

# AGENDA

## Cabinet

Date: **Thursday 25 June 2009**

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Time: **2.00 pm**

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Place: **The Council Chamber, Brockington, 35 Hafod Road,  
Hereford**

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

For any further information please contact:

**Sally Cole, Committee Manager Executive**

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# Agenda for the Meeting of the Cabinet

## Membership

**Chairman**                      **Councillor RJ Phillips**  
**Vice-Chairman**

**Councillor LO Barnett**  
**Councillor AJM Blackshaw**  
**Councillor H Bramer**  
**Councillor JP French**  
**Councillor JA Hyde**  
**Councillor JG Jarvis**  
**Councillor PD Price**  
**Councillor DB Wilcox**

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The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.

A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is. A Councillor who has declared a prejudicial interest at a meeting may nevertheless be able to address that meeting, but only in circumstances where an ordinary member of the public would be also allowed to speak. In such circumstances, the Councillor concerned will have the same opportunity to address the meeting and on the same terms. However, a Councillor exercising their ability to speak in these circumstances must leave the meeting immediately after they have spoken.

**AGENDA**

Pages

**HEREFORDSHIRE COUNCIL - NOTICE UNDER REGULATION 15 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS ((ACCESS TO INFORMATION) REGULATIONS 2000 (AS AMENDED)**

Notice is hereby given that the following reports contain key decisions. When the decisions have been made, Members of the relevant Scrutiny Committee will be sent a copy of the decision notices and given the opportunity to call-in the decisions.

<b>Item No</b>	<b>Title</b>	<b>Portfolio Responsibility</b>	<b>Scrutiny Committee</b>	<b>Included in the Forward Plan Yes/No</b>
4	Smallholding Policy and Management Principles	Corporate and Customer Services and Human Resources	Strategic Monitoring Committee	Yes
5	Herefordshire Unitary Development Plan 'Saved' Policies	Environment and Strategic Housing	Environment	Yes
7	Review of Asset Management and Property Services	Resources	Strategic Monitoring Committee	Yes
8	ESG Retail Quarter Development Agreement	Economic Development and Community Services	Community Services	Yes

**1. APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

**2. DECLARATIONS OF INTEREST**

To receive any declarations of interest by Members in respect of items on the Agenda.

**3. MINUTES**

To approve and sign the minutes of the meeting held on 4 June 2009.

1 - 8

**4. SMALLHOLDINGS ESTATE STRATEGY REVIEW**

To agree the smallholdings policy framework.

9 - 26

**5. HEREFORDSHIRE UNITARY DEVELOPMENT PLAN 'SAVED' POLICIES**

This report seeks Cabinet's agreement to submit a proposal to the Government Office for the West Midlands (GOWM) to retain Unitary Development Plan (UDP) policies after 22 March 2010. The legislation requires that the proposed list of policies to be saved must be submitted to the Government Office for the West Midlands six months in advance i.e. by 22 September 2009. Under the provisions of the Planning and Compulsory

27 - 188

Purchase Act 2004, UDP policies will cease to apply after this date unless the Secretary of State issues a direction extending their life.

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|---|-----------|
| <b>6. PROCUREMENT STRATEGY 2009</b><br>To seek Cabinet's agreement of the updated Procurement Strategy.   | 189 - 220 |
| <b>7. REVIEW OF ASSET MANAGEMENT AND PROPERTY SERVICES</b><br>To update Cabinet on the review of Asset Management and Property Services and to propose alignment of the work with the emerging Shared Services activity.  | 221 - 226 |
| <b>8. ESG RETAIL QUARTER DEVELOPMENT AGREEMENT</b><br>To seek approval to proceed to conclude negotiations and enter into the Edgar Street Grid (ESG) Retail Quarter Development Agreement between Herefordshire Council, ESG Herefordshire Ltd, and Stanhope following an initial European procurement process and subsequent detailed financial and programming negotiations. | 227 - 236 |

#### **EXCLUSION OF THE PUBLIC AND PRESS**

**In the opinion of the Proper Officer, the next item will not be, or is likely not to be, open to the public and press at the time it is considered.**

#### **RECOMMENDATION:**

**That the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act as indicated below.**

#### **ESG RETAIL QUARTER DEVELOPMENT AGREEMENT APPENDICES THREE AND FOUR**

**Not for Publication: This item discloses information relating to the financial or business affairs of any particular person (including the authority holding that information).**

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## **HEREFORDSHIRE COUNCIL**

**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

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HEREFORDSHIRE COUNCIL

**MINUTES of the meeting of Cabinet held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Thursday 4 June 2009 at 2.00 pm**

**Present: Councillor JP French (Chairman)**

**Councillors: LO Barnett, AJM Blackshaw, H Bramer, JA Hyde, JG Jarvis, PD Price and DB Wilcox**

**In attendance: Councillors ACR Chappell, PJ Edwards, PA Andrews, WU Attfield, TM James and RI Matthews**

**116. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor RJ Phillips, Leader.

Apologies were also noted from Councillor GFM Dawe, Alliance Group Leader.

**117. DECLARATIONS OF INTEREST**

No declarations of interest were expressed.

**118. MINUTES**

**RESOLVED: That both the open and confidential Minutes of the meeting held on 7 May 2009 be approved as a correct record and signed by the Chairman.**

**119. DATA QUALITY ANNUAL REPORT**

The Deputy Chief Executive introduced a report which outlined progress against the data quality action plan, which was recognised as a key element in supporting and demonstrating effective performance management and improvement within the authority.

Steve Martin, Corporate Policy and Research Manager outlined to Members the context within which information in the report should be considered, including the data quality action plan, attached as an appendix to the report. Cabinet was advised that auditors continued to view the Council's performance on data quality to be adequate. The authority was aiming to achieve good and, ultimately, excellent performance, for which the improving current position, including the action plan, provided a firm foundation on which to deliver further improvement.

The Corporate Policy and Research Manager drew Members' attention to the following specific issues of note:

- 62% of the actions outlined in the action plan had been completed, while 85% had either been completed or started; this left 15% that had yet to commence.
- Procedures on data quality were continuing to be embedded within the authority; this would be of key importance in order that performance improvement could be monitored and informed decisions made regarding areas which might require additional attention. Members were advised that the existing data quality policy itself remained fit for purpose, and that what mattered now was its full and consistent implementation across the organisation.

- Achieving this, and completing the action plan successfully, depended primarily on two key matters being attended to: the identification and rationalisation of existing policies and procedures relevant to data quality in all directorates and services; and concluding work to improve the contract register. An important foundation had been laid with the designation in each service of a named officer responsible for contract management.

Responding to a question regarding expected items of information that had been missing from earlier performance reports, the Corporate Policy and Research Manager stated that there were two primary reasons for their absence; firstly, that the information was, for good reason, not available at a particular point in time (for example because it depended on the results of a periodic survey) but would be in the future; or secondly, that the information had simply not been provided, which was plainly a matter requiring management action. Members were advised that, despite reminders, not all partners had yet co-operated where that was necessary to achieve items in the action plan. It was recognised that this situation needed to be rectified and would be escalated where necessary. Members expressed a strong view that partners who were not co-operating needed to understand better how their data contributed to the wider picture and the importance of submitting timely, quality data.

The Deputy Chief Executive, responding to a concern raised regarding several revisions to original dates for actions to be completed, stated that the data quality action plan, whilst providing an excellent framework had turned out to be over-ambitious in its target setting, which had resulted in revised timescales having to be set for some actions. Members were informed that there had been significant progress to date, but it was acknowledged that some areas of activity remained outstanding and required urgent attention.

A member referred to an instance in which the Council had apparently lost data from a survey and had had to ask people to complete the exercise again.

An amendment to the recommendation was proposed by Councillor JP French for consideration as an additional recommendation (c); 'That the Deputy Chief Executive ensure that a review of the implementation of the plan is undertaken with a view to ensure its timely delivery'.

**RESOLVED THAT:**

- (a) **progress against the 2008 / 09 data quality action plan be noted, and;**
- (b) **that Appendix 1 be approved as the 2009 / 10 action plan.**
- (c) that the Deputy Chief Executive ensures that a review of the implementation of the action plan is undertaken with a view to ensuring timely delivery.

**120. INTEGRATED CORPORATE PERFORMANCE REPORT**

The Corporate Policy and Research Manager, Steve Martin, presented the report on the end of year Integrated Corporate Performance Report. He advised Members that future reports would be presented in a different, streamlined format; a briefing would be arranged before the new arrangements came into effect. Cabinet was advised that, since the production of the end of year report, validated information as regards social care for both children and adults had become available from Frameworki. This therefore replaced the forecast out-turn or earlier data used for judgements in the circulated report. Members were assured that, although there were, as a result, some changes in the judgements as regards individual indicators, the overall picture as presented in the circulated report had not been altered significantly.



Cabinet was informed that, as usual, two main forms of judgement were considered in assessing performance: performance against the targets the Council had set and direction of travel (i.e. how the indicators did in 2008-09 compared with the previous year). In relation to performance of key indicators against targets set, 63 indicators (56%) had achieved their target with 32 indicators (29%) below target (with a small number remaining amber because validated end-of-year information was, for good reason, not yet available). This result was better than in the previous year, 2007/08, in which 32% of the targets had been achieved but 36% had not. Members were advised that, in relation to the Local Area Agreement (LAA), 20 of the 30 indicators were on track, with 8 currently behind target. As regards direction of travel, 55% of indicators showed improved performance compared with the previous year, while 40% had deteriorated: this compared with 60% and 30% respectively in 2007/08.

Responding to a question as to whether the authority might in some instances be setting unachievable targets, and that the number of red-rated indicators might therefore be presenting a falsely negative picture of performance, particularly since a number of red-rated indicators were close to achieving the requisite target level, the Corporate Policy and Research Manager stressed that performance should be considered in the wider context of the judgements outlined above. In particular, it was important to note that, in the case of some indicators, whilst set targets had not been achieved, performance had improved compared with the previous year. Nonetheless, targets had been agreed as part of the performance improvement cycle, including the allocation of resources, so as to deliver the Council's priorities, so they did need to be taken seriously. It was acknowledged that, where performance had improved significantly on the previous year's, this should provide a good basis for higher levels of achievement in the future.

**RESOLVED That Cabinet:**

- (a) notes performance for 2008-09; and
- (b) agrees that directors should ensure that the performance issues arising are addressed within their respective areas.

**121. HIGHER EDUCATION FOR HEREFORDSHIRE**

The Cabinet Member Economic Development and Community Services, Councillor AJ Blackshaw introduced the item and informed Cabinet the Higher Education for Herefordshire Management Board was currently preparing applications to various funding pots to develop a Higher Education facility in the county, including a bid to the Department for Innovation, Universities and Skills (DIUS) University Challenge Initiative. To demonstrate support and commitment to the bid in the form of local contributions, Cabinet was being requested to consider the allocation of the Council's Blackfriars site as a possible location for the Higher Education Centre, as the Council element of the site was due to become surplus to requirement as part of the broader accommodation strategy. Members were informed that the deadline for submission of a 'statement of intent', the first stage of the process, would be 30 June 2009, following which, if supported, a full business plan would be drawn up and submitted by the end of the year.

Geoff Hughes, Director of Regeneration informed Cabinet of the wider vision for the site should the bid be successful as outlined in Appendix 1 of the report. It was planned that a Higher Education Centre would provide student accommodation, a students union and conference facilities; collectively the HE centre would also provide a significant benefit to the tourism offer of the county.

Responding to comments raised by Members, the Director of Regeneration advised Cabinet that there were important and integral links between higher end skills

development and employability. For a Higher Education Centre bid to be successful strong links with the business community would need to be demonstrated and it would be necessary to outline how the higher education offer would engage with businesses in the locality to provide a firm basis for the further development of skilled jobs.

The Cabinet Member Economic Development and Community Services, Councillor AJ Blackshaw, responding to points raised by Members, stated that currently around 250 individual 18-25 year olds attended out of the county higher education facilities, therefore a higher education establishment in the county would provide an option for young people to remain and study in the county whilst attracting individuals from other authorities areas. The Cabinet Member informed Cabinet that there was currently significant skills shortage in the county for example in engineering. With the GDP of the county being £2.5billion, of which only 7% related to agriculture, there was a need to ensure the higher education initiative was closely aligned with positive growth in the county's businesses and business opportunities.

In welcoming and supporting the initiative, Members raised the following additional points:

- A higher education facility in the county would provide a small, but important number of professional positions in academia.
- It was important to consider the long term economy of the county in line with the ESG 30 year project and ensure that a Higher Education Centre was a flagship project and a centre of excellence.
- A higher education facility would encourage high quality students to remain within the county once qualified and could assist with reducing the cost associated with higher education e.g. travel, accommodation. An example was given relating to the former Hereford Teacher Training College which demonstrated that if quality higher education facilities were made available, skilled and professional people could be retained in the county.
- The suggested use for the Blackfriars site was a positive option which far outweighed other possibilities.

**RESLOVED THAT:**

- (a) **The allocation of the Council's Blackfriars site as a location for a possible Higher Education Centre be approved, and;**
- (b) **Authority be delegated to the Director of Regeneration, in consultation with the Director of Resources, to finalise arrangements subject to development of a robust business plan.**

**122. FINAL REVENUE AND CAPITAL OUTTURN REPORT**

The Cabinet Member Resources, Councillor H Bramer, presented the report of the final revenue and capital outturn for 2008/09 which provided the Council's overall performance for the financial year and which outlined the creation of new reserves in the accounts.

Members were advised of the positive overall summary for the Directorate budgets with a net under spend on the revenue account of £42,000 on a net budget of £132m. Whilst overall Directorate positions did contain some over and under spends Members were advised that sufficient reserves had been available to cover overspends in areas had they been required.

The final overall position for the authority taking account of the Directorate position and corporate items such as cash management and other activities undertaken centrally, provided an overall underspend of £249,000 on the Council's net budget of £132m. Councillor Bramer stated that this was a sound position and demonstrated strong financial management within

the Council.

The Cabinet Members Resources outlined to Members the proposed creation of new reserves at a time when future funding of local government would come under pressure and during which the economic recession would affect the local economy. It was proposed that a £346,000 economic development reserve be created to support Herefordshire's economy during this difficult time. A further £500,000 would be added to the Council's waste disposal reserve and the overall £249,000 underspend on the revenue account would be added to the existing social care reserve bringing it to a level of £926,000.

Members were informed that the Council had not been affected by the collapse of the Icelandic Banks during 2008/09 and the overall management of cash balances by the Treasury Management Team contributed £483,000 to the overall position. During the year, borrowing had been re-scheduled, which would minimise the amounts that impacted the Council's revenue account in the future

The Cabinet Members Resources stated that the Council had responsibility for a significant capital programme and in 2008/09 capital expenditure totalled just over £48m against an original budget of £57.9m. Significant capital schemes in excess of £500,000 were outlined in the report and the wide ranging schemes demonstrated the extent of the Council's involvement in activities to support service provision in Herefordshire. It was recognised that whilst there had been some slippage in the programme it was noted that this would not result in the loss of funding and the Council would carry forward any unused funding for capital schemes into 2009/10 financial year.

