. Each should be spelt out. It does not make it

clear the Core Strategy is in the Local Plan. The structure of the documents would be better illustrated as a graphic as in other Herefordshire documents.

2. Do you feel confident that all potentially interested parties will be kept informed during the preparation of planning documents?

Yes	15
No	20
Not sure	1

If no, please explain:

Most won't read 30 pages

Not all of Herefordshire's residents are actively involved with their parish councils. It is recognised a lot are professionals that work outside the county, working long hours on weekdays which means they would not benefit from roadshows in the market towns. Social media is perhaps the best avenue for these people but the quantity of material that is being advertised on here is not enough. Not all residents will actively follow the council social media sites either. Parish councils and the market towns that have their own social media sites should be encouraged to promote the message also. There should also be a way of registering your email address to stay informed - If this exists already, it is not clear at all. It is clear you can register your email for weekly planning applications but not about policy changes.

Whilst the document has fine sounding aspirations, as someone who is keenly involved in local development interests I had not heard about the SCI so I am certain the vast majority of Herefordshire citizens have no idea it exists either. In theory the SCI covers all of this, but I'm sorry to say it is not well communicated so far.

I hope so , and expect it

Not much timescale given

Not sure but the plans for community involvement look comprehensive.

There is too great a reliance on internet based methods of communication and the availability of documents at Council offices, which are often not accessible easily for people without a car - plus the documents are very lengthy and may require more than one visit to adequately read and comment on. It tends to exclude those elderly people who don't drive and don't use the internet, poorer people who don't have access to a car or can't afford a computer and broadband, and young people who

may be in the same situation.

Because on past history the Council try to hide/bury or confuse the electorate when they want little resistance to plans and make it extremely difficult for people to get to nitty gritty

Because you will rely on A4 size Notices affixed at or near potential development site (instead of notifying neighbours by letter, chances will be missed for comment unless the Notice is next to a footway. cf the monstrous Gladman Proposal for Leadon Way development of 321 HOUSES which practically everyone missed as there is no footway adjoining the road/field concerned, and though Refused by HCC has been through a Planning Inquiry, results awaited.

The Council are not truly transparent

The document/process does not recognise the significance of neighbours needing to be notified directly of planning applications in their immediate neighbourhood. The nature of street/lane layout in some areas does not provide, in some cases, for people even living next door to a site, to be aware of a planning application before it is too late to comment. Whilst the cost of writing to neighbours is a factor, there is huge potential to miss an important aspect of consultation. Notices placed in 'prominent places' do not catch everyone's eye and allows applications to slip through unchallenged and without any meaningful neighbourhood consultation. Busy people still care about what their neighbours are up to but do not get to read parish noticeboards or even, in some cases, get to walk down streets where a notice is posted (or even notice them!), nor can they regularly peruse council websites etc just in case there might be an application relevant to them. If you really don't want to write to neighbours, maybe a solution would be to have a standardised printed slip/alert put through letter boxes in the nearest few houses when the officer is out posting notices etc., or alternatively for people to be able to subscribe to email alerts that they can filter, much in the same way as recruitment alerts work - but you have to tell people that this facility exists in the first place! I only knew about this consultation because I am a council employee; I wouldn't have known about it as a member of the public - there is too much tokenistic reliance on 'just' putting stuff on the web and we don't all 'do' facebook etc for professional reasons as it is the devil's own work.

Item 6.1 basically advises engaging with most people is difficult expect those that are middle aged and 'not too busy to respond'. 6.1 As a result of previous experiences in engaging with different groups on planning matters, it is understood that the following members of any community can present more of a challenge when trying to ensure effective and fully inclusive consultation: • Minority ethnic groups • Those for whom English is a second language • Gypsies and travellers • Disabled people • Older people • Children and young people • Those following different religions or with certain beliefs • Low income groups/unemployed • Young single parents • Homeless

• People located in dispersed rural areas • Individuals with learning difficulties • People who are too busy to respond

I am a Ross resident and I never know what planning applications have been submitted as Herefordshire Council do not advertise them in The Ross Gazette, and I, like many in Ross, do not buy the Hereford Times. Therefore you are not reaching a mass audience.

To a point

I am concerned that I will continue to not be aware of planning applications in the Ross-on-Wye area. I use to find out what was going on by looking in the Ross Gazette. However, Herefordshire Council stopped placing planning notices in the paper a few years back. After complaining to the Ross Gazette about this, I understand you place them in the Hereford Times. I, like many, do not read this over priced county newspaper. I think it is extremely disappointing that the Council tries to hide planning applications from Ross-on-Wye residents by not placing it in the local Ross paper. Your website is too complicated to understand and navigate. The notices need to be back in the Ross Gazette!

Sections 8 and 9 The Woodland Trust would like to be included as a 'Specific consultation body' (General Consultation Bodies) in Appendix 2 for all Local Plan consultations including DPDs and SPDs.