Heather Foster, Acting Head of Financial Services outlined to Members some additional points for consideration.

The current economic conditions had reduced local government income and had a significant detrimental impact on both the Deputy Chief Executive's and Regeneration Directorates in respect of reduced search fees and planning receipts respectively. Members were informed that there had also been a reduction in car parking fees, however this loss had been contained in the Environment Directorate's overall outcome.

In relation to general reserves, the Acting Head of Financial Services stated that whilst the overall level had reduced by £338,000 to £6.39million, the amount of reserves was in excess of the minimum required within the council's medium term financial strategy of £4.5million, and demonstrated the authority's healthy position in relation to both general reserves (outlined in page 33 of the report), together with specific reserves which equated to £16.06million (as outlined in page 34/35 of the report). Cabinet was advised that the Council had used £8.2million in prudential borrowing, with a further £2.5million of budgeted prudential borrowing to be allocated to schemes at the end of 2008/09 which was used to fund the capital bids for 2009/10. Members were informed of the capital receipts reserves, the commitments for which over the next three years included the funding of corporate accommodation, strategic housing, smallholdings improvement and the provision of a cattle market.

Responding to a question posed by the Independent Group Leader regarding the number of school positions that would become redundant during the year and would be funded through the Schools Redundancy Special Reserve, the Cabinet Member for ICT, Education and Achievement, Councillor PD Price stated that 15 new head teachers had been appointed during the year, however no information was available regarding redundancies. Councillor Price emphasised that there would be no school closure in the context of agreed Council policy. More detailed information would be provided to the Independent Group Leader in due course. The Deputy Leader informed Cabinet that it was important to acknowledge that some schools were working closely and constructively together to consider possible merger options, as a consequence some redundancies may arise, however no specific details were currently

available.

The Cabinet Member Highways and Transportation, Councillor DB Wilcox, responding to a question regarding the finishing costs of the Rotherwas Access Road stated that as with all major schemes the finishing element of completed projects were accounted for and were not unexpected.

Responding to a question regarding the setting of borrowing limits, the Acting Head of Financial Services stated that, as in line with CIPFA guidance (introduced in 2004), the Council itself considered what was prudent to borrow and determined its own borrowing limits, which were currently well within the limit set by the authority. Members were informed that all authorities determined their borrowing limits which took account of affordability (income/expenditure) and prudence. No change to the current CIPFA guidance was anticipated.

The Cabinet commended all Council staff and the Resources Team on the production of an overall exceptional set of figures and for prudent financial management in what had been a difficult financial year.

**RESOLVED that Cabinet**

**(a) Approve the final outturn position for 2008/09.**

**(b) Approve the creation of new reserves in the 2008/09 accounts.**

**123. RE-COMMISSIONING OF DAY SERVICES FOR OLDER PEOPLE**

The Cabinet Member Social Care Adults, Councillor LO Barnett introduced the report and thanked the Adult Social Care and Strategic Housing Scrutiny Committee, under the Chairmanship of Councillor PA Andrews for their work.

The Cabinet Member outlined the main issues of the report which included; lack of usage of some centres and their high unit cost, the quality and variety of activities on offer in many centres, the inefficient arrangements for transporting service users to centres, and the need to implement clear assessment processes for accessing day services. Members were informed that difficult choices would need to be made in this and future years.

The Director of Integrated Commissioning, Dr Ian Williams stated that as requested when the item was previously considered by Cabinet in January 2009, appropriate consultation take place regarding the possible closure of Norfolk House with a recommendation that the service users be invited to move to the service provided at Waverley House, located directly next-door. The outcome of the consultation was attached as Appendix 3 to the report. Dr Williams advised Cabinet that it was necessary to commission services to meet assessed needs of service users, and a model to deliver on the requirements for both the modernising of day opportunities and the development of complementary low-level preventative service was at an advanced stage. Cabinet was informed that maximum use would be made of the existing contractual arrangements with Shaw Healthcare under the 30-year contract.

The Chairman of Adult Social Care and Strategic Housing Scrutiny Committee, Councillor PA Andrews, highlighted the inadvisability of the authority committing to a to 30 year contract and suggested that the cost of transporting service users to day centres be explored to deliver better value for money e.g management of taxi contracts. The need for formal assessment processes was additionally stressed, with the example given of one service user of 18 years standing who had not been assessed during this time.

Members supported the view that the transport costs needed to be explored and an additional recommendation (c) was proposed. Examples were provided by Members of inefficient and

illogical transportation arrangements. The Director of Integrated Commissioning informed Cabinet that both transportation costs and scheduling arrangements would be considered.

Responding to a comment regarding the importance of the continuation of friendship links and the efforts being made to retain these links, the Director of Integrated Commissioning stated that many aspects of service provision were being assessed and acknowledged the importance of friendship links to those within them.

The Director of Integrated Commissioning, in response to a request to clarify current arrangements with Shaw Healthcare stated that the authority was five years into a 30 year long term contract with Shaw Healthcare for co-located specialist care and day opportunities. For the duration of the contract, maximum use would be made of Shaw establishments.

**RESOLVED That Cabinet:**

- (a) approve the closure of the in-house day service for older people at Norfolk House, redeployment of two part-time day centre staff and transfer of day service provision to Waverley House;**
- (b) note the closure of some under-utilised mobile day centres for older people and the re-provision of services to appropriate alternative centres, with consequential extensions and variations to a number of existing provider contracts;**
- (c) requests that the Director of Integrated Commissioning considers the concerns expressed by Cabinet about transportation issues relating to taxi and bus provision for clients of day services for older people.**

The meeting ended at 3.15 pm

**CHAIRMAN**



# SMALLHOLDING POLICY AND MANAGEMENT PRINCIPLES

## PORTFOLIO RESPONSIBILITY: CORPORATE AND CUSTOMER SERVICES AND HUMAN RESOURCES

**CABINET**

**25 JUNE 2009**

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### **Wards Affected**

County-wide

### **Purpose**

To agree the smallholdings policy framework.

### **Key Decision**

This is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

It was included in the Forward Plan.

### **Recommendation(s)**

**THAT:**

- (a) the Smallholdings Policy framework contained in the report be agreed;**
- (b) the attached action plan be agreed;**
- (c) the creation of a £25k allocation from existing rental income to create a match funded enterprise development fund be agreed; and**
- (d) Cabinet receives an annual update on progress delivering the action plan.**

### **Reasons**

1. The Council holds a significant smallholdings estate that makes a valued contribution to the local economy and allows people to enter farming. Smallholdings estates provide “starter units” that can also allow tenants to progress to larger farms. This report outlines the policy framework and provides an action plan to deliver the policy.

### **Financial Implications**

2. The smallholdings estate has been largely funded through the rental income received. This approach is not affected by the report.
3. The report proposes to allocate £25k on a match funded basis to support enterprise development on the estate. This will be funded from the existing rental income.

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Further information on the subject of this report is available from  
David Powell, Director of Resources, on 01432 383519

4. As part of the 2009/10 budget setting process, an additional £1.5m of capital expenditure at a rate of £500k per annum was made available for improvements to the estate. It is important that the council demonstrates value for money for such a significant capital programme and this will be market tested via a contract seeking maximum return on the available funding.

## Considerations

### A. Background

5. According to the latest available annual report to Parliament on smallholdings in England, 50 local authorities owned and managed 96,200 hectares (237,700 acres) of agricultural land as statutory smallholding authority as at 31 March 2006. This land was let to 2,836 tenants under tenancies governed by the Agricultural Holdings Act 1986 and the Agricultural Tenancies Act 1995.
6. Herefordshire's statutory smallholdings estate amounts to some 1,950 hectares (4,826 acres). The following table analyses current tenancies by tenure as at 31 May 2009:

Type of Tenure	Number
Life tenancies	17
Retirement tenancies	18
Farm business (fixed term) tenancies	31
Secured cottage tenancies	2
Buildings only fixed term business tenancies	2
<b>Total</b>	<b>70</b>

7. Rental income from the council's smallholdings estate has averaged £420k over the last three financial years. The trend has been for rental income to remain static. This is a similar trend to other smallholdings estates and reflects market conditions in recent years. Over the same period, the council spent an average of £240k per annum on the day to day management, repair and maintenance of the estate.
8. Over the same time period, average annual capital spending has been £200k. There have been unusually high levels of capital investment in the smallholdings estate over the last three financial years, due to a major works programme (upgrading electrical wiring) and investment in properties prior to disposal to maximise the capital receipt.
9. The former smallholdings estate policy included a capital receipts target of achieving £10m of capital receipts within 10 years from 1 April 2005. This requirement has now been removed and no such target is in place. As a result, the financial driver of generating capital receipts is removed.



10. Backlog maintenance on the smallholdings estate, identified through a 5-year rolling programme of condition surveys, totalled £900k as at 31 March 2008.
11. The smallholdings estate could realise somewhere between £20m and £40m on disposal, depending on the approach adopted. It is clear that agricultural land has historically proved to be a reliable capital investment, with values increasing over the long run. The capital value of the estate is currently calculated by capitalising rental values or on the basis of development value as appropriate.
12. Local authority smallholdings estates have their origins in central government policy of the early 20<sup>th</sup> century when there was a major concern about the decline in agricultural employment and a desire to provide farming opportunities for ex-servicemen returning from the two world wars
13. The 1970 Agriculture Act enabled statutory smallholding authorities to provide much wider opportunities for individuals to farm in their own right. The rules for the administration of statutory smallholdings were set out in Part III of the 1970 Act, and gave statutory smallholding authorities the power to provide farms to anyone who wanted to become a farmer.
14. The Agriculture (Miscellaneous Provisions) Act 1976 introduced the right of up to two successions of tenancy on death for close relatives for new smallholdings tenancies. This meant that a smallholding could remain within the same family for up to three generations.
15. The House of Lords, in debating what would become the Agricultural Holdings Act 1984, emphasised the role smallholdings estates had in providing 'starter units' which would encourage tenants to move onto larger holdings elsewhere. The 1984 Act was designed to help farmers progress in their chosen career. However, achieving this objective was difficult for smallholding authorities, because existing tenancy arrangements severely limited the opportunities for smallholding authorities to review their estates and increase the number of 'starter unit' opportunities for new farmers. The 1984 Act helped smallholdings authorities tackle this barrier by removing a new tenant's automatic right to a life tenancy with succession. The 1984 Act also introduced the right of succession on reaching retirement age rather than waiting for death to help 'farmers in waiting' progress their career.
16. The next significant piece of legislation was the Agricultural Holdings Act 1986 and it provided smallholding authorities with further opportunities to review their estates in support of the national policy objective of providing a 'starter unit' service. This introduced retirement tenancies for smallholding authorities who were now able to issue incontestable Notices to Quit.
17. Smallholdings authorities were given yet more flexibility in the Agricultural Tenancies Act 1995. A new form of tenancy, known as the Farm Business Tenancy (FBT), was introduced which applies to the vast majority of tenancies granted since 1 September 1995. FBTs can be granted for a fixed period of time without creating security of tenure.

18. The legislative framework provides county and unitary authorities with the power rather than a duty to provide a smallholdings service. When a smallholdings service is provided, it must be open to all and it should encourage career progression through the provision of starter units. There is nothing in law that prevents a smallholdings authority from disposing of its smallholding properties. Whilst it is not permissible to allocate smallholdings to people with a Herefordshire connection, the majority of our tenants have tended to come from the county.

**B. Options brought forwards by the Review**

19. Councils have the legal power to provide a smallholdings estate rather than a legal duty to do so. Therefore, given the discretionary nature of the smallholdings service, the next stage of the review set out to establish whether the council should continue to provide the service. This was necessary because councils have a statutory duty to secure and demonstrate best value in the use of their resources. A key assumption underpinning this part of the review was that there was no over-riding corporate objective to realise the capital value of the estate.

20. Three key options were identified as follows:

<b>Option 1</b>	Retain the smallholdings estate in its current structure as part of the council's managed property portfolio.
<b>Option 2</b>	Retain the smallholdings estate as part of the council's managed property portfolio, developing it in line with strategic aims, objectives and outcomes.
<b>Option 3</b>	Disposal of the smallholdings estate.

21. Disposal of the smallholdings estate, Option 3 above, could be managed in three ways as identified in the following table:

<b>Method of disposal</b>	<b>Comments</b>
<b>Option 3a</b> - disposal as a single estate with sitting tenants in place	Disposal with sitting tenants will reduce the price the potential purchaser is willing to pay. This problem is compounded by the fact that smallholding authority tenants with a retirement tenancy are entitled to a life tenancy when they transfer to the private sector. There may be a limited market for the sale of such a large land holding as one lot, and possibly no interest at all. It is estimated that a discount on full market value in the region of 50% would result from this method of disposal.
<b>Option 3b</b> -	This option would give sitting tenants the opportunity to buy

disposal of each holding separately with sitting tenants in place	their own holding, subject to a competitive sale process. However, disposal with sitting tenants reduces the price the potential purchaser is willing to pay. This problem is compounded by the fact that smallholding authority tenants with a retirement tenancy are entitled to a life tenancy when they transfer to the private sector. There is likely to be a better market for separate disposals although it is possible that some smallholdings would not attract any interest. It is estimated that a discount on full market value in the region of 25% would result from this method of disposal.
<b>Option 3c</b> - disposal as and when tenancies come to an end	This option would give sitting tenants the opportunity to buy their own holding, subject to a competitive sale process. The estate would become fragmented over time. It is anticipated that this option would achieve full capital value over time.

22. Having identified the potential options for the future of the smallholdings estate, each option was evaluated using a two-part option appraisal process, comprising a financial and a non-financial assessment. These were not weighted as any presumption about the importance of either element would have affected the outcome.

### C. Financial Assessment of Options

23. The work undertaken in 2008 also looked at the net present value of each option over a 30-year period. The technique is a valid one as it compares options at today's prices by removing the effect of inflation in future years. The 30-year time period was chosen because some of the existing life tenants could run until 2038.
24. In summary, the net present values for the options range from £20.8m to £40.7m. The results are summarised in the following table.

<b>Discount Factor: 3.5%</b>	<b>Net Present Value</b>	<b>Rank</b>
<b>Option 1</b> - retain the smallholdings estate in its current structure as part of the council's managed property portfolio.	£32.1m	3
<b>Option 2</b> - retain the smallholdings estate as part of the council's managed property portfolio, developing it in line with strategic aims, objectives and outcomes.	£40.7m	1
<b>Option 3a</b> - disposal as a single estate with sitting tenants in place.	£20.8m	5
<b>Option 3b</b> - disposal of each holding separately with sitting tenants in place.	£29.9m	4
<b>Option 3c</b> - disposal as and when tenancies come to an end.	£36.2m	2

25. The options with the two highest rankings by a clear margin over the others are options 2 (retain and rationalise) and 3c (disposal as tenancies end). Retaining and rationalising the smallholdings estate will generate a net present value that is £4.5m higher than that generated by disposing of the estate as tenancies end.
26. The results produced by the financial model can only ever be illustrative, due to the assumptions that have to be made about the value and timing of cash flows for each variable. The generally accepted way of testing how sensitive the results are to changes in those assumptions is to change the discount factor. The sensitivity of the model was tested by re-running the calculation for each option using 4.5% as the discount factor. The effect of this change is shown in the table below:

<b>Discount Factor: 4.5%</b>	<b>Net Present Value</b>	<b>Rank</b>
<b>Option 1</b> - retain the smallholdings estate in its current structure as part of the council's managed property portfolio.	£24.6m	4
<b>Option 2</b> - retain the smallholdings estate as part of the council's managed property portfolio, developing it in line with strategic aims, objectives and outcomes.	£32.5m	2
<b>Option 3a</b> - disposal as a single estate with sitting tenants in place.	£20.8m	5
<b>Option 3b</b> - disposal of each holding separately with sitting tenants in place.	£29.9m	3
<b>Option 3c</b> - disposal as and when tenancies come to an end.	£33.4m	1

27. The options with the two highest rankings, by a clear margin over the others, remain options 2 (retain and rationalise) and 3c (disposal as tenancies end). However, the order of their ranking has reversed. Disposing of the estate as tenancies end will generate a net present value that is £900k higher than that generated by retaining and rationalising the estate.
28. On the basis of the financial assessment alone, option 2 (retention and rationalisation of the estate) is the most favourable option in the absence of a corporate objective that requires wholesale disposal. However it must be stressed that the financial assessment can only be one aspect of the assessment.

#### **D. Non-Financial Assessment**

29. Herefordshire's provision of smallholdings is affected by wider considerations and the national government policy context for farming forms part of the appraisal. This

element along with the contribution the smallholdings estate makes towards local policy objectives was also examined.

30. The 2001 foot and mouth crisis saw the government respond by setting up an independent Policy Commission on the Future of Farming and Food, to reassess the place of farming and the food industry in the rural society and economy. The Policy Commission was led by Sir Don Curry, CBE, FRAgS, and his report set out a new vision and some proposals on how it might be pursued. The vision was of a '*sustainable, competitive and diverse farming and food sector, playing a dynamic role in the rural economy and delivering effectively and efficiently on environmental goals*'.
31. The Department for Environment, Food and Rural Affairs (DEFRA) published *The Strategy for Sustainable Farming and Food: Facing the Future*, in response to the Curry Commission report in December 2002. The Strategy set out the following key principles for sustainable farming and food:
  - a. Produce safe, healthy products in response to market demands, and ensure that all consumers have access to nutritious food, and to accurate information about food products.
  - b. Support the viability and diversity of rural and urban economies and communities.
  - c. Enable viable livelihoods to be made from sustainable land management, both through the market and through payments for public benefits.
  - d. Respect and operate within the biological limits of natural resources (especially soil, water and biodiversity).
  - e. Achieve consistently high standards of environmental performance by reducing energy consumption, by minimising resource inputs and by use of renewable energy wherever possible.
  - f. Ensure a safe and hygienic working environment and high social welfare and training for all employees involved in the food chain.
  - g. Achieve consistently high standards of animal health and welfare.
  - h. Sustain the resource available for growing food and supplying other public benefits over time, except where alternative land uses are essential to meet other needs of society.
32. DEFRA published *Sustainable Farming and Food Strategy: Forward Look* in July 2006. The Forward Look built on the 2002 strategy document and set out the government's updated vision for sustainable farming and food. The updated vision was '*to develop a profitable and competitive domestic farming industry which is a positive net contributor to the environment, while reducing the environmental foot print – at home and abroad – of our food consumption*'. The Forward Look provided the policy and regulatory framework required to achieve a sustainable future structured around five key priority themes:

- a. **Succeeding in the market** – helping farm businesses and the food chain to reduce dependency on subsidies.
  - b. **Improving the environmental performance of farming** - continuing to build environmental responsibility into mainstream farming practices (e.g. landscape management, wildlife and biodiversity, soil, air and water quality, environmental protection, resource management and pollution control).
  - c. **Sustainable consumption and production** – meeting consumers’ demands for more environmentally sustainable food and reducing the environmental footprint of the farming and food sector.
  - d. **Climate change and agriculture** – managing the land to reduce the likelihood and impact of climate change.
  - e. **Animal health and welfare** – to ensure strong economic, environmental and social performance – the three key pillars of sustainability.
33. The Forward Look document noted that successful delivery of the Sustainable Farming and Food Strategy required an effective partnership working and a shared understanding and ownership of the Strategy’s objectives. A Delivery Group, chaired by Sir Don Curry, was established to work with government departments and delivery partners to tackle barriers to progress and provide an early steer during policy development. The Delivery Group membership includes a representative from the National Farmers Union.
34. The Delivery Group has recently reviewed the future of local authorities’ land holdings, publishing a document entitled ‘*The Importance of the County Farms Service to the Rural Economy*’ in November 2008 (Background document.). The document provides up to date guidance for local authorities recognising the strategic importance of their land holdings and the economic, environmental and social benefits they can provide and its key messages are:
- a. Farms owned and managed by local authorities are an important, strategic, national asset that should be retained.
  - b. These farms assist local authorities in meeting wider regional economic, countryside and environmental objectives and provide an essential route into farming for new entrants.
35. Regionally, the Strategy for Sustainable Farming and Food is co-ordinated by the Government Office for the West Midlands and Advantage West Midlands. These two bodies are charged with the responsibility of developing the national policy framework into regional implementation plans.
36. The council’s corporate plan 2008 – 2011 makes no specific reference to the contribution that the smallholdings estate makes to the council’s own priorities, including those for sustainability. This is clearly an area for development and to illustrate the point, the smallholdings estate currently contributes to: the sustainability of the economy and rural communities in Herefordshire; the protection of the countryside and environment; the protection of habitats and flora and fauna; the

reduction of the carbon footprint; education for all about the countryside and farming; and improving access to the countryside.

37. There are clear and wide benefits that occur from owning and managing a smallholdings estate. The following outlines those benefits:

#### Economic

- It is a valuable source of rural employment on farms, diversified enterprises, ancillary farm services and rural businesses.
- It generates income from tourism through desirable landscape management.
- It makes an invaluable contribution to the wider economic wellbeing and development of the countryside.

#### Community Benefits

- It provides a stake in the countryside, benefiting the whole community through access and education opportunities leading to improvements in health and the quality of life.
- It acts as a strategic land bank and potential location for rural development projects.
- It is an educational resource with opportunities for school visits to support the national Think Food and Farming Campaign.
- It provides equitable opportunities through a mixed economy of lettings, farms types, and wider rural business opportunities.
- It provides a vital niche service to the communities of Herefordshire.

#### Food Supplies

- There are opportunities to improve the local food supply chain through farmers markets.
- There are opportunities to use produce from the estate for local food procurement.
- There is potential to promote collaborative ventures between both estate tenants and the Council.
- There are opportunities to act as an exemplar of best agricultural management practice to other farming businesses, both locally in Herefordshire and across the country.

### **E. Environmental Benefits**

38. Herefordshire Smallholdings tenants help to protect and enhance the environment in a number of ways.
- The single farm payment is paid to some tenants and has a compulsory requirement to keep farms in 'good agricultural and environmental condition'. This scheme requires farming that protects the soil, hedgerows, trees, etc. This scheme was introduced in 2005 and is enforced by DEFRA.
  - Tenants who sign up to the optional Entry Level Stewardship scheme, take on additional environmental responsibilities. These include only cutting hedgerows every two years and leaving wider margins at the edge of fields. Farmers can undertake a range of measures for which they gain points, and as long as they retain a certain points score they receive an additional payment per acre.

- Herefordshire has numerous Nitrate Vulnerable Zones (NVZ), which aim to reduce the amount of nitrates filtering into groundwater or running off into streams. All County tenants in NVZs abide and support these requirements to protect the environment.
  - The estate could address the carbon footprint of Herefordshire through sustainable land management of the estate.
  - The estate and its tenants can provide appropriate environmental management of a sizeable part of the Council's property.
  - There is potential to promote diversification opportunities to address key concerns such as environment management and climate change mitigation.
39. The farms estate itself and the way it is managed can assist in protecting and enhancing the landscape. Such measures as maintaining and protecting footpaths fall into this category.

#### **F. Social Benefits**

40. An increasing number of County farms are occupied by younger farmers who often have families. This trend will probably increase further as the proportion of farms let on retirement and lifetime tenancies declines to be replaced by farms let on shorter term Farm Business Tenancies
41. It is evident that young families with children support local facilities. Children attend local schools and nurseries. Expenditure by tenants and their families also provides support for various local services such as village shops.
42. Farms can play a role in supporting education as well as operating under the core farm concept.

#### **G. The Assessment's Conclusions**

43. The financial assessment supports the view that the smallholdings estate should be retained and developed in the absence of a corporate policy driver for disposal.
44. The non financial analysis summarises the national policy agenda for farming and noted that the council's corporate plan does not refer to the smallholdings service although it clearly makes a contribution to a number of corporate plan themes.
45. The options appraisal process therefore supports the view that the smallholdings estate should be retained in the absence of a requirement to realise significant capital receipts and that it should be developed in support of national and local priorities.
46. The overall position is that there is good evidence that the smallholdings estate creates a range of benefits in terms of supporting jobs and businesses, training and developing the next generation of farmers, as well as a number of environmental and social benefits.

#### **H. Actions following the Strategic Monitoring Committee**



47. The findings of the smallholdings estate strategy review were considered by the Strategic Monitoring Committee (SMC) in December 2008. The comments of SMC helped inform a further review undertaken in Spring 2009. This further review arose because the level of communication that was generated by the decision to sell part of the Nieuport Estate meant it was necessary to take stock of the position and review the proposed approach. This was particularly relevant given the decision to fund £1.5m of capital expenditure on the smallholdings agreed as part of the budget set by council in March 2009.
48. The decision to invest £1.5m in the estate was strong evidence of the Council's commitment to provide an effective smallholdings estate that provided an entry into farming. It is fair to state the level of communication and debate that followed the decision to sell part of the estate was evidence of public and specifically the farming community's wish to see the Council continue to manage a sizeable estate.
49. Subsequently the further review led to a renewed commitment to improve communication with our tenants; the gathering of further information and advice from other local authorities and the opening of effective and useful dialogue with the National Farmers Union (NFU) that included their regional policy advisor.

In addition, a meeting was chaired by the Cabinet Member with responsibility for smallholdings, which brought together Members with a farming connection to seek their views on the policy.

50. A meeting and visit was made to Staffordshire County Council, who have recently reviewed their smallholdings policy. Their review was completed in 2008 and recently their officers reported back to Members on progress. It was evident that our approach could be enhanced by drawing on the experience and approach of Staffordshire.
51. In early June the first of a regular series of tenants meetings was held in Hereford. Whilst this was not a formal consultation it did allow a brief update to be given to 27 tenants present and was attended by the Deputy Leader, the Director of Resources and other senior officers involved in supporting the smallholdings estate.
52. On 10 June, a meeting was held with Herefordshire Young Farmers. Their views strengthened some of the proposed elements of the policy framework.

#### **I. Moving to a Balanced Estate**

53. Strategic Monitoring Committee received the report on the Smallholdings Estate Strategy Review on 10<sup>th</sup> December, 2008, and its views were sought on the following specific points:
  - a. The extent to which the evidence provided in the report supports the rationalise for retaining the smallholdings estate in the absence of a corporate priority that requires disposal to be considered; and
  - b. The proposed smallholdings strategy, including strategic aims, objectives and the key principles for developing and managing the estate. It had been intended to take a report into Cabinet early in the New Year, but, following the

appointment of a new Director and a new Cabinet Member for smallholdings, it was appropriate to reflect on the proposed approach.

54. The balance between smaller “starter” farms and larger “progression” farms is a key requirement if Herefordshire is to operate a farms estate. SMC noted this issue.
55. It is clear from discussions that the reason for holding an estate, namely to allow a start in farming, is widely accepted.
56. The boundary between the size of a starter farm and progression farm cannot be precise. It is appropriate that we work to general definitions covering two types of farm, “starter” and “progression” farms.
57. Under Herefordshire’s policy, it is therefore appropriate that a starter farm should be between 50 and 100 acres. This is a relevant definition, as it is big enough to support up to one full-time employee and the size allows entry into farming for people with limited capital.
58. The second category of farm can be defined as a progression farm. These are farms that allow movement to the next stage of the farming ladder. The size is between 100 and 160 acres. Progression farms require an upper limit, as the legislative framework restricts statutory smallholdings to provide work for up to two workers.
59. The two size ranges must have an appropriate balance and there is general agreement that starter farms should outnumber progression farms. Progression farms tend to be let for overall longer periods. It should be possible for those seeking entry into farming to be considered for progression farms but in the first instances any such progression farm that becomes available will be notified to existing tenants in the farms in the starter category.
60. The ratio of starter farms to progression farms should be approximately 2:1.

#### **J. Developing and Managing the Smallholdings Estate – a policy framework**

61. The Council is clear that its policy aims to assist people seeking a career in farming and also to allow progression.
62. The council’s statutory powers are limited to providing smallholdings that require one or, at the most, two people to run and manage them effectively. To remain within the law, the development plan must produce starter smallholding units ranging in size from 50 to 100 acres and larger smallholding units ranging from 100 acres in size.
63. The Council will maintain an appropriate mixture of dairy, stock and arable farms.
64. It is appropriate that the overall number of smallholdings reduces over time whilst maintaining the current amount of land. The intention being to pursue estate restructure to increase opportunities for new entrants and support career progression for existing smallholders both within the estate and in other sectors.
65. When tenancies come to an end, either through expiry or mutual agreement, the first priority will be to consider that property in the context of the agreed size of farms, so that every opportunity to develop the estate is taken as soon as it arises.

66. Performance targets will be used to track performance of the smallholdings estates. Performance will be managed in line with the council's performance management arrangements.
67. The strategic aim is to support tenants in their career progression and help them prepare for their next move.
68. The letting of smallholdings will be supported by a standard tenancy agreement. Tenancy documentation should include obligations on tenants to comply with good practice in order to support the council's smallholdings estate strategy and wider corporate priorities. The tenancy agreement will have clearly defined and detailed information on maintenance responsibilities.
69. All tenancies will be let on the basis of open competition, with no preference given at interview stage to individuals who might have had a right of succession under now defunct statutory provisions.
70. All tenancies will be let for a fixed term of up to six years but this can be less by mutual agreement. The council will only consider requests from tenants to sub-let in exceptional circumstances.
71. Following an initial six year tenancy, farmers will be offered a second six year tenancy subject to a sound business plan and good management of the farm. Consideration will be given to further six year renewals.
72. Candidates for new tenancies will need to demonstrate their commitment to and plans for career progression in line with the council's policy of providing one tenancy opportunity in a starter unit and one subsequent tenancy in a larger unit before moving into the private sector.
73. Tenants with life or retirement tenancies will be offered a without prejudice and without obligation opportunity to discuss at a time convenient to them options for early termination of their tenancy where this would assist delivery of the development of the estate. The Council will assist the process on a case by case basis.
74. The rents of the smallholdings will be regularly reviewed and will be based on comparative rents achieved throughout the country for similar smallholding properties and no other type of property.
75. There will be a presumption against the disposal of productive agricultural land.
76. Whilst retaining the current holding of productive agricultural land, it will be necessary to continue to look at surplus farm houses and farm buildings, such as barns. This may also require planning consents to be sought where it is felt that this will enhance the value of surplus property to be sold. Where appropriate any disposal of surplus buildings will include a small amount of land to provide an adequate outside area.
77. The Cabinet Member and local ward members will be informed of all such disposals.
78. The Council will be able to purchase land to enlarge the estate if appropriate.