The standard planning application process needs to ensure all developers and applicants consult with parish councils which have a neighbourhood development plan before they have gone to the expense of putting together a full planning application. Early consultation means feedback from the consultation is more easily incorporated into the plans of the developer or applicant, and as highlighted by clause 2.5, para 3 of the statement of community involvement, consultation will "help to resolve any initial conflicts". Timing is therefore a critical consideration, and it is not sufficient for the statement of community involvement just to encourage consultation (for example in the executive summary, para. 3, clause 1.10 planning applications and clause 2.5 para. 3), it needs to define explicitly what consultation with the community or parish council means, when it should occur in the process (i.e. early), and require developers and applicants to have demonstrated consultation has taken place, particularly where parish councils have put in place a neighbourhood development plan. This way, all potentially interested parties will be kept informed at the appropriate time during the preparation of planning documents.

Herefordshire Council Cabinet record of decision making behind closed doors.

Question 2 Do you feel confident that all interested parties will be informed during the preparation of planning documents ? ANSWER - NO The Governments

'Localism' agenda introduced the concept of Neighbourhood Development Plans as a democratic mechanism for creating a more enlightened environment for progressive development. The plans, researched through thorough consultation, would characterise the aspirations of residents and outline a 'strategy' of how to assess and utilise each new investment in meeting the overall objectives of an NDP without rankour and unnecessary delay. This HCC consultation seems, therefore, to be rightly aimed at encouraging parishes to produce NDPs as the medium for facilitating the future sustainable development of Herefordshire communities. The Statement of Community Involvement falls short of suggesting that the Local Authority should work in partnership with the Parish Council to facilitate the delivery of the Neighbourhood Development Plan. This is unfortunate as a more structured partnership arrangement between parish councils and the local authority would be a key ingredient in achieving this and would reflect the Governments intentions to secure more progressive local democracy. (See Pyons Group Parish Council Draft NDP – Part 8 'Working Together').

One of the most controversial area s of planning is the issues related to sites for Gypsies and Travellers. Herefordshire has a significant minority which showed up in the 2011 census as not far out of the top 10% in the Country. Yet Herefordshire as an administration has not provided a single pitch to meet the needs of this group and has reduced considerably the pitches provided by the previous administration (Hereford and Worcester). The County has recently commissioned an assessment of the accommodation needs of this minority group under duties arising out of the Housing Act 2007, yet it has not been possible to find a single individual who contributed to this survey. Furthermore little attempt was made to indicate to this community what this exercise was about or what its implications were.

But it does rely on the methods being used, on which we are less confident.

3. Do you think the methods of consultation are effective?

Yes	12
No	22
Not sure	1

If no, please specify what we could do more to make the consultation effective?

Guide and ease citizens into reading thanks that are increasingly specific. Please remember most citizens are not paid to read many pages of planning stuff, Herefordshire Councillors and Officers are in competition for people's attention.

Councillor and Parish engagement is necessary but assumes interested parties have an active involvement. Not convinced by roadshows. Not everybody buys the

Herefordshire Times.
Timescale
I have no disagreement with the methods described in the document, very comprehensive, I just feel, on the evidence so far, that this will still pass too many people by without being aware of its importance to them. Too much of the communication process relies on electronic contact, which although of course cheaper and effective for those with IT capability, in Hereford in particular, as the SCI makes very clear, we have a higher than perhaps average percentage of people who will just not see the information at all. I'm afraid unless at least one piece of physical communication - letter, leaflet - is made to every household then it will not get to enough people. I know this is expensive, but I feel certain this is the only way to ensure that everyone has at least a chance to know about the SCI and its importance to them and their community.
Are the home owners consulted ? Or do they have to pay attention all the time to papers and yellow notices , which can be easily removed or placed in awkward places . Home owners should be consulted door to door and given a place of meeting for developments larger than 3 house sites ! A great deal of upset is caused by larger developments and are rail roasted through without real impact consideration.
There is considerable reference to items appearing on HC website, which is good, however you need something to draw people to the website in the first place, or they will not find the information. Emails with links to the website would do this.
Because they are too complicated and too comprehensive. But I do like this one - brief and to the point.
Again not sure - only experience will tell. It's good that the council are not totally relying on electronic media.
Yes in general, and you do list a wide range of consultation methods. In reality most people only engage with the planning process when a planning application comes up that they want to object to.
Councillors and officer should attend meetings and discussion groups of electorate with open minds not just go through the motions.
There is no way for local Councils and Residents to prevent powerful developers riding roughshod over local opinion, local policy and a benign future for Herefordshire communities. This is not a process for social harmony nor the best possible results since bullies can beat the system. The enormous number of pages in this document show how turgid and heavy and difficult planning process has

become!
Not well published, called in at Franklin House and no one there had a clue!
It would be impossible to control so many communications methods. Can the council ask each householder as part of council tax services how they would like notifications of planning within their local area, whether it is by parish/ward/postcode. Then either e-mail or written which the option as is the case for it to be sent in another format for those with disabilities.
I am a Ross resident and I never know what planning applications have been submitted as Herefordshire Council do not advertise them in The Ross Gazette, and I, like many in Ross, do not buy the Hereford Times. Therefore you are not reaching a mass audience.
Planning applications should be advertised in the Ross Gazette as the majority of Ross-on-Wye planning applications are getting missed by a large number of people who are not online, on social media or read the Hereford Times.
Advertised it in local paper. Herefordshire Council covers other areas apart from Hereford itself. Advertising in just the Hereford Times is not reaching a vast majority of people.
Paragraph 10.2 In order to improve consultation on planning applications, the Woodland Trust would like this SCI to commit to consulting the Woodland Trust on any planning applications that destroy, degrade or threaten the irreplaceable habitat of ancient woodland. The National Policy Planning Framework clearly states: "...planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland..." (DCLG, March 2012, para 118). The Woodland Trust therefore needs to be informed of these development cases. Other Local Authority SCIs have incorporated this provision to consult the Woodland Trust on ancient woodland planning application cases, such as Swindon Borough Council SCI (March 2013), South Staffordshire District Council SCI (Oct 2013) and Worcestershire County Council (SCI Update 2014). We also draw your attention to (a) details of the location of ancient woodland are available through the county Ancient Woodland Inventory (Natural England) and ancient trees can be identified by the Ancient Tree Hunt data (http://www.ancient-tree-hunt.org.uk/). And (b) we also draw your attention to Natural England and the Forestry Commission's standing advice for Ancient woodland and veteran trees: protecting them from development - https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences . Paragraph 10.16 We would like to see planning applications that affect ancient woodland – destroy, degrade or otherwise threaten the habitat – added into the category of 'significant' applications for the reasons outlined in point number 2 above. The National Policy Planning

Framework clearly states: "...planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland..." (DCLG, March 2012, para 118). The Woodland Trust therefore needs to be informed of these development cases.

Please see comments above, the most obvious improvement is written notification to all neighbouring properties which might be affected, that is not only those on either side but opposite, to the rear etc. One cannot put a price on democracy hence we feel the comments on cost are spurious.

Early consultation with communities/ parish councils that have a neighbourhood development plan is critical to making the consultation process effective (see Q2 above). Minor problems can be resolved at a pre-application stage with a consequent saving of time and expense. The parish council/ community will be able to ensure the application is in line with the aspirations of their neighbourhood development plan and early consultation will generate a real sense of community involvement. The requirement for early consultation, which means early enough for planning applications to be changed without undue expense, needs to be written explicitly into the statement of community involvement to include: timing, definition of consultation, and requirement for all applicants/ developers to demonstrate reasonable engagement with the community and parish council. For example, it is not sufficient simply to 'go through the motions' of early consultation with the parish council, the applicant/ developer will need to show an active engagement and willingness to consider the views of the parish council.

See comments on 1.

Question 3 Do you think the methods of consultation are effective? ANSWER - NO
Where the elected parish council has taken responsibility, as the local accountable body, for implementing the approved NDP on behalf of residents, there is in place an effective means of delivering the changes planned. The parish council, however, must have an active and influential engagement in the planning approval process, rather than it just being another third party to be consulted by the local authority after the planning application has been made. For this process to be seen by residents as effective, the parish council should be informed by any developer of its intentions, before planning permission is sought. The purpose being to ensure that the nature of the development complies with the aspirations of the Neighbourhood Development Plan and that progress to approval is not unnecessarily delayed. To emphasise this argument and to explain the strength of feeling on this subject, with regard to the Pyons Group of Parishes, the following is pertinent: It is proposed that new planning applications will continue to be adjudicated solely by Hereford County Council, even when an NDP is in place. Based on recent and traumatic experiences of substantial

planning decisions eventually going against the draft NDP, the total will of residents and the views of elected members, it should be no surprise that there is little trust in the local authority acting for the benefit of residents. Under the circumstances the developer must be 'advised' by the local authority as part of the application process, to first discuss and, where possible, agree with the parish council, the suitability of the application to the NDP.

If the interests of minorities are being affected, there should be a serious attempt to engage with and consult with these minorities directly and not rely on those who have are professionally involved with them or organisations which have no local knowledge(see list in paragraph 6.2). It is recognised that this is a time consuming and not straightforward exercise but proper consultation (and not a pretence of consultation), requires it. For instance with regard to engagement with the Travelling minority, the work done for the Regional plan was considerably better than for the LDF.

In order to reach the widest audience, Herefordshire Council is committed to providing information electronically whenever possible, i.e. Email, Website & Social Media. Site notices will continue to be used and hard copies of relevant literature will be circulated to libraries and information centres.

Are you happy to receive information in this way?

Yes	28
No	7

Any further comments:

With Permitted Development Rights driving a coach and horses through your Local Plan and central government controlling more and more of our planning process there seems very little point in engaging with local government at all. But thanks for the invitation.

No thank you... you don't listen.
Butter Market a fine example of energy and effort wasted.
I wont waste any more of my time on such matters again.

What's the point when the council don't listen to the electorate.

As long as it is graduated, summary first and then progressively more and more detail available.

Susi in section 10 the GDP is now 2015 , not 2010.