79. The council will comply with all relevant legislation governing the terms and conditions of smallholdings tenancies. The statutory provisions for smallholding tenancies give smallholding tenants certain rights that are not available in law to other types of council tenant (e.g. length of the period of notice).
80. The council will comply with all relevant legislation governing the council's maintenance responsibilities for its smallholdings properties. This will include a rolling programme of condition surveys completed over a five-year period, as a basis for developing a planned maintenance programme. Approval for the funding of all capital spending proposals for the smallholdings estate must be obtained via the council's capital planning procedures. The council's capital planning procedures prioritise allocation of the available capital resources proposals where non-compliance with statutory requirements is, or would become an issue.
81. The council will encourage and support career progression for its tenant farmers. Training for tenants may be provided by the council where specific personal development needs have been identified that if met will help the tenant develop their agricultural business and / or support their plan for career progression in agriculture.
82. The council's smallholdings team will provide additional advice and support to those tenants whose tenancies are due to expire to help them plan and prepare for progression through the council's smallholdings estate or into the private sector.
83. The Council will provide advice and support on associated aspects of running a smallholding, such as business planning. Clearly, the smallholdings estate needs to remain focussed on supporting entry into farming, but it would appear reasonable to make tenants aware of related activity that can add value to the local economy. The Council will take steps that may include match funded financial support to help deliver these opportunities.
84. The council will continue to develop its approach to the estate by ensuring it has strong and effective contact with its tenant farmers. The Council recognises tenants have a contribution to make to the way the Council runs the estate and develop policy into the future. It is in the interests of all parties that there is effective management of the estate. This will require regular contact with tenants' representatives and national bodies such as the National Farmers' Union (NFU). This will be enhanced by the setting up of a Members' Smallholdings Group to help support policy development. This group will comprise members with a knowledge of farming, to help develop policy.
85. The profile of the estate will be maintained with all elected members. The opportunity for elected members to visit farms and hear from officers about policy development will be a key part of the policy.
86. Housing contained within the smallholdings estate should meet relevant "Decent Homes" standards.

## **Risk Management**

87. Adoption of the revised smallholdings estate strategy outlined in this report will mitigate the risk that this asset is under-utilised in terms of supporting improved outcomes, customer experience, services and value for money.

## **Alternative Options**

88. There are no alternative options

## **Consultees**

National Farmers Union

Tenants Farmers Association

## **Appendices**

Appendix 1 – Action Plan

## **Background Papers**

- Department for Environment, Food and Rural Affairs – Sustainable Farming and Food Strategy: Facing the Future (December 2002)
- Department for Environment, Food and Rural Affairs – Sustainable Farming and Food Strategy: Forward Look (July 2006)
- Tenant Farmers' Association – Policy on County Council Smallholdings.
- Minutes of the Council meeting – 17<sup>th</sup> February, 2009.
- 'The Importance of the County Farms Service to the Rural Economy' (November 2008)



<b>Smallholdings Action Plan</b>			
<b>Action</b>	<b>Description</b>	<b>Responsible Officer</b>	<b>Deadline</b>
Identify surplus buildings for disposal	This is in line with the proposed approach.	Head of Asset Management and Property Services	September 2009
Create a set of indicators to measure performance of the Strategic Aim	The measurement of performance will demonstrate the effectiveness of the management of the estate	Strategic Asset Manager	July 2009
To bring forward proposals for amalgamation that help deliver the balance of starter and progression farms	Having a balanced estate will need an appropriate mix of starter and progression farms	Head of Asset Management and Property Services	October 2009
Hold a Member seminar and arrange visits by Members to smallholdings	This will raise awareness of the estate with Members	Director of Resources	October 2009
Provide a regular tenants' newsletter	To keep tenants informed of issues affecting the estate and opportunities to contribute to policy development	County Land Agent	August 2009
Support Grant awareness amongst tenants	Grants become available through Government departments	External Funding Officer	August 2009
Ring-fence £25k per annum on a match-funded basis for enterprise development of estate	Tenants would be able to bid against a ring-fenced sum for capital expenditure to support enterprise development. The bid would need to be match-funded.	Director of Resources	August 2009
Regular consultation with Herefordshire Tenant Farmers, Young Farmers and Members with a farming background.	There is a need to consult regularly and effectively to continue to develop policy.	Director of Resources	September 2009

Bring forward proposals to use the £500k per annum capital funding over the next three years. These will be presented to the Cabinet Member for consideration and sign off.	The Cabinet allocated a total of £1.5m over three years.	Head of Asset Management and Property Services	June 2009
To explore the use of the smallholdings estate to support other council corporate objectives including those around education.	The estate can make a significant contribution to the delivery of other objectives.	Head of Asset Management and Property Services	September 2009
Seek best practice in estate management by strengthening links with other councils.	Other councils also have significant smallholdings and their approach and policy can help develop our thinking.	Head of Asset Management and Property Services	September 2009
To investigate whether the estate should move to a consistent approach around repairing tenancies for its smallholdings.	Other Authorities have taken up the option of using repairing tenancies to help maintain their smallholdings. This approach needs to be fully investigated to understand and assess not only the benefits but any issues that may arise.	Head of Asset Management and Property Services	September 2009.



# HEREFORDSHIRE UNITARY DEVELOPMENT PLAN 'SAVED' POLICIES

## PORTFOLIO RESPONSIBILITY: ENVIRONMENT AND STRATEGIC HOUSING

CABINET

25 JUNE 2009

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### Wards Affected

County-wide.

### Purpose

This report seeks Cabinet's agreement to submit a proposal to the Government Office for the West Midlands (GOWM) to retain Unitary Development Plan (UDP) policies after 22 March 2010. The legislation requires that the proposed list of policies to be saved must be submitted to the Government Office for the West Midlands six months in advance i.e. by 22 September 2009. Under the provisions of the Planning and Compulsory Purchase Act 2004, UDP policies will cease to apply after this date unless the Secretary of State issues a direction extending their life.

### Key Decision

This is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

It was included in the Forward Plan.

The Decision on which policies to submit to the Secretary of State rests with full Council because the Unitary Development Plan is defined in the Council's Constitution as part of its policy framework.

### Recommendations

#### THAT:

- a) **Cabinet recommends to Council to approve those policies and proposals within the Herefordshire Unitary Development Plan that the Council wish to be saved as set out in Appendix 1 and those not to be saved as set out in Appendix 2 beyond the expiry of the three-year saved period; and**
- b) **the Secretary of State's agreement be sought to issue a direction to this effect.**

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Further information on the subject of this report is available from  
Yvonne Coleman – Senior Planning Officer on 01432 383083

## Reasons

- 1 To ensure that relevant UDP policies are saved beyond the existing plan period.

## Considerations

- 2 Under the new planning arrangements the Council is continuing to establish its Local Development Framework. The UDP forms part of the framework as a development plan until replaced by other plan documents (Core Strategy, Hereford Area Plan, Market Towns and Rural Areas Plan). Given that policies in replacement plan documents will not be formally in place and adopted before the date when UDP policies will automatically expire, then the Council must apply to the Secretary of State to retain any UDP policies. Application must be made by 22 September 2009 (i.e. 6 months before the expiry date).
- 3 In deciding which policies to save or discard, section 9 of Planning Policy Statement 12 advises that local authorities will need to demonstrate that the policies they wish to be saved reflect the principles of local development frameworks and are consistent with current national policy. It states that the government will take into account the following criteria in considering whether policies should be saved:
  - 1) *where appropriate, there is a clear central strategy;*
  - 2) *policies have regard to the Community Strategy for the area;*
  - 3) *policies are in general conformity with the Regional Spatial Strategy or Spatial Development Strategy;*
  - 4) *policies are in conformity with the core strategy development plan document (where the core strategy has been adopted);*
  - 5) *there are effective policies for any parts of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged;*
  - 6) *policies are necessary and do not merely repeat national or regional policy.*
- 4 Along with the Local Development Plan policies set out within Appendix 1, it is proposed that the Council retains several SPG (Supplementary Planning Guidance/Documents). This process does not enable a review of the contents of the individual SPGs. The SPGs proposed for retention are as follows:
  - Planning Obligations – April 2008
  - Polytunnels – April 2008
  - Edgar Street Grid – November 2007
  - Shobdon Development Brief – September 2006
  - Former Whitecross High School Development Brief – June 2006
  - Tanyard Lane, Ross-on-Wye Development Brief – January 2005
  - Frome Valley Haulage, Bishops Frome Development Brief – November 2004
  - Reuse and Adaptation of Rural Buildings – July 2004
  - Landscape Character Assessment – July 2004
  - Design and Development Requirements – July 2004
  - Biodiversity – July 2004

- 5 It is also proposed that after September 2009 the Council will continue to rely on the Proposals Maps and the central strategy explanation in the UDP.

## **Legal Implications**

- 6 Until comprehensive Local Development Frameworks have been produced, the saving of policies is an inherent component of the transitional arrangements that have been put in place. The transitional arrangements are partly intended to ensure a planning policy vacuum does not occur in the interim.

## **Financial Implications**

- 7 None identified.

## **Risk Management**

- 8 If the Council does not apply to the Secretary of State to retain specified UDP policies beyond March 2010, the UDP would effectively expire on that date and no longer form part of the Statutory Development Plan. This would mean that planning applications would have to be determined on the basis of national guidance and policies within the Regional Spatial Strategy (unless material considerations indicated otherwise) and that the Council's Supplementary Planning Documents would no longer form part of the Local Development Framework. Whilst planning applications can be determined in accordance with national policies, the UDP policies that are proposed to be saved are important as they are locally specific to Herefordshire. For example, policy H1 - Hereford and the market towns and policy H4 - Main villages, identifies settlement boundaries where development would be acceptable, without those policies there could be the potential for sporadic development into the open countryside.

## **Alternative Options**

- 9 The alternative option is not to extend the UDP policies beyond the plan period.

## **Consultees**

- 10 Local Development Framework Task Group  
Herefordshire Council Departments: Development Control Management,  
Conservation, Archaeology, Highways & Transportation

## **Appendices**

- 11 Appendix 1: Summary table of saved UDP policies  
  
Appendix 2: Summary table of deleted UDP policies  
  
Appendix 3: Detailed assessment of each policy against the criteria set out in PPS12 against which policies to be saved should be assessed.

## **Background Papers**

- Planning and Compulsory Purchase Act 2004

- DCLG 'Protocol for handling proposals to save adopted Local Plan, Unitary Development Plan and Structure Plan Policies beyond the three year saved period'
- ODPM 'Planning Policy Statement 12: Local Development Frameworks'
- Regional Spatial Strategy for the West Midlands
- Herefordshire Unitary Development Plan 2007
- The Community Strategy for Herefordshire – A Sustainable Future for the County
- Planning Policy Guidance/Statement 1 – 25
- Mineral Planning Guidance/Statement 1 - 15

**APPENDIX 1: SUMMARY TABLE OF UNITARY DEVELOPMENT PLAN PROPOSED SAVED POLICIES**

<b>Part I</b>	
S1	Sustainable Development
S2	Development Requirements
S3	Housing
S4	Employment
S5	Town centres and retail
S6	Transport
S7	Natural and historic heritage
S8	Recreation, sport and tourism
S9	Minerals
S10	Waste
S11	Community facilities and services
<b>Part II</b>	
<b>Development Requirements</b>	
DR1	Design
DR2	Land use and activity
DR3	Movement
DR4	Environment
DR5	Planning Obligations
DR7	Flood Risk
DR8	Culvering
DR9	Air Quality
DR10	Contaminated Land
DR11	Soil Quality
DR12	Hazardous Substances
DR13	Noise
DR14	Lighting
<b>Housing</b>	
H1	Hereford and the market towns: settlement boundaries and established residential
H4	Main villages: settlement boundaries
H5	Main villages: housing land allocations
H6	Housing in the smaller settlements
H7	Housing in the countryside outside settlements

H8	Agricultural and forestry dwellings and dwellings associated with rural businesses
H9	Affordable housing
H10	Rural exception housing
H12	Gypsies and other travellers
H13	Sustainable residential design
H14	Re-using previously developed land and buildings
H15	Density
H16	Car parking
H17	Sub-division of existing housing
H18	Alterations and extensions
H19	Open space requirements
<b>Employment</b>	
E1	Rotherwas Industrial Estate
E2	Moreton on Lugg depot, Moreton on Lugg
E3	Other employment land allocations
E5	Safeguarding employment land and buildings
E7	Other employment proposals within and around Hereford and the market towns
E8	Design standards for employment sites
E10	Employment proposals within or adjacent to main villages
E11	Employment in the smaller settlements and open countryside
E12	Farm diversification
E13	Agricultural and forestry development
E14	Conversions of large dwellings to employment uses
E15	Protection of greenfield land
E16	Intensive livestock units
E17	Military development
<b>Town centres and retail</b>	
TCR1	Central shopping and commercial areas
TCR2	Vitality and viability
TCR3	Primary shopping frontages
TCR4	Secondary shopping frontages
TCR5	Uses outside Class A of the Use Classes Order
TCR6	Uses outside Class A of the Use Classes Order
	Non-retail uses (Classes A2 – A5)

TCR7	Amusement centres
TCR9	Large scale retail and leisure development outside central shopping and commercial
TCR10	Office development
TCR11	Loss of existing offices
TCR13	Local and neighbourhood shopping centres
TCR14	Village commercial facilities
TCR16	Garden centres
TCR17	Farm shops
TCR18	Petrol filling stations
TCR19	Hereford livestock market – relocation
TCR20	Eign Gate regeneration area
TCR21	Canal basin and historic core
TCR22	Hereford United Football Club/Merton Meadow
TCR23	Civic Quarter
TCR25	Land for retail warehousing
TCR26	Land at Commercial Road
<b>Transport</b>	
T1	Public transport facilities
T2	Park and ride
T3	Protection and development of the rail network
T4	Rail freight
T5	Safeguarding former railway land
T6	Walking
T7	Cycling
T8	Road hierarchy
T9	Road freight
T10	Safeguarding of road schemes
T11	Parking provision
T12	Existing parking areas
T13	Traffic management schemes
T14	School travel
T15	Air transport facilities
T16	Access for all
<b>Natural and historic heritage</b>	