It does represent a cost efficient approach but I remain to be convinced by its effectivity. Frequency of repeat notices and the extent of how far the message has been spread should be assessed rather than assume this works. If people were able to register an interest on a database for all future communications you would be able to ask how they found out

Utilise Parish Councils - they are developing their own websites, so can drive traffic through them to the main HC website. Provide Parish Councils with links to put on their websites to the HC website - for generic things and also for relevant matters to their parish

But response questionnaire need to be easy to complete so that amenity groups etc can comment easily. Focus groups and clubs are self-appointed individuals who have no elected right to be accorded special attention. I am told most consultees are negatively critical of proposals. Should they be accorded more attention? Result of consultations should be clear and numeric; showing how a decision is arrived at and whether consultation has changed the intended action. There should always be the question - do nothing? A legal requirement I believe (Brent Council case 2014?) Otherwise we all get fed up and fail to input.

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.

We are supportive of the principle of meaningful and early engagement of the general community by the public, community and other organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.

We regret we are unable to comment, in detail, on individual Statements of Community Involvement.

Whilst I'm happy to receive information this way, I know a lot of people don't have access. Some have access via Library computers but others rely on hard copy availability.

Place Partnership Ltd (PPL) is the new company that manages the combined estates of Warwickshire Police (WP), West Mercia Police (WMP) and Hereford and Worcester Fire and Rescue Service (HWFRS), along with those of Worcestershire County Council, Worcester City Council and Redditch Borough Council. It is wholly owned, funded and run by the aforementioned public bodies.

As part of the above, WP, WMP and HWFRS now act as one on all infrastructure and town planning related matters across their combined geographical area. This includes making joint representations through PPL to all local planning authorities and other parties in relation to planning applications and planning policy. For the

avoidance of doubt however, the two police forces retain their separate Police and Crime Commissioners (PCCs) and respective command teams.

Having read through the Revised SCI, WP/WMP/HWFRS consider that the processes set out for policy and development management are clear and provide a good basis for ensuring community involvement and consultee involvement in the planning process.

The main concern from an emergency services perspective is that the key consultee bodies (WMP and HWFRS) need to be made aware of new planning documents and planning applications consulted on by the Council. The best way for this to be done would be for both bodies to be recognised as 'specific consultation bodies' in the Statement of Community Involvement.

The Town and Country Planning (Local Planning) (England) Regulations 2012

Section 2 specifically states that local policing bodies are relevant authorities and that relevant authorities should also be included as specific consultation bodies.

Whilst the Regulations do not specifically refer to the Fire and Rescue Services, it would be sensible for HWFRS to have the same specific consultation body status as the police, particularly as both will now be represented in the consultation process by Place Partnership Ltd.

This is convenient for me. I am very pleased to see that site notices will continue to be used as this is often the only way to find out about a local planning application.

Thank you for your email. I just wanted to point out that our Central Library and Visitors Information Centre are both currently closedand have been for a fair time, (which I feel is a complete disaster for our city - I don't feel the makeshift 'library' at our town hall does justice) so it would not be possible for people not on email to be able to see hard copy.

The narrative refers to the importance of parish council responses etc and there is a statement that parish councils will be consulted about planning documents that affect their area and on specific planning applications. This mirrors current practice and is to be welcomed. However, in the list of bodies to be consulted I cannot find a specific reference to parish councils

Thank you for giving Severn Trent Water the opportunity to comment on the above. However I hope the following statement reassures you of our obligations.

Position Statement

As a water company we have an obligation to provide water supplies and sewage treatment capacity for future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments of the impacts of future developments. For outline proposals we are able to provide general comments. Once detailed developments and site specific locations are confirmed by local councils, we are able to provide more specific comments and modelling of the network if required. For most developments we do not foresee any particular issues. Where we consider there may be an issue we would discuss in

<p>further detail with the local planning authority. We will complete any necessary improvements to provide additional capacity once we have sufficient confidence that a development will go ahead. We do this to avoid making investments on speculative developments to minimise customer bills.</p>
<p>Only knew about it through my work as a council employee - haven't seen this in the public domain.</p>
<p>This will vary between every person but for me personally I like to see generic information on social media and the website but items items of particular interest and importance directly e-mailed. A hard site notice is useful for the general public.</p>
<p>I am not on social media or online. I got my daughter to fill this out for me.</p>
<p>Your website needs to be easier to understand and navigate</p>
<p>Advertise relevant notices in the local paper. A lot of people are not online, or visit the library regularly.</p>
<p>Personally we would but then we understand the systems & have the internet access etc to support this method. Many people find planning a very complex system & are more likely to give up or not bother if they have to search hard for information or even whether there are any applications relevant to them (see above). This can give a false idea that people have no interest or do not care when that is probably far from the case.</p>
<p>After reading the SCI information, Herefordshire Council has clear and effective direction and has set reasonable targets to meet. There are excellent open lines of communication. The point made about parish councillors being well briefed is key to communicating to local communities about any concerns or issues they may have.</p>
<p>I accept that this is the easiest way to communicate these days but there needs to be review process. The introduction of on line presentation of planning applications seems to have been undertaken without much consideration of the consequences. Where minorities are concerned who do not meet with general approval. the presentation of objections on line has serious implications. Although actual racist comments seem to be effectively filtered out, the very fact of the number of objections creates a sort of herd response which is seriously upsetting to the individuals and minority groups concerned and may be prejudicial to the outcome. Planning applications are supposed to be assessed on the basis of their conformity or otherwise to the Local Plan and should not be turned into popularity contests.</p>
<p>Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts.</p>

The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail's infrastructure. In this regard, please find our comments below.