LA1	Areas of Outstanding Natural Beauty
LA2	Landscape Character and areas resilient to change
LA3	Setting of settlements
LA4	Protection of historic parks and gardens
LA5	Protection of trees, woodlands and hedgerows
LA6	Landscaping schemes
NC1	Biodiversity and development
NC3	Sites of national importance
NC4	Sites of local importance
NC6	Biodiversity Action Plan priority habitats and species
NC7	Compensation for loss of biodiversity
NC8	Habitat creation, restoration and enhancement
NC9	Management of features of the landscape important for fauna and flora
HBA1	Alterations and extensions to listed buildings
HBA2	Demolition of listed buildings
HBA3	Change of use of listed buildings
HBA4	Setting of listed buildings
HBA5	Designation of conservation areas
HBA6	New development within conservation areas
HBA7	Demolition of unlisted buildings within conservation areas
HBA8	Locally important buildings
HBA9	Protection of open areas and green spaces
HBA10	Shopfronts
HBA12	Re-use of rural buildings
HBA13	Re-use of rural buildings for residential purposes
<b>Recreation, sport and tourism</b>	
RST1	Criteria for recreation, sport and tourism development
RST2	Recreation, sport and tourism development within Areas of Outstanding Natural
RST3	Standards for outdoor playing and public open space
RST4	Safeguarding existing recreational open space
RST5	New open space in/adjacent to settlements
RST6	Countryside Access
RST7	Promoted recreational routes
RST8	Waterway corridors and open water areas



RST9	Herefordshire and Gloucestershire Canal
RST10	Major sports facilities
RST12	Visitor accommodation
RST13	Rural and farm tourism development
RST14	Static caravans, chalets, camping and touring caravan sites
<b>Minerals</b>	
M2	Borrow pits
M3	Criteria for new aggregate mineral workings
M4	Non-aggregate building stone and small scale clay production
M5	Safeguarding mineral reserves
M6	Secondary aggregates and recycling
M7	Reclamation of mineral workings
M8	Malvern Hills
M9	Minerals exploration
M10	Oil and gas exploration and development
<b>Waste</b>	
W1	New waste management facilities
W2	Landfill or raising
W3	Waste transportation and handling
W4	Temporary permissions
W5	Waste management licensing
W6	Development in the vicinity of waste management facilities
W7	Landfill gas utilisation
W8	Waste disposal for land improvement
W9	Reclamation, aftercare and afteruse
W10	Time limits for secondary activities
W11	Development – waste implications
<b>Community facilities and services</b>	
CF1	Utility services and infrastructure
CF2	Foul drainage
CF3	Telecommunications
CF4	Renewable energy
CF5	New community facilities
CF6	Retention of existing facilities

CF7

Residential nursing and care homes

**APPENDIX 2: SUMMARY TABLE OF UNITARY DEVELOPMENT PLAN SCHEDULE OF PROPOSED DELETED POLICIES**

<b>Reason for deleting policy</b>	
<b>Part I</b>	All policies saved
<b>Part II</b>	
<b>Development Requirements</b>	
DR6	Water Resources  The policy is repetitive of Appendix A of Planning policy statement 23 and RSS policy QE9 – The Water Environment. In addition, part 2 and 3 of UDP policy DR4 – Environment are considered adequate in determining applications that could impact on water resources.
<b>Housing</b>	
H2	Hereford and the market towns: housing land allocations  The allocation for housing in Bullinghope, Hereford will need to be deleted as the site was removed from the UDP by the High Court. It is no longer part of the Plan and should not be referred to in the request to save policies.
H11	Residential caravans  The policy is repetitive of PPS1, PPS3 and PPS7 in terms of the locational requirements for permanent residential development. Policies H1, H2, H4, H6 and H8 are adequate to determine applications for residential caravans.
<b>Employment</b>	
E6	Expansion of existing businesses  The policy is largely repetitive of paragraph 13 of PPG4 in determining planning applications for employment proposals. The policy is also repetitive of policy E7, E8, E10, E11, E12 and E13.
E9	Home based businesses  The policy is repetitive of RSS policy PA14 and paragraphs 32, 33 and 34 of PPG4, which outlines what should be considered in determining whether a use is ancillary to a dwelling and the issues to be taken into account in determining an application for permission. In light of the content of these paragraphs it is considered necessary to delete the policy.
<b>Town centres and retail</b>	
TCR8	Small scale retail development  The policy is largely repetitive of paragraph 2.4 of PPS6, which states that wherever possible, growth should be accommodated by more efficient use of land and buildings within existing centres. Policy TCR1 – TCR7, which are proposed to be saved, will enable

TCR15	Hot food take away outlets	consideration of applications for proposals for small-scale retail development within the central shopping and commercial areas of Hereford and the market towns. The issues for consideration in determining applications for hot food take-away outlets namely, effect on residential amenity resulting from traffic generation, highway safety, noise, smell or other amenity considerations are covered in Policies, DR1, DR2, DR3, DR4 and T11. The policy is considered to be repetitive and is therefore recommended for deletion.
<b>Transport</b>		
All policies saved		
<b>Natural and historic heritage</b>		
NC2	Sites of international importance	The policy is repetitive of national policy. Paragraph 6 of PPS9 states that 'The most important sites for biodiversity are those identified through International and European Directives. Local Planning Authorities should identify these sites on proposal maps. Since they enjoy statutory protection specific policies in respect of these sites should not be included in local development documents.
NC5	European and nationally protected species	The policy repeats national policy. Paragraph 15 of PPS9 states that many individual wildlife species receive statutory protection under a range of legislative provisions, and specific policies in respect of the species should not be included in local development documents.
HBA11	Advertising	The policy is repetitive of paragraphs 4.31 to 4.37 of PPG15 with regards to advertisements and the duty to pay special attention to the desirability of preserving or enhancing the character or appearance of an area. The policy is also repetitive of paragraphs 11 to 14 of PPG19 with regards to amenity and paragraphs 15 to 16 of PPG19 with regards to public safety.
<b>Recreation, sport and tourism</b>		
RST11	Golf courses	The policy is largely repetitive of paragraph 22 – Stadia and major developments in PPS17. In addition, proposals for golf courses, driving ranges and extensions to existing golf courses can be adequately determined using UDP policies S8, RST1, RST2 and

		RST10.
<b>Minerals</b>	All policies saved	
<b>Waste</b>	All policies saved	
<b>Community facilities and services</b>		
<b>CF8</b>	School proposals	The policy is not necessary as both schools referred to in the policy have been built.
<b>CF9</b>	Community facilities at Bradbury Estate, Hereford	The policy is not necessary as funding for the community facilities has been secured through a section 106 agreement in relation to the development of the site for housing.



**APPENDIX 3: DETAILED ASSESSMENT OF EACH POLICY AGAINST THE CRITERIA SET OUT IN PPS12 AGAINST WHICH POLICIES TO BE SAVED SHOULD BE ASSESSED**

**PART I**

<b>POLICY: S1 SUSTAINABLE DEVELOPMENT GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principles P1 to P12 in promoting sustainable development by developing land use policies which help ensure recognition of the legitimate needs of everyone in the community, progress towards greater social equity, sustainable economic activity and development, provide effective protection, restoration and enhancement of the environment and the sustainable use of natural resources.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with all chapters of the RSS in promoting sustainable development in land use policies.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy is effective for the area where significant change in the use or development of land or conservation is envisaged.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy is largely repetitive of paragraphs 3, 4 and 5 of PPS1 which provides the criteria by which planning should facilitate and promote sustainable and inclusive patterns of urban and rural development. Overarching policy that supports the delivery of the UDP Vision, and all its aims.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports the delivery of housing and associated infrastructure, economic development and regeneration, waste management, promotes renewable energy, reduces impact on climate change and safeguards water resources.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: S2 DEVELOPMENT REQUIREMENTS</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principles P6, P7, P8, P9 and P10 in securing development proposals that make a sustainable pattern of land use.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with all chapters of the RSS in securing a sustainable pattern of land use and development which respects the County's environmental resources.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy guides development in areas of major change.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy is largely repetitive of paragraphs 3, 4 and 5 of PPS1 which provides the criteria by which planning should facilitate and promote sustainable and inclusive patterns of urban and rural development. The policy is locally specific as part 5 refers to the major flood plains of the Rivers Wye and Lugg and their tributaries.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the delivery of housing and associated infrastructure, economic development and regeneration, waste management, promotes renewable energy, reduces impact on climate change and safeguards water resources.	✓
		<b>CONCLUSION</b>
		<b>SAVE POLICY</b>

<b>POLICY: S3 HOUSING</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principles P2 and P4 in providing an appropriate range of housing which is energy efficient, respects the environmental capacity of the locality and supports existing settlements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓



<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In accordance with the figures set out in phase 1 of the RSS, policy CF3 – Levels and distribution of housing. The figures set out in Phase 2 of the RSS is still subject to examination in public and until such time as this is agreed RSS Phase 1 figures remain.</p>	<p>✓</p>
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>Yes. The policy guides development in areas of major change.</p>	<p>✓</p>
<p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. Part 2 of the policy is largely repetitive of PPS1 and PPS3. The policy is locally specific as it sets out the overall housing provision for the County.</p>	<p>✓</p>
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>Yes. The policy supports the delivery of housing.</p>	<p>✓</p>
<p><b>CONCLUSION</b></p>		<p><b>SAVE POLICY</b></p>
<p><b>POLICY: S4 EMPLOYMENT</b></p>		
<p><b>GOVERNMENT CRITERIA</b></p>		
<p><b>Is there a clear central strategy?</b></p>	<p><b>COMMENT</b></p> <p>Yes. Supports the delivery of UDP guiding principle P11 in promoting access to opportunities for economic betterment, and seek to reduce disparities between different areas of the County. In addition, guiding principle P12 seeks to strengthen and diversify the County's employment base by the identification of opportunities for new economic development.</p>	<p><b>MEETS</b></p> <p>✓</p>
<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; 2, policy PA6 – Portfolio of employment land which states that local authorities should aim to provide and maintain a range and choice of readily available employment sites to meet the needs of the Regional economy.</p>	<p>✓</p>
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>Yes. The policy supports the provision of 100 hectares of land for Part B employment development.</p>	<p>✓</p>
<p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. The policy does not merely repeat national or regional policy. It is locally specific as it makes provision for 100 hectares of land for Part B employment development in the County.</p>	<p>✓</p>

Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
<b>CONCLUSION</b>		
<b>SAVE POLICY</b>		
<b>POLICY: S5 TOWN CENTRES &amp; RETAIL</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including transport, utilities, leisure and amenity.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & 2 part C of policy PA1 that which states emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas and help to create more sustainable communities by generally providing a better balance between housing and employment and limit the need for commuting.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy relates to the development of land within Hereford city centre, which is a sub-regional shopping centre.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it defines the retail hierarchy with reference to Hereford city centre, market town centres and local, neighbourhood and village centres throughout the County, and the need to maintain the role of Hereford city centre as a sub-regional shopping centre.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration, including policies for retailing and town centres.	✓
<b>CONCLUSION</b>		
<b>SAVE POLICY</b>		
<b>POLICY: S6 TRANSPORT</b>		

GOVERNMENT CRITERIA	COMMENT	MEETS
Is there a clear central strategy?	<p>Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport. Supports guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.</p>	✓
Does the Policy have regard to the Community Strategy for the area?	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	✓
Is the policy in general conformity with the regional spatial strategy?	<p>Yes. In conformity with RSS phase 1 &amp; phase 2 policies T1 – Developing accessibility and mobility with the Region to support the Spatial Strategy, policy T2 – Reducing the need to travel, policy T3 – Walking and cycling, policy T4- Promoting travel awareness, policy T5 – Public Transport, policy T6 – Strategic Park and Ride, policy T7 – Car parking standards and management, policy T8 – Demand Management and policy T9 – The Management and Development of National and Regional Transport Networks.</p>	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	<p>Yes. The policy guides development in areas of major change.</p>	✓
Is the policy necessary and does not merely repeat national or regional policy?	<p>Yes. The policy does not merely repeat national or regional policy.</p>	✓
Is the policy topic based for which the government will have particular regard	<p>Yes. Supports the delivery of housing and associated infrastructure, economic development and regeneration.</p>	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: S7 NATURAL &amp; HISTORIC HERITAGE</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	<p>Yes. Supports guiding principle P7 of the UDP which is to protect, restore and enhance environmental assets, giving special attention to</p>	✓

	irreplaceable resources and to the distinctive character of local environments.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy QE1: Conserving and Enhancing the Environment that requires the conservation of existing environmental assets and the protection and enhancement of other irreplaceable assets which are of fundamental importance to the Region's overall environmental quality.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The Policy ensures that where there is significant change existing environmental assets will be conserved.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The Policy helps to deliver the objection of PPG15, paragraph 1.1 which states that 'it is fundamental to the Government's policies for environmental stewardship that there should be effective protection for all aspects of the historic environment. Furthermore, it is in full conformity with paragraph 2.6 of PPG15 which states that the first part of unitary development plans should provide a statement of the overall strategy of the county including conservation of the historic environment'. The Policy is linked to the Biodiversity SPG, Landscape Character Assessment SPG and the Re-use and Adaptation of Rural Buildings SPG.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No. The policy is not topic based for which the government will have particular regard.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: S8 RECREATION, SPORT &amp; TOURISM</b>	
<b>GOVERNMENT CRITERIA</b>	
<b>Is there a clear central strategy?</b>	<p style="text-align: center;"><b>COMMENT</b></p> <p>Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.</p>
	<b>MEETS</b>
	✓

<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, policy QE4 – Greenery, urban green space and public spaces which states that local authorities should develop appropriate strategies for greenspace to ensure that there is adequate provision of accessible high quality urban greenspace with an emphasis on maintaining and enhancing sports, playing fields and recreation grounds. In addition, Part A of RSS policy PA10 – Tourism and Culture states that development plans should encourage both the improvement of existing provision as well as the creation of new facilities, subject to the capacity of infrastructure and the environment to accommodate the new facilities and visitors associated with them. They should include policies that support the further development and success of key regional tourism and cultural assets such as the Malvern Hills, significant historic sites, buildings and gardens, indoor and outdoor sports stadia and venues of all types.</p> <p>Part C of RSS policy PA14 – Economic Development and the Rural Economy states that priority should be given to economic activity with strong links to the rural area, including tourism and leisure.</p>	<p>✓</p>
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>No.</p>	<p>X</p>
<p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. Whilst the policy largely repeats PPG17 – Open Spaces, Sport and Recreation and the Good Practice Guide on Tourism it forms the strategic policy with regards to recreation, sport and tourism in the UDP and is therefore considered necessary to save.</p>	<p>✓</p>
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>Yes. The policy supports economic development.</p>	<p>✓</p>
<p><b>CONCLUSION</b></p>		<p><b>SAVE POLICY</b></p>

**POLICY: S9 MINERALS**

<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Supports the delivery of UDP guiding principles P1 and P5 in ensuring sustainable use of natural resources, whilst protecting and enhancing the environment.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	In accordance with RSS phase 1 & phase 2, policy M1 – Mineral Working for Non Energy Minerals and policy M4 – Energy Minerals. The policy sets out the factors to be taken into account when making provision for the appropriate supply of minerals.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy is effective for the area where significant change in the use or development of land or conservation of the area is envisaged.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. Whilst the policy repeats the national objectives for mineral planning as set out in Mineral Planning Statement 1: Planning and Minerals (paragraph 9, page 5) and the accompanying Practice Guide. The policy forms the strategic policy with regards to minerals in the UDP and is therefore considered necessary to save.	✓
Is the policy topic based for which the government will have particular regard?	Yes. Mineral extraction will form part of the infrastructure in the delivery of housing and economic development and regeneration.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: S10 WASTE</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the UDP guiding principle P5 in promoting forms of environmental management that reduce energy consumption and waste, and encourage use of recycled and renewable resources.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policies WD1 – Targets for Waste Management in the Region, WD2 – The Need for Waste Management Facilities – by Sub-Region, WD3 – Criteria for	✓