Network Rail would draw the council's attention to the following (which applies to England only):

The Town and Country Planning (Development Management Procedure) (England) Order 2015

Publicity for applications for planning permission within 10 metres of relevant railway land

16.—(1) This article applies where the development to which the application relates is situated within 10 metres of relevant railway land.

(2) The local planning authority must, except where paragraph (3) applies, publicise an application for planning permission by serving requisite notice on any infrastructure manager of relevant railway land.

(3) Where an infrastructure manager has instructed the local planning authority in writing that they do not require notification in relation to a particular description of development, type of building operation or in relation to specified sites or geographical areas ("the instruction"), the local planning authority is not required to notify that infrastructure manager.

(4) The infrastructure manager may withdraw the instruction at any time by notifying the local planning authority in writing.

(5) In paragraph (2) "requisite notice" means a notice in the appropriate form as set out in Schedule 3 or in a form substantially to the same effect.

Developer Contributions

The Statement of Community Involvement should set a strategic context requiring developer contributions towards rail infrastructure where growth areas or significant housing allocations are identified close to existing rail infrastructure.

Many stations and routes are already operating close to capacity and a significant increase in patronage may create the need for upgrades to the existing infrastructure including improved signalling, passing loops, car parking, improved access arrangements or platform extensions.

As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund rail improvements necessitated by commercial development. It is therefore appropriate to require developer contributions to fund such improvements.

Specifically, we request that a Policy is included within the document which requires developers to fund any qualitative improvements required in relation to existing facilities and infrastructure as a direct result of increased patronage resulting from new development.

The likely impact and level of improvements required will be specific to each station and each development meaning standard charges and formulae may not be appropriate. Therefore in order to fully assess the potential impacts, and the level of developer contribution required, it is essential that where a Transport Assessment is submitted in support of a planning application that this quantifies in detail the likely impact on the rail network.

To ensure that developer contributions can deliver appropriate improvements to the rail network we would recommend that Developer Contributions should include provisions for rail and should include the following:

- A requirement for development contributions to deliver improvements to the rail network where appropriate.
- A requirement for Transport Assessments to take cognisance of impacts to existing rail infrastructure to allow any necessary developer contributions towards rail to be calculated.
- A commitment to consult Network Rail where development may impact on the rail network and may require rail infrastructure improvements. In order to be reasonable these improvements would be restricted to a local level and would be necessary to make the development acceptable. We would not seek contributions towards major enhancement projects which are already programmed as part of Network Rail's remit.

Level Crossings

Development proposals' affecting the safety of level crossings is an extremely important consideration for emerging planning policy to address. The impact from development can result in a significant increase in the vehicular and/or pedestrian traffic utilising a crossing which in turn impacts upon safety and service provision.

As a result of increased patronage, Network Rail could be forced to reduce train line speed in direct correlation to the increase in vehicular and pedestrian traffic using a crossing. This would have severe consequences for the timetabling of trains and would also effectively frustrate any future train service improvements. This would be in direct conflict with strategic and government aims of improving rail services.

In this regard, we would request that the potential impacts from development affecting Network Rail's level crossings, is specifically addressed through planning policy as there have been instances whereby Network Rail has not been consulted as statutory undertaker where a proposal has impacted on a level crossing. We request that a policy is provided confirming that:

- Herefordshire Council has a statutory responsibility under planning legislation to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway:
 - *Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010 requires that... “Where any proposed development is likely to result in a material increase in volume or a material change in the character of traffic using a level crossing over a railway (public footpath, public or private road) the Planning Authority’s Highway Engineer must submit details to both Her Majesty’s Railway Inspectorate and Network Rail for separate approval”.*
- Any planning application which may increase the level of pedestrian and/or vehicular usage at a level crossing should be supported by a full Transport Assessment assessing such impact: and
- The developer is required to fund any required qualitative improvements to the level crossing as a direct result of the development proposed.

Planning Applications

We would appreciate Herefordshire Council providing Network Rail with an opportunity to comment on any future planning applications should they be submitted for sites adjoining the railway, or within close proximity to the railway as we may have more specific comments to make (further to those above).

Historic England notes that Section 10.8 (p.21) refers to ‘Relevant Planning Matters’ and some suggestions, although not conclusive, are set out in a list. The list includes landscape and ecology (nature conservation), amongst others, but does not include reference to the historic environment. For completeness, it is recommended that an additional bullet point is added as follows (or with similar alternative wording):

- *Impact on the historic environment, heritage assets and their setting.*

Alternatively, the landscape and ecology bullet point could be deleted from the document. Whichever way, it is considered that a balanced overview should be provided through the list since the historic environment, along with nature conservation, falls within the ‘environment’ golden thread of the National Planning Policy Framework.