<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>the Location of Waste Management Facilities</p> <p>Yes. The policy is effective for the area where significant change in the use or development of land or conservation of the area is envisaged.</p>	<p>✓</p>
<p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. Part 1 of the policy is no longer in conformity with RSS phase 1 policy WD1 – Targets for Waste Management in the Region. In addition, PPS10 – Planning for Sustainable Waste Management no longer has reference to Best Practicable Environmental Option Assessment. However, part 2, 3, 4 and 5 of the policy is locally specific as it provides criteria for how the sustainable and efficient management of waste will be sought, therefore it is considered necessary to save.</p>	<p>✓</p>
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>Yes. The policy is for waste management.</p>	<p>✓</p>
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: S11 COMMUNITY FACILITIES &amp; SERVICES</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<p><b>Is there a clear central strategy?</b></p>	<p style="text-align: center;"><b>COMMENT</b></p> <p>Yes. Supports the delivery of UDP guiding principle P2 in working towards an improved balance between housing, work community, educational and cultural facilities throughout the County, guiding principle P3 in protecting and improving opportunities for access to services and facilities, guiding principle P5 in promoting forms of environmental management, guiding principle P6 in favouring forms of land use that work within environmental capacity and guiding principle P7 in protecting, restoring and enhancing environmental assets.</p>	<p>✓</p>
<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, policies PA1 – Prosperity for All, RR3 – Market Towns, RR4 – Rural Services, policy EN1 – Energy Generation and policy EN2 – Energy Conservation.</p>	<p>✓</p>
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>Yes. The policy is effective for the area where significant change in the use or development of land or conservation of the area is envisaged.</p>	<p>✓</p>

Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policies relate to infrastructure necessary to support housing, economic development and regeneration and promotes renewable energy.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

## **DEVELOPMENT REQUIREMENTS**

<b>POLICY: DR1 DESIGN</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P10 in promoting high design standards in the location, setting, layout and construction of both new and improvements to existing developments. High priority will be given to energy efficiency in terms of design form and use, location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part A of policy QE3 – Creating a high quality built environment for all which requires development plans to promote the creation of high quality built environments as part of the urban and rural renaissance and the regeneration strategies for the Region's cities, towns and villages.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policies are essential for the environmental quality in areas of major change and conserving the character and amenity of areas of conservation.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. The design policy expands on national and regional policy at the local level, and is extensively used by development control staff in assessing and determining planning applications.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policies support housing delivery, economic development and regeneration, promote renewable energy, reduce impact on climate change and safeguards water resources.	✓



		CONCLUSION	SAVE POLICY
<b>POLICY: DR2 LAND USE &amp; ACTIVITY</b>			
<b>GOVERNMENT CRITERIA</b>			
Is there a clear central strategy?		Yes. Supports the delivery of UDP guiding principle P9 in guiding new development to locations, which offer a choice of transport modes and guiding principle P10 in promoting high design standards in the location, setting, layout and construction of both new and improvements to existing developments. High priority will be given to energy efficiency in terms of design form and use, location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for the area?		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?		Yes. In conformity with RSS phase 1 & phase 2, part A of policy QE3 – Creating a high quality built environment for all which requires development plans to promote the creation of high quality built environments as part of the urban and rural renaissance and the regeneration strategies for the Region's cities, towns and villages.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?		Yes. The policies are essential for the environmental quality in areas of major change and conserving the character and amenity of areas of conservation.	✓
Is the policy necessary and does not merely repeat national or regional policy?		Yes. The policy does not merely repeat national or regional policy. The design policy expands on national and regional policy at the local level, and is extensively used by development control staff in assessing and determining planning applications.	✓
Is the policy topic based for which the government will have particular regard?		Yes. The policies support housing delivery, economic development and regeneration, promote renewable energy, reduce impact on climate change and safeguards water resources.	✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: DR3 MOVEMENT</b>			
<b>GOVERNMENT CRITERIA</b>			
Is there a clear central strategy?		Yes. Supports the delivery of UDP guiding principle P9 in promoting	✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

	better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport. Also guides new development to locations, which offer a choice of transport modes. In addition, supports the delivery of guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.		
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy T1 – Developing accessibility and mobility within the Region to support the spatial strategy, policy T2 – Reducing the need to travel, Policy T3 – Walking and cycling, policy T4 – Promoting travel awareness, policy T5 – Public transport, policy T6 – Strategic park & ride and policy T7 – Car parking standards and management.		✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy is effective for the authority's area where significant change is use or development is envisaged.		✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The movement policy expands on national and regional policy at the local level, and is extensively used by development control staff in assessing and determining planning applications.		✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. Supports the delivery of housing, economic development and regeneration.		✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: DR4 ENVIRONMENT</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	
<b>Is there a clear central strategy?</b>		Yes. Supports the delivery of UDP guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, which demonstrate beneficial environmental impacts or minimise adverse impacts on key resources such as air water, land, biodiversity, accessibility, or demonstrate successful mitigation or compensatory measures for environmental damage.	MEETS ✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter	✓

	3, paragraph 3.1.3 and 3.1.4 of the UDP.	
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE1 – Conserving and Enhancing the Environment.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policies are essential for the environmental quality in areas of major change and conserving the character and amenity of areas of conservation.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The environment policy expands on national and regional policy at the local level, and is extensively used by development control staff in assessing and determining planning applications.	✓
Is the policy topic based for which the government will have particular regard?	Yes. Promotes renewable energy, reduce impact on climate change and safeguards water resources.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: DR5 PLANNING OBLIGATIONS</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
	<b>COMMENT</b>	
Is there a clear central strategy?	Yes. Supports the delivery of guiding principle P1 in achieving sustainable development by recognising the economic, social and environmental aspects of sustainable development.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE1 – Conserving and enhancing the environment, policy T1 – Developing accessibility and mobility within the region and policy PA1 – Prosperity for all.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy provides for mitigation for the area where significant change in the use or development of land or conservation of the area is envisaged.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides for planning obligations to be sought to achieve community, transport and environmental benefits where those benefits are reasonable. In addition, the policy is supported by a SPD on Planning Obligations.	✓
Is the policy topic based for which the government will have	Yes. The policy supports the delivery of housing, in particular	✓

particular regard?	affordable housing and supports economic development and regeneration.	<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: DR6 WATER RESOURCES</b>			
<b>GOVERNMENT CRITERIA</b>			
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P6 in favouring those forms of land use and development, which work within environmental capacity, which demonstrate beneficial environmental impacts or minimise adverse impacts on key resources such as water or demonstrate successful mitigation or compensatory measures for environmental damage.	<b>COMMENT</b>	<b>MEETS</b>
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE1 – Conserving and Enhancing the Environment in incorporating sustainability considerations such as energy and water efficiency. In addition, part (i) of policy QE9 – The Water Environment in conserving supply of water.		✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy conserves the availability and quality of water resources from unacceptable risk.		✓
Is the policy necessary and does not merely repeat national or regional policy?	No. The policy is repetitive of Appendix A of Planning policy statement 23 and RSS policy QE9 – The Water Environment. In addition, part 2 and 3 of UDP policy DR4 – Environment is considered adequate in determining applications, which could impact on water resources. Therefore, the policy can be deleted.		<b>X</b>
Is the policy topic based for which the government will have particular regard?	Yes. The policy safeguards water resources.		✓
		<b>CONCLUSION</b>	<b>DELETE POLICY</b>
<b>POLICY: DR7 FLOOD RISK</b>			

GOVERNMENT CRITERIA	COMMENT	MEETS
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P6 in favouring those forms of land use and development, which work within environmental capacity, which demonstrate beneficial environmental impacts or minimise adverse impacts on key resources such as water or demonstrate successful mitigation or compensatory measures for environmental damage.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part (iii) of policy CC1 – Climate Change which requires the avoidance of development in areas at risk of flooding and direct development away from areas at highest risk and part (iv) which promotes the use of sustainable drainage techniques.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy directs development away from flood risk areas.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy is repetitive of paragraphs 8.42 – 8.44 of the RSS and policy CC1 – Climate Change. The policy also repeats the guidance contained in Planning Policy Statement 25 – Development and Flood Risk. Paragraph 7 of PPS 25 states however, that local authorities should set out policies for the allocation of sites and control of development which avoid flood risk to people and property where possible and manage it elsewhere.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy reduces impact on climate change and safeguards water resources.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

POLICY: DR8 CULVERTING		MEETS
GOVERNMENT CRITERIA	COMMENT	MEETS
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, which demonstrate beneficial environmental	✓

	impacts or minimise adverse impacts on key resources such as water, land, biodiversity, accessibility, or demonstrate successful mitigation or compensatory measures for environmental damage.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part (iii) of policy CC1 – Climate Change, which requires the avoidance of development in areas of risk of flooding and policy QE7 – Protecting, managing and enhancing the region's Biodiversity and Nature Conservation Resources.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy is effective for the area where significant change in the use or development of land or conservation of the area is envisaged.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides the criteria for assessing proposals for the curveting of watercourses.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy safeguards water resources.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: DR9 AIR QUALITY</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P6 in favouring those forms of land use and development, which work within environmental capacity, which demonstrate beneficial environmental impacts or minimise adverse impacts on key resources such as air, or demonstrate successful mitigation or compensatory measures for environmental damage.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part (iii) of policy CC1 – Climate Change, which requires all new development to minimise resource demand and encourage efficient use of resources.	✓

	Paragraphs 8.45 and 8.36 of the RSS sets out how air quality should be managed in the Region.	
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy conserves the air quality of the region.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy is largely repetitive of national and regional policy. However, paragraph 8.45 of the RSS states that local planning policies, together with local transport plans, must play a part in helping reduce air pollution throughout the region. In addition, paragraph 13 of PPS23 - Planning and Pollution Control states that local authorities should set out the criteria against which applications for potentially polluting development will be considered. Whilst part 4 of UDP policy DR4 deals with air pollution, this policy considers not only operational impacts but associated traffic generation.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy reduces impact on climate change.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: DR10 CONTAMINATED LAND</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, which demonstrate beneficial environmental impacts or minimise adverse impacts on key resources such as air water, land, biodiversity, accessibility, or demonstrate successful mitigation or compensatory measures for environmental damage.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with phase 1 & phase 2, policy QE1 – Conserving and Enhancing the Environment which promotes the creation of high quality built environments as part of urban and rural renaissance and the regeneration strategies.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or</b>	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged.	✓

<p><b>conservation of the area is envisaged?</b></p> <p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. The policy does not merely repeat national or regional policy. Paragraph 21 of PPS21 states that local authorities should include appropriate policies for dealing with the potential for contamination and remediation of land so that it is suitable for the proposed development/use.</p> <p>Yes. The remediation of contaminated land is linked closely to waste management.</p>	<p>✓</p>
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>CONCLUSION</p>	<p>✓</p> <p><b>SAVE POLICY</b></p>

<p><b>POLICY: DR11 SOIL QUALITY</b></p> <p><b>GOVERNMENT CRITERIA</b></p>		
	COMMENT	MEETS
<p><b>Is there a clear central strategy?</b></p>	<p>Yes. Supports the delivery of UDP guiding principle P6 in favouring those forms of land use and development, which work within environmental capacity, which demonstrate beneficial environmental impacts or minimise adverse impacts on key resources such as land, or demonstrate successful mitigation or compensatory measures for environmental damage.</p>	<p>✓</p>
<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, part (iii) of policy CC1 – Climate Change, which requires all new development to minimise resource demand and encourage efficient use of resources.</p>	<p>✓</p>
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>Yes. The policy is effective for the area where significant change of use or development of land is envisaged.</p>	<p>✓</p>
<p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides for the separate stripping and storage of soil and sub-soils for their re-use. In addition, it requires soil mounds to be both necessary and appropriate to the townscape and landscape character of the area.</p>	<p>✓</p>
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>Yes. The policy links to waste management.</p>	<p>✓</p>



	CONCLUSION	SAVE POLICY
<b>POLICY: DR12 HAZARDOUS SUBSTANCES</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, which demonstrate beneficial environmental impacts or minimise adverse impacts on key resources such as air water, land, biodiversity, accessibility, or demonstrate successful mitigation or compensatory measures for environmental damage.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE1 – Conserving and enhancing the environment.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it considers development involving the presence of hazardous substances	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy links to waste management.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: DR13 NOISE</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P10 in promoting high design standards in the location, setting, layout and construction of both new and improvements to existing developments.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial	Yes. In conformity with RSS phase 1 & phase 2, part B (iv) of policy	✓

<b>strategy?</b>	QE3 – Creating a high quality built environment for all, which requires assessment and minimisation of the impacts of noise that arise as a result of development.	
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	<b>X</b>
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. Paragraph 3 of PPG24 – Planning and Noise requires local authorities to set out policies on noise in part II of the plan. The policy is locally specific as it restricts development in the designated areas that would adversely affect the quiet enjoyment or the special interest of those areas.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No.	<b>X</b>
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: DR14 LIGHTING</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P10 in promoting high design standards in the location, setting, layout and construction of both new and improvements to existing developments. High priority will be given to energy efficiency in terms of design form and use, location and transport requirements.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part B (iv) of policy QE3 – Creating a high quality built environment for all, which requires assessment and minimisation of the impact of light pollution as a result of development.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	<b>X</b>
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. The policy is locally specific as it has regards to the impact of lighting	✓

	schemes in edge of settlement or rural locations.	
Is the policy topic based for which the government will have particular regard?	No.	<b>X</b>
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

## HOUSING

<b>POLICY: H1 HEREFORD &amp; MARKET TOWNS: SETTLEMENT BOUNDARIES &amp; ESTABLISHED RESIDENTIAL AREAS</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principles P2 and P4 in providing an appropriate range of housing which is energy efficient, respects the environmental capacity of the locality and supports existing settlements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part A of policy CF2 – Housing Beyond the Major Urban Areas, which states that longer-term strategic housing development should be in those locations which are capable of balanced and sustainable growth. Hereford will fulfil this role as sub-regional foci for development. In addition, policy RR3 – Market Towns states that market towns have a key role in helping to regenerate rural areas, as a focus for sustainable housing development.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy guides development in areas of major change.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides for the delivery of housing within Hereford, the market towns and the defined settlement boundaries.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the delivery of housing, including unimplemented site allocations.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

POLICY: H2 HEREFORD & THE MARKET TOWNS: HOUSING LAND ALLOCATIONS		
GOVERNMENT CRITERIA	COMMENT	MEETS
Is there a clear central strategy?	Yes. Supports the delivery of guiding principles P2 and P4 in providing an appropriate range of housing which is energy efficient, respects the environmental capacity of the locality and supports existing settlements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part A of policy CF2 – Housing Beyond the Major Urban Areas, which states that longer-term strategic housing development should be in those locations which are capable of balanced and sustainable growth. Hereford will fulfil this role as sub-regional foci for development. In addition, policy RR3 – Market Towns states that market towns have a key role in helping to regenerate rural areas, as a focus for sustainable housing development.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy guides development in areas of major change.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it cross-references to policy S3 and provides identified sites allocated for housing with estimated dwelling capacity and target numbers of affordable housing. The following allocations have yet to be delivered: <b>Hereford</b> <ul style="list-style-type: none"> <li>• Bradbury Estate, Putson</li> <li>• Land at Belmont</li> <li>• Land at Friars Street</li> <li>• Land at Holmer</li> <li>• Whitecross High School – This also has a specific SPD that will need to be saved</li> <li>• Berrington Street</li> <li>• Canal Basin &amp; Historic Core</li> </ul>	✓