Historic England welcomes the reference to the organisation in Appendix 2 of the document. We will be pleased to assist you with advice and support on planning matters whenever possible.

The Parish Council considered the consultation document and was of the view that although it was pleasing that Herefordshire Council had asked for comments it was saddened to note that in many instances in the past, there was no clear evidence that notice had been taken of comments made, under the circumstances The Parish Council declines to complete the survey and the Clerk was asked to inform Herefordshire Council of the Parish Councils comments and thoughts.

This statement and question appears to be designed to produce the required answer. The statement should be 'except for site notices and hard copies in libraries communications will only be electronic'. This policy will exclude many elderly and most vulnerable people. It serves only the fully capable/engaged people, which is not appropriate. Furthermore, this is contrary to the commitments made for engagement on planning issues.

How did you find out about the consultation?

Email	30
Letter	1
Hereford Times newspaper	
Ledbury Reporter	
Herefordshire Council website	2
Social media	2
Other	5

- Family member
- Friend
- During planning app issue/a talk about NDP
- Lingen Community website

Following consideration of all responses given during the SCI consultation 10 February – 23 March 2016, a list of recommended alterations to the draft document can be found below, along with the reasons behind the changes in grey.

- The heading 'Executive Summary' should be changed to 'Document Summary' – *As the term 'Executive' can be deemed to be exclusive.*
- The use of acronyms should be reviewed and kept to a minimum in order to make the document as comprehensive as possible – *Therefore making the document more inclusive and easier to understand.*
- Additional paragraph should be added emphasising the use of Parish communication wherever possible, including their own social media, websites and newsletters – *The use of online media other than Herefordshire Council's own has been highlighted and the fact that so many Parish Councils now have sites and media feeds that can be utilised.*
- It should be made clear that all have the opportunity to register their interest with the planning department in order to stay informed. All media should include details of how to do this – *This will make it easier for those wanting to receive communication in the future.*
- The label 'Harder to hear' groups should no longer be used, as it is possible to classify most sections of society (other than those pro-actively engaged in the planning process) under this heading. Instead, the council's pledge to utilise a variety of methods to communicate and engage with the broadest cross-section of the county population should be emphasised – *All social groups should feel assured that the Council will endeavour to use the most appropriate means to involve them in the planning process.*
- It should be made clear that press releases will be sent to all major county publications. Public planning notices for all major applications will continue to be sent to the Hereford Times – *In order to keep the public informed.*
- The Woodland Trust will be included as a general consultee – *To ensure they are given the opportunity to respond on environmental matters.*
- Section 10 Town and Country Planning Development Management Procedure Order now 2015 not 2010 – *Due to amendments to legislation.*
- Parish Councils should be added to the list of general consultation bodies – *Therefore keeping parish representatives fully informed and able to communicate accurate information to members of the parish as well as hopefully encouraging response to consultation.*
- A review of the planning section of the council website – *In order to make it as user-friendly as possible.*

- 'Impact on the historic environment, heritage assets and their setting' will be added as an additional bullet point to the Relevant Planning Matters list in section 10.8 – *To cover the historic aspect as well as nature conservation.*

Appendix 5 – Specified consultees March 2016

Arriva Trains Wales

Brecon Beacons National Park Authority

Bromyard & District Chamber of Commerce & Industry

Byways and Bridleways Trust

Care Quality Commission

Civil Aviation Authority

DCLG - Local Plans Team

DEFRA

Department for Transport

Dept for Business Innovation & Skills

Dept for Culture, Media & Sport

Dept of Work and Pensions

Diocese of Hereford

Dwr Cymru Welsh Water

English Heritage

Environment Agency

Federation of Small Businesses

Forest of Dean District Council

Gloucestershire County Council

Hereford & Worcester Fire Brigade

Hereford & Worcester Probation Service

Hereford City Council

Herefordshire and Worcestershire Chamber of Commerce

Herefordshire Primary Care Trust

Highways England

Homes and Communities Agency

Malvern Hills District Council

Marine Management Organisation

Member of Parliament

Member of Parliament for Hereford & South Herefordshire

Monmouthshire County Council

Natural England

Natural Resources Wales

Network Rail (West)

NHS England

Office of Rail and Road

Planning and Environmental Services Ltd

Powys County Council

Public Health - Herefordshire Council

Rail for Herefordshire

River Wye Preservation Trust

Severn Trent Water

Shropshire Council

Sport England

The Coal Authority

The Planning Inspectorate

West Mercia Police

West Mercia Probation Area

West Midlands Ambulance Service

West Midlands Conservancy

West Midlands Waterways

Western Power Distribution (West Midlands) Plc

Woodland Trust

Worcestershire County Council

Wye Valley NHS Trust

Wyedean Housing Association

2gether NHS Foundation Trust Headquarters



Meeting:	General overview and scrutiny committee
Meeting date:	5 September 2016
Title of report:	Communication protocol for members
Report by:	Communications manager

Classification

Open

Key decision

This is not an executive decision.