	<p><b><u>Leominster</u></b></p> <ul style="list-style-type: none"> <li>• Barons Cross Camp</li> <li>• Garage site at Barons Cross</li> <li>• Land east of Ridgemoor Road</li> </ul> <p><b><u>Ross-on-Wye</u></b></p> <ul style="list-style-type: none"> <li>• Land at Tanyard Lane</li> <li>• Cawdor Gardens</li> </ul> <p><b><u>Bromyard</u></b></p> <ul style="list-style-type: none"> <li>• Land at Porthouse Farm</li> <li>• Highways Depot</li> </ul> <p><b><u>Kington</u></b></p> <ul style="list-style-type: none"> <li>• Land west of Old Eardisley Road</li> </ul> <p>The following allocations have been delivered and are complete but need to remain as parts of a policy cannot be deleted:</p> <p><b><u>Hereford</u></b></p> <ul style="list-style-type: none"> <li>• General Hospital</li> <li>• Land at Barrs Court Road</li> <li>• Land at Walton Close</li> <li>• Victoria Eye Hospital</li> </ul> <p><b><u>Ross-on-Wye</u></b></p> <ul style="list-style-type: none"> <li>• Alton Court Brewery</li> <li>• Vine Tree Farm</li> </ul> <p><b><u>Ledbury</u></b></p> <ul style="list-style-type: none"> <li>• Abattior site</li> </ul> <p><b><u>Bromyard</u></b></p> <ul style="list-style-type: none"> <li>• Land attached to Ashfields</li> <li>• Tanyard, Pump Street</li> </ul> <p>The allocation for housing in Bullinghope, Hereford will need to be deleted as the site was removed from the UDP by the High Court. It is no longer part of the Plan and should not be referred to in the request to save policies.</p>	
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>Yes. The policy supports the delivery of housing.</p>	<p>✓</p>

	<b>CONCLUSION</b>	<b>SAVE POLICY BUT, DELETE REFERENCE TO BULLINGHOPE ALLOCATION</b>
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<b>POLICY: H4 MAIN VILLAGES: SETTLEMENT BOUNDARIES</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principles P2 and P4 in providing an appropriate range of housing which is energy efficient, respects the environmental capacity of the locality and supports existing settlements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part A of policy CF2 – Housing Beyond the Major Urban Areas, which states that longer-term strategic housing development should be in those locations which are capable of balanced and sustainable growth. Hereford will fulfil this role as sub-regional foci for development.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy guides development in areas of major change.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it states which settlements are identified as main villages and restricts the provision of housing within the identified settlement boundary, save for exception schemes (policy H10). The identified settlement boundaries are identified on the proposal maps.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the delivery of housing within defined settlement boundaries.	✓
<b>CONCLUSION</b>		
		<b>SAVE POLICY</b>

<b>POLICY: H5 MAIN VILLAGES: HOUSING LAND ALLOCATIONS</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principles P2 and P4 in providing	✓

	an appropriate range of housing which is energy efficient, respects the environmental capacity of the locality and supports existing settlements.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part A of policy CF2 – Housing Beyond the Major Urban Areas, which states that longer-term strategic housing development should be in those locations which are capable of balanced and sustainable growth. Hereford will fulfil this role as sub-regional foci for development.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy guides development in areas of major change.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	<p>Yes. The policy does not merely repeat national or regional policy. It identifies allocated housing sites within the main settlements. The following allocations remain to be delivered:</p> <ul style="list-style-type: none"> <li>• Frome Valley Haulage Depot, Bishops Frome</li> <li>• Former bus/coach depot, Canon Pyon</li> <li>• Covent Garden, Colwall</li> <li>• Land opposite Co-op, Cusop</li> <li>• Land adjacent TO Lower House Farm, Ewyas Harold</li> <li>• Land rear of Plough Inn, Little Dewchurch</li> <li>• Land north of B4352, Madley</li> <li>• Land at Paradise Farm, Marden</li> <li>• Land adjacent to Callow View, Much Dewchurch</li> <li>• Land adjacent to the Birches, Shobdon</li> <li>• Church Farm, Wellington</li> <li>• Land off Auberrow Road, Wellington</li> <li>• Land rear of surgery, Weobley</li> <li>• Land adjacent to Weobley Methodist Church</li> <li>• Land adjacent to Whitestone Chapel</li> </ul> <p>The following allocations have been delivered and are complete but need to remain as part of the policy cannot be saved:</p>	✓

	<ul style="list-style-type: none"> <li>• Land opposite Primary School, Sutton St. Nicholas</li> <li>• Land at Upper Weston, Weston-under-Penyard</li> <li>• Land adjacent to village hall, Withington</li> </ul>	
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the delivery of housing.	✓
		<b>CONCLUSION</b>
		<b>SAVE POLICY</b>

<b>POLICY: H6 HOUSING IN SMALLER SETTLEMENTS</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principles P2 and P4 in providing an appropriate range of housing which is energy efficient, respects the environmental capacity of the locality and supports existing settlements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part A of policy CF2 – Housing Beyond the Major Urban Areas, which states that longer-term strategic housing development should be in those locations which are capable of balanced and sustainable growth. Hereford will fulfil this role as sub-regional foci for development.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	<b>X</b>
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It identifies key criteria in determining planning applications for housing in the smaller settlements.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the delivery of housing.	✓
		<b>CONCLUSION</b>
		<b>SAVE POLICY</b>

<b>POLICY: H7 HOUSING IN THE COUNTRYSIDE OUTSIDE SETTLEMENTS</b>
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GOVERNMENT CRITERIA	COMMENT	MEETS
Is there a clear central strategy?	Yes. Supports the delivery of guiding principles P2 and P4 in providing an appropriate range of housing which is energy efficient, respects the environmental capacity of the locality and supports existing settlements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part D of policy CF2 – Housing Beyond the Major Urban Areas, which states that in rural areas, the provision of new housing should generally be restricted to meeting local housing needs and/or support local services, with priority being given to the reuse of previously developed land and buildings within existing villages enhancing their character wherever possible.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy conserves land in the open countryside from inappropriate development.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy is largely repetitive of PPS1, PPS3 and PPS7. Part 1, 2, 3, 5, 6 & 7 of the policy cross references to policies H8, HBA12, HBA13, H18 and H10, which are proposed to be saved. These policies cannot be properly applied without the cross reference to policy H7. Paragraph 19 of PPS7 states that Local Authorities should set out in their policies the circumstances where replacement of dwellings would not be acceptable and clarify the permissible scale of replacement buildings. Part 4 of the policy makes specific reference to the provision of houses that are a replacement for, comparable in size and scale with and on the same site as an existing building with established residential use rights. In light of paragraph 19 it is considered necessary to save the policy.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the delivery of housing in exceptional circumstances.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: H8 AGRICULTURAL &amp; FORESTRY DWELLINGS &amp; DWELLINGS ASSOCIATED WITH RURAL BUSINESSES</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principle P4 in providing an appropriate range of housing which is energy efficient, respects the environmental capacity of the locality and supports existing settlements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part D of policy CF2 – Housing Beyond the Major Urban Areas, which states that in rural areas, the provision of new housing should generally be restricted to meeting local housing needs and/or support local services, with priority being given to the reuse of previously developed land and buildings within existing villages, enhancing their character wherever possible.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy is largely repetitive of PPS1 and PPS7. Paragraph 17 of PPS7 requires Local Authorities to set out their policy approach to the retention or removal of agricultural and, where relevant, forestry and other forms of occupancy conditions. The policy is also locally specific as it goes further than PPS7. Paragraph 4 of the policy requires demonstration of a genuine and unsuccessful attempt to market the property at a realistic price when applying to remove an agricultural occupancy condition. In light of this it is considered necessary to save the policy.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the delivery of housing in connection with agriculture, forestry or rural businesses.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

**POLICY: H9 AFFORDABLE HOUSING**

GOVERNMENT CRITERIA	COMMENT	MEETS
Is there a clear central strategy?	Yes. Supports the delivery of guiding principles P2 and P4 in providing an appropriate range of housing which is energy efficient, respects the environmental capacity of the locality and supports existing settlements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part D of policy CF2 – Housing Beyond the Major Urban Areas, which states that in rural areas, the provision of new housing should generally be restricted to meeting local housing needs. In addition, part A of policy CF5 – Delivering affordable housing and mixed communities requires local authorities to create more balanced mixed communities through the provision of a range of housing types and set out the thresholds for delivery of affordable housing.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy guides the delivery of affordable housing in areas of major change.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national and regional policy. PPS3 sets out suggested thresholds. The policy is locally specific as it provides size thresholds and the criteria for assessment.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the delivery of housing.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: H10 RURAL EXCEPTION HOUSING</b>		
GOVERNMENT CRITERIA	COMMENT	MEETS
Is there a clear central strategy?	Yes. Supports the delivery of guiding principles P2 and P4 in providing an appropriate range of housing which is energy efficient, respects the environmental capacity of the locality and supports existing settlements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter	✓

<p>Is the policy in general conformity with the regional spatial strategy?</p>	<p>3, paragraph 3.1.3 and 3.1.4 of the UDP. Yes. In conformity with RSS phase 1 &amp; phase 2, part D of policy CF2 – Housing Beyond the Major Urban Areas, which states that in rural areas, the provision of new housing should generally be restricted to meeting local housing needs.</p>	<p>✓</p>
<p>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</p>	<p>Yes. The policy guides the delivery of rural exception housing in the open countryside.</p>	<p>✓</p>
<p>Is the policy necessary and does not merely repeat national or regional policy?</p>	<p>Yes. The policy is largely repetitive of PPS1, PPS3 and PPS7. However, it is locally specific as Part 7 of the policy provides for the construction of single affordable dwellings in settlements other than Kington (policy H2), the main villages (Policy H4) or the smaller settlements (Policy H6). These policies cannot also be properly applied without the cross reference to policy H10.</p>	<p>✓</p>
<p>Is the policy topic based for which the government will have particular regard?</p>	<p>Yes. The policy supports the delivery of housing.</p>	<p>✓</p>
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: H11 RESIDENTIAL CARAVANS</b>		
<b>GOVERNMENT CRITERIA</b>		
<p>Is there a clear central strategy?</p>	<b>COMMENT</b>	<b>MEETS</b>
<p>Does the Policy have regard to the Community Strategy for the area?</p>	<p>Yes. Supports the delivery of guiding principles P2 and P4 in providing an appropriate range of housing which is energy efficient, respects the environmental capacity of the locality and supports existing settlements. Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p>Is the policy in general conformity with the regional spatial strategy?</p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, part D of policy CF2 – Housing Beyond the Major Urban Areas, which states that in rural areas, the provision of new housing should generally be restricted to meeting local housing needs and/or support local services, with priority being given to the reuse of previously developed land and buildings within existing villages enhancing their character wherever possible.</p>	<p>✓</p>

Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.		<b>X</b>
Is the policy necessary and does not merely repeat national or regional policy?	No. The policy is repetitive of PPS1, PPS3 and PPS7 in terms of the locational requirements for permanent residential development. Policies H1, H2, H4, H6 and H8 are adequate to determine applications for residential caravans. The policy does cross reference to policy H8 – Agricultural and forestry dwellings and dwellings associated with rural businesses but it is considered that deletion of the policy will not compromise the delivery of policy H8.		<b>X</b>
Is the policy topic based for which the government will have particular regard?	Yes. Supports the delivery of temporary accommodation to meet special identified short term needs.		✓
		<b>CONCLUSION</b>	<b>DELETE POLICY</b>

<b>POLICY: H12 GYPSIES &amp; OTHER TRAVELLERS</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?		Yes. Supports the delivery of guiding principles P2 and P4 in providing an appropriate range of housing which respects the environmental capacity of the locality and supports existing settlements.	✓
Does the Policy have regard to the Community Strategy for the area?		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?		Yes. In conformity with RSS phase 1 & phase 2, part F of policy CF5 – Delivering affordable housing and mixed communities which requires that development plans ensure that adequate provision for suitable sites to accommodate gypsies and other travellers.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.		✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as part 3 of the policy refers to the impact upon the character and amenity of the landscape, particularly within the Malvern Hills and Wye Valley AONB, conservation areas and or other sensitive		✓

	locations.	
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the delivery of housing for gypsies and other travellers.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: H13 SUSTAINABLE RESIDENTIAL DESIGN GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principle P10 in promoting a high design standard in the location, setting, layout and construction of both new development and improvements to existing. Provides for high priority towards energy efficiency.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE3 – Creating a high quality built environment for all which states that particular attention should be given to securing a high quality of townscape, urban form, building design and spaces and incorporate sustainability considerations.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy is largely repetitive of RSS policy QE3, paragraphs 14 and 16 of PPS3 and the UDP design policies. However, the policy is locally specific as part 6 requires the provision of recycling and composting in the use of dwellings, part 8 makes provision for sustainable drainage measures for both surface and foul water and part 11 requires acceptable levels of amenity including privacy both within the scheme and in respect of nearby properties, all of which do not appear in national or regional policy.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the delivery of housing.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: H14 RE-USING PREVIOUSLY DEVELOPED LAND &amp; BUILDINGS</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principle P8 in promoting sustainable land use and management including the reuse of previously developed land and buildings for appropriate new uses.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy CF4 – The reuse of land and buildings for housing which states that local authorities should optimise the opportunities for recycling land and buildings for new housing.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy provides for the development of previously developed land and buildings for housing.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 27 of PPS1 states that in preparing development plans, planning authorities should seek to promote the use of suitably located previously developed land and buildings. Vacant and underused previously developed land should be brought back into beneficial use to achieve the targets the Government has set for development on previously developed land.	✓
Is the policy topic based for which the government will have particular regard?	Paragraph 40 of PPS3 states that a key objective for local authorities is to continue to make effective use of land by re-using land that has been previously developed. Yes. The policy supports the delivery of housing.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: H15 DENSITY</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principles P4 and P10 in provided an appropriate range of housing that respects the environmental capacity of the locality and provides the most effective	✓

	support for existing settlements.		
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part (iv) of policy CF3 – Levels and distribution of housing development which states that housing development will need to be compliant with locally adopted design guidelines.		✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy provides for the most effective and efficient use of land.		✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. Paragraph 46 and 47 of PPS3 - Housing states that planning authorities should develop housing density policies. The policy is locally specific as it differentiates between the density for sites of one hectare or above in Hereford and the market towns and other sites.		✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports the delivery of housing		✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: H16 CAR PARKING</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>		Yes. Supports the delivery of guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>		Yes. In conformity with RSS phase 1 & phase 2, policy QE3 – Creating a high quality built environment for all which states that development plans should promote the creation of high quality built environments.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or</b>		No.	<b>X</b>