Wards affected

County-wide

Purpose

To consider whether to make any recommendations to inform cabinet's consideration of the communication protocol for members which forms part of the communication strategy.

Recommendations

THAT: the committee considers whether to make any recommendations to inform cabinet's consideration of the communication protocol for members.

Alternative options

1. The committee may recommend that cabinet accept the proposed protocol as drafted or may identify changes which it would recommend that cabinet consider before adoption of the protocol as part of the communication strategy.

Reasons for recommendations

2. To respond to a request from the committee for clarification of the communications protocol for members to enable it to make a recommendation to cabinet.

Key considerations

3. At its meeting on 26 July the committee considered a draft communications strategy and made a number of recommendations for Cabinet to consider. Before making any

Further information on the subject of this report is available from
Alexandra Floyd, Communications Manager, on Tel (01432) 261899

recommendation on the member protocol element, the committee also requested that clarity be provided on what was meant by 'the council' when the protocols referred to speaking on behalf of the council. Given that such a definition will vary depending on the matter under discussion and where that matter sits within the functions of the council, this would be unlikely to improve clarity. However, to improve clarity for members, revisions to the draft protocol (at appendix 1) have been drafted which seek to provide greater guidance on the role of members in different circumstances.

4. Debate and challenge are a healthy part of the democratic process and can strengthen decision-making. The purpose of the protocol is to provide guidance to members to ensure that there is clarity about the communications being issued on behalf of the council. Members of the council may hold a range of roles, and indeed views; the protocol is not intended to prevent members from voicing their views but to ensure that when doing so the press and public understand in what capacity they are speaking.

Community impact

5. There is much the authority needs to communicate to the community and an equal amount that the community needs to say to the council. How that is done will vary between levels of need and particular audiences. Whilst a large proportion of our audience are online and increasing use of social media can reach a wide audience with target messages, there will be some requirement for more bespoke contact.
6. Figures from the Office of National Statistics show that 11% of the Herefordshire adult population have never been on the internet. This suggests that there is significant potential, and for many people an expectation, that the local population interact with the council online. This still leaves a proportion of people who do not interact online and other mechanisms need to be considered to reach these people whether via the media or specific service support. Due to diversity across the Herefordshire community, it is important that the council communicates effectively with the right people, at the right time, in the right way.
7. The communication strategy will help the local community understand the key council priorities, as approved in the corporate plan 2016/20. It is important for tax payers of the county to know what the council does and the areas the council needs to focus on. Sharing those priorities is fundamental to creating a joint understanding of the role, purpose, and functions of the council.
8. Targeted communications will be implemented using knowledge gathered through a range of readily available data tools, though with the potential of further data collection necessary to ensure the council can continue to support the best methods of communication.

Equality duty

9. The Equality Act 2010 established a positive obligation on local authorities to promote equality and to reduce discrimination in relation to any of the nine 'protected characteristics' (age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; and sexual orientation). In particular, the council must have 'due regard' to the Public Sector Equality Duty when taking any decisions on service changes. This requires effective, targeted communication to any of the groups who need access to services, are affected by service changes or who are the target for a campaign.

10. A public authority must, in the exercise of its functions, have due regard to the need to:
 - Eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under this Act;
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
11. Where a decision is likely to result in detrimental impact on any group with a protected characteristic it must be justified objectively. This means that attempts to mitigate the harm need to be explored. If the harm cannot be avoided, the decision maker must balance this detrimental impact against the strength of legitimate public need to pursue the service remodelling to deliver savings. Effective engagement is a pre-requisite, along with supporting information to find alternative suppliers or services.
12. The implementation of digital services will mainly affect the protective characteristic of age – especially older people. It is important to address any instances where engagement has been available online only to avoid discrimination toward this protected characteristic. This can be overcome through effective, targeted offline information.

Financial implications

13. None arising from the recommendation.

Legal implications

14. There is no legal requirement to have a communication or engagement strategy.

Risk management

15. If the protocol is not sufficiently clear members may have difficulty following the guidance. Mitigation: The views of members of the committee will inform the decision by cabinet to ensure clarity.

.Consultees

16. Insight has been gathered through existing data from Understanding Herefordshire survey, the Joint Strategic Needs Assessment, internal staff surveys and the council's Hereford 2020 communications survey.

Appendices

Appendix 1. Communications Protocol for members

Background papers

None.

Communications protocols and principles

1. Introduction and objectives
2. Scope
3. Protocols for elected members
4. Scrutiny and committees
5. Protocols for employees
6. Working protocols for communications team and media
7. Legal framework and political dimension
8. Using social media
9. Elections
10. Advertising and Sponsorship

1. Introduction and objectives

1.1 Good communication and engagement creates a positive experience for those who interact with the council. They help residents, employees, partners, and the media understand Herefordshire Council's objectives, values, services, challenges and achievements. Through efficient and effective communication, the council will improve local engagement and understanding. However, without clear protocols the reputation of Herefordshire Council is vulnerable. These protocols form part of the code of conduct for employees and elected members. They have been developed to support and govern all communications and marketing activity within Herefordshire Council, including press relations.

1.2 The objectives of the protocols and principles are:

- To establish, promote and embed effective working protocols to govern and guide the way Herefordshire Council communicates and engages with a range of stakeholders.
- Present a professional, co-ordinated and consistent approach that is customer centric and supports our audiences and services.
- Provide guidance for all employees and elected members to mitigate risk and promote council services and activity.

1.3 The communications team aims to provide guidance and leadership on communications and marketing activity. It will take responsibility for promoting and monitoring the communications protocols and principles, including highlighting instances when the protocols have not been observed and provide evidence to monitor the impact, which may include supporting any resulting investigation or disciplinary procedure.



2. Scope

2.1 Protocols apply to any Herefordshire Council communication, including:

- Press releases and statements to the media
- Digital content including web copy, visual/ audio content and social media
- Any communication or document prepared by Herefordshire Council services for public consumption, including advertising, leaflets, newsletters, reports, posters, banners, flyers or websites
- Any document or publicity with which Herefordshire Council is associated with. Even if the publication is produced in partnership or is a joint document then the communications protocols and brand guidelines still apply
- Any publication or work prepared for the public domain, by consultants or contractors when working on behalf of Herefordshire Council.
- Internal communications to staff and partners.

2.2 Protocols apply to everyone who works for Herefordshire Council in any capacity, or who represent the organisation in some way, including:

- All elected members
- All employees within the organisation, including those employed on an agency, freelance or consultant basis
- Volunteers working with council service teams
- Partners, providers and suppliers (including contracted or commissioned services) that may want to refer to Herefordshire Council in publicity material.

2.3 Employees should refer to the communications and marketing tool kit on the intranet for other communication resources which includes the communications strategy, brand guidelines, style guide and templates.

3. Protocols for elected members



3. Protocols for elected members

See also section 7 Legal framework and political dimension and section 9 Elections.

3.1 It is important members are supported and confident in communicating council processes, priorities, services and decisions. However, there is often a need for elected members to distinguish between when they represent Herefordshire Council in the press, on social media, and in public or when they are representing their personal views, those of their political group, or those of other groups of which they are members. Members should also have regard to the member code of conduct and the protocol on use of council resources by members when acting in any capacity as a member of the council. To assist in clarifying roles:

- The leader of the council - on combined portfolio and/or high profile issues
- Cabinet member– on subjects relevant to their portfolio including policy and decision making
- The chairman of the council - on civic matters
- Chairperson of any committee– on the business of the committee (see later)
- Ward member – on issues specific to their ward
- Group leader – giving the views of their group
- Individual members of the council – may express a personal view but should not speak on behalf of the council other than as above. If they are making representations on behalf of constituents or communities they should make clear that this is the case.

3.2 When elected members are representing the council and commenting on operational or service matters, they should work with the communications team to deliver a full and accurate response. Members should, in the first instance, use the relevant processes or channels for raising any concerns or complaints they may have about policy direction (with the relevant cabinet member) or operational matters (with the chief executive or relevant director) before making any comment externally to ensure their comments are informed and accurate.

3.3 To assist members and to provide the most effective communications and support compliance with the protocol on use of council resources and the code of conduct a member should not issue a press release, statement, letter for publication, or organise a press conference on behalf of Herefordshire Council, without notifying the communications team in advance. Political groups will have their own arrangements for issuing communications on behalf of their group. Members wishing to make comment as individuals are not required to notify the communications team in advance, but should ensure it is clear they are making such comment in a personal capacity.



3.4 Any press queries should be through the communications team. If an elected member is contacted directly by a local or national journalist in respect of Herefordshire Council, it is requested that they advise the communications team and provide the statement issued to press. This helps ensure consistency and accuracy.

3.5. Members should be aware of the legal framework and political dimension relating to communication as covered in point 6 of this document.

4. Committees

4.1 Committees have a vital part of the effective running of the council, monitoring decisions and making recommendations to the cabinet and the authority as a whole.

4.2 The chair of a committee may initiate, with the communications team, press releases or statements if they have the support of the membership. The chairperson will be the designated press spokesperson and they will be quoted or featured in publicity such as press releases and photo calls, representing the views of the committee, but not their own personal or political party views.

4.3 The communications team will support the chairperson to issue press releases and statements on reports, liaising with the key spokesperson for comment and relevant officers for factual information.

4.4 At the beginning of a review, consideration will be given by the chairperson of the reviewing body to the issuing of a press release. Where appropriate, the press releases can be issued before the committee meeting in order to promote interest and understanding of the issues (although the decision of the committee must not be anticipated).

4.5 All enquiries from the media relating to any review will be handled by the communications team and discussed with the chairperson before a response is given. Individual councillors on scrutiny panel may make their own statements relating to their involvement if they work with the communications team to ensure a co-ordinated response.

4.6 Press releases issued after the meeting must reflect the majority view of the committee and a range of members will be consulted on content, by the chairperson and the communications team.