<p><b>conservation of the area is envisaged?</b></p> <p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. The policy does not merely repeat national or regional policy. Paragraph 51 of PPS3 states that planning authorities should develop residential parking policies for their areas, taking account expected levels of car ownership, the importance of promoting good design and the need to use land effectively.</p> <p>The policy is locally specific as it sets out the maximum level of parking to 1.5 spaces per dwelling.</p> <p>No.</p>	<p>✓</p>
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>No.</p>	<p>X</p>
<p><b>CONCLUSION</b></p>		<p><b>SAVE POLICY</b></p>

<p><b>POLICY: H17 SUB-DIVISION OF EXISTING HOUSING GOVERNMENT CRITERIA</b></p>		
	<p><b>COMMENT</b></p>	<p><b>MEETS</b></p>
<p><b>Is there a clear central strategy?</b></p>	<p>Yes. Supports the delivery of guiding principle P4 in providing an appropriate range of housing that respects the environmental capacity of the locality.</p>	<p>✓</p>
<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, part D of policy CF2 – Housing beyond the major urban areas which states that in rural areas, the provision of new housing should generally be restricted to the reuse of previously developed buildings within existing villages enhancing their character wherever possible.</p>	<p>✓</p>
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>No.</p>	<p>✓</p>
<p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to house for multiple occupation and cross-references to policy H16 – Car parking.</p>	
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>Yes. The policy supports the delivery of housing</p>	<p>✓</p>

		CONCLUSION	SAVE POLICY
<b>POLICY: H18 ALTERATIONS &amp; EXTENSIONS</b>			
<b>GOVERNMENT CRITERIA</b>			
Is there a clear central strategy?		Yes. Supports the delivery of guiding principle P10 in promoting high design standards in the construction of improvements to existing development.	✓
Does the Policy have regard to the Community Strategy for the area?		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?		Yes. In conformity with RSS phase 1 & phase 2, Policy QE3 – Creating a high quality built environment for all which states that development plans should promote the creation of high quality built environments.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?		No.	X
Is the policy necessary and does not merely repeat national or regional policy?		Yes. The policy does not merely repeat national or regional policy. It is locally specific, as it not only provides for alterations or extensions to dwellings but also buildings incidental to the enjoyment of a dwelling. In addition, part 4 of the policy cross-references to policy H16 – Car parking. This policy cannot also be properly applied without the cross reference to policy H16.	✓
Is the policy topic based for which the government will have particular regard?		No.	X
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: H19 OPEN SPACE REQUIREMENTS</b>			
<b>GOVERNMENT CRITERIA</b>			
Is there a clear central strategy?		Yes. Supports the delivery of principle P3 in protecting and improving opportunities for facilities, giving priority to those which are appropriate to the location and character of the area, including leisure and amenity.	✓
Does the Policy have regard to the Community Strategy for		Yes. The UDP is in conformity with the Herefordshire Community	✓

the area?	Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE4: Greenery, Urban Green Space and Public Spaces states that Local Authorities should develop appropriate strategies for green space to ensure that there is adequate provision of accessible high quality space.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not repeat national or regional policy. The policy is locally specific as it seeks to ensure that new residential developments provide specific minimum requirements for adequate recreation provision and cross references to Policy RST3 – Standards for outdoor playing and public open space. The UDP Policy is linked to Policy DR5 – Planning Obligations so therefore needs to be saved in order to ensure delivery.	✓
Is the policy topic based for which the government will have particular regard?	The policy is related to the infrastructure necessary to support housing.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

## EMPLOYMENT

<b>POLICY: E1 ROTHERWAS INDUSTRIAL ESTATE</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P12 in seeking to strengthen and diversify the County's employment base by the identification of opportunities for new economic development.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy PA6 – Portfolio of employment land states that local authorities should aim to provide and maintain a range and choice of readily available employment sites	✓

	to meet the needs of the Regional economy.	
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy provides for the development of 14.3 hectares of employment land at Rotherwas Industrial Estate.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it identifies 14.3 hectares of land to be released at the Rotherwas Industrial Estate for employment land linked to the resolution of acknowledged site development constraints.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: E2 MORETON ON LUGG DEPOT, MORETON ON LUGG</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P12 in seeking to strengthen and diversify the County's employment base by the identification of opportunities for new economic development.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy PA6 – Portfolio of employment land which states that local authorities should aim to provide and maintain a range and choice of readily available employment sites to meet the needs of the Regional economy.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy provides for the development of employment land at Moreton-on-Lugg depot, Moreton-on-Lugg.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it identifies land at Moreton-on-Lugg for employment purposes. It also safeguards land at Long Coppice from development for landscape purposes.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓

	CONCLUSION	SAVE POLICY
<b>POLICY: E3 OTHER EMPLOYMENT LAND ALLOCATIONS</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P12 in seeking to strengthen and diversify the County's employment base by the identification of opportunities for new economic development.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy PA6 – Portfolio of employment land which states that local authorities should aim to provide and maintain a range and choice of readily available employment sites to meet the needs of the Regional economy.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy allocates a total of 57.5 hectares of other employment land throughout the County.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it identifies 57.5 hectares of land for Part B employment uses throughout the County.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
<b>CONCLUSION</b>		
		<b>SAVE POLICY</b>
<b>POLICY: E5 SAFEGUARDING EMPLOYMENT LAND &amp; BUILDINGS</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P12 in seeking to strengthen and diversify the County's employment base by the identification of opportunities for new economic development.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy PA6 – Portfolio of employment land states that local authorities should aim to provide	✓

	and maintain a range and choice of readily available employment sites to meet the needs of the Regional economy.	
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	<b>X</b>
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. The policy safeguards other employment land and buildings, not identified in policy E1, E2 or E3, and provides criteria to assess proposals for non-employment uses of the site.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports economic development and regeneration.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: E6 EXPANSION OF EXISTING BUSINESSES</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P11 in promoting access to opportunities for economic betterment, and seeks to reduce disparities between different areas of the County.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part A of Policy PA14 – Economic Development and the Rural Economy, which states that development plans should support the sustainable diversification and development of the rural economy through the growth of existing businesses.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	<b>X</b>
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	No. The policy is largely repetitive of paragraph 13 of PPG4 in determining planning applications for employment proposals. The policy is also repetitive of policy E7, E8, E10, E11, E12 and E13.	<b>X</b>
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports economic development and regeneration.	✓

	CONCLUSION	DELETE POLICY
<b>POLICY: E7 OTHER EMPLOYMENT PROPOSALS WITHIN &amp; AROUND HEREFORD &amp; THE MARKET TOWNS</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P12 in seeking to strengthen and diversify the County's employment base by the identification of opportunities for new economic development.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy PA6 – Portfolio of employment land which states that local authorities should aim to provide and maintain a range and choice of readily available employment sites to meet the needs of the Regional economy.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy provides for employment proposals within and around Hereford and the market towns.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides for employment generating uses around Hereford and the market towns and refers to employment proposals outside but adjacent to the settlement boundary for Hereford and the market towns	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
<b>CONCLUSION</b>		
		<b>SAVE POLICY</b>
<b>POLICY: E8 DESIGN STANDARDS FOR EMPLOYMENT SITES</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports delivery of UDP guiding principle P10 in promoting high design standards in the location, setting, layout and construction of both new development and improvement to the existing developments. High priority will be given to energy efficiency in terms of design form and use, location and transport requirements.	✓

<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part A of policy QE3 – Creating a high quality built environment for all which states that development plans should promote the creation of high quality built environment.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	X
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. Paragraph 10 of PPG4 – Industrial, commercial development and small firms sets out locational factors, paragraph 15 considers residential amenity and paragraph 16 considers impact on landscape and wildlife. The policy is locally specific however, as it provides additional criteria for consideration beyond PPG4 including, the minimum provision of outdoor storage areas and ensuring satisfactory disposal of trade effluent and the storage of waste by-products and waste awaiting disposal	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports economic development and regeneration.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

**POLICY: E9 HOME BASED BUSINESSES**

<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>COMMENT</b>		
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P11 in promoting access to opportunities for economic betterment, and seek to reduce disparities between different areas of the County.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part A of Policy PA14 – Economic Development and the Rural Economy, which states that development plans should support the sustainable diversification and development of the rural economy through the creation of new	✓



	enterprise.		
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.		<b>X</b>
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	No. The policy is repetitive of RSS policy PA14 and paragraphs 32, 33 and 34 of PPG4, which outlines what should be considered in determining whether a use is ancillary to a dwelling and the issues to be taken into account in determining an application for permission. In light of the content of these paragraphs it is considered necessary to delete the policy.		<b>X</b>
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports economic development and regeneration.		✓
		<b>CONCLUSION</b>	<b>DELETE POLICY</b>
<b>POLICY: E10 EMPLOYMENT PROPOSALS WITHIN OR ADJACENT TO MAIN VILLAGES</b>			
		<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P12 in seeking to strengthen and diversify the County's employment base by the identification of opportunities for new economic development.		✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part B of Policy PA14 – Economic Development and the Rural Economy which states that development plans should ensure that most economic development is concentrated in towns and other large settlements accessible to their hinterlands. Development should be consistent with the character and environment of the settlement.		✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy provides for employment proposals within or adjacent to main villages.		✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to the main villages as identified in policy H4 – Main villages: settlement boundaries and provides cross-reference		✓

	to policy E8 – Design standards for employment sites.	
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: E11 EMPLOYMENT IN THE SMALLER SETTLEMENTS &amp; OPEN COUNTRYSIDE</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P12 in seeking to strengthen and diversify the County's employment base by the identification of opportunities for new economic development.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part B of Policy PA14 – Economic Development and the Rural Economy, which states that development plans should ensure that most economic development is concentrated in towns and other large settlements accessible to their hinterlands. Development should be consistent with the character and environment of the settlement.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy provides for employment proposals in the smaller settlements and open countryside.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to the smaller settlements as identified in policy H6 – Housing in smaller settlements. The policy also provides cross-reference to policy E8, E12, HBA12 and HBA13.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: E12 FARM DIVERSIFICATION</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P6 in favouring those forms of land use and development that work within	✓

	environmental capacity, which demonstrate beneficial environmental impacts or minimise adverse impacts on key resources such as land.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy PA15 – Agriculture and Farm Diversification, which states that development plans should recognise the continuing importance of the agricultural sector in the Region. Development plans should include positive policies to promote agriculture and farm diversification.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	X
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. RSS policy PA15 requires development plans to include positive policies to promote farm diversification. In addition, paragraph 30 (i) of PPS7 states that planning authorities should set out the criteria to be applied to planning applications for farm diversification.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports economic development and regeneration.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: E13 AGRICULTURAL &amp; FORESTRY DEVELOPMENT</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P6 in favouring those forms of land use and development that work within environmental capacity, which demonstrate beneficial environmental impacts or minimise adverse impacts on key resources such as land.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy PA15 – Agriculture and Farm Diversification, which states that development plans should recognise the continuing importance of the agricultural sector in the Region. Development plans should include positive	✓

		policies to promote agriculture. Any development should be appropriate in scale and nature to the environment and character of the locality.	
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>		No.	<b>X</b>
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>		Yes. The policy does not merely repeat national or regional policy. RSS policy PA15 requires development plans to include positive policies to promote agriculture. In addition, paragraph 27 of PPS7 states that planning policies should recognise the role of agriculture and support development proposals that will enable farming and farmers to meet five Government objectives.	<b>✓</b>
<b>Is the policy topic based for which the government will have particular regard?</b>		Yes. The policy supports economic development and regeneration.	<b>✓</b>
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: E14 CONVERSIONS OF LARGE DWELLINGS TO EMPLOYMENT USES</b>		<b>COMMENT</b>	<b>MEETS</b>
<b>GOVERNMENT CRITERIA</b>			
<b>Is there a clear central strategy?</b>		Yes. Supports the delivery of UDP guiding principle P12 in seeking to strengthen and diversify the County's employment base by the identification of opportunities for new economic development.	<b>✓</b>
<b>Does the Policy have regard to the Community Strategy for the area?</b>		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	<b>✓</b>
<b>Is the policy in general conformity with the regional spatial strategy?</b>		Yes. In conformity with RSS phase 1 & phase 2, part C of policy QE3 which states that as part of rural renaissance and regeneration strategies, particular regard should be had as to how buildings could be reused to achieve this objective.	<b>✓</b>
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>		No.	<b>X</b>
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>		Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides for the conversion of large dwellings for employment uses.	<b>✓</b>

Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: E15 PROTECTION OF GREENFIELD LAND</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P6 in favouring those forms of land use and development that work within environmental capacity, which demonstrate beneficial environmental impacts or minimise adverse impacts on key resources such as land.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with paragraph 8.38 and 8.39 of the RSS, which states that agricultural land quality must be considered by local authorities in the preparation of plans and consideration of development proposals.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. Provides for the conservation of the best and most versatile agricultural land.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy is largely repetitive of paragraph 28 of PPS7. However, paragraph 29 of PPS7 states that local authorities may wish to include in their development plans policies to include policies that protect specific areas of best and most versatile agricultural land from speculative development.	✓
Is the policy topic based for which the government will have particular regard?	No.	<b>X</b>
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: E16 INTENSIVE LIVESTOCK UNITS</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, which demonstrate beneficial environmental	✓

	impacts or minimise adverse impacts on key resources such as air, water, land, biodiversity or demonstrate successful mitigation or compensatory measures for environmental damage.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy PA15 – Agriculture and Farm Diversification, which states that development plans should recognise the continuing importance of the agricultural sector in the Region. Development plans should include positive policies to promote agriculture. Any development should be appropriate in scale and nature to the environment and character of the locality.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	X
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific with regards to the criteria that must be met in proposals for intensive livestock units and associated structures and facilities for the storage and disposal of waste. The policy provides special consideration for residential or other protected buildings located within 400m of a proposal.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: E17 MILITARY DEVELOPMENT GOVERNMENT CRITERIA</b>		<b>MEETS</b>
	<b>COMMENT</b>	
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P10 in promoting high design standards in the location, setting, layout and construction of both new development and improvements to existing development.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓

Is the policy in general conformity with the regional spatial strategy?	No. However, the policy is considered necessary as a facility of national importance.	<b>X</b>
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy provides for the development of land for military purposes.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it identifies The Stirling Lines site, as shown on the proposals map, for military purposes. The policy also cross-references to policy S2 – Development Requirements.	✓
Is the policy topic based for which the government will have particular regard?	No.	<b>X</b>
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

### TOWN CENTRES & RETAIL

<b>POLICY: TCR1 CENTRAL SHOPPING &amp; COMMERCIAL AREAS</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including transport, utilities, leisure and amenity.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 – Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas and help to create more sustainable communities by generally providing a better balance between housing and employment and limit the need for commuting.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or	Yes. The policy relates to the development of land within Hereford city centre, which is a sub-regional shopping centre.	✓

<p><b>conservation of the area is envisaged?</b></p> <p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p> <p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>Yes. The policy does not merely repeat national or regional policy. It is locally specific as it defines the central shopping and commercial areas of Hereford and the market towns that will be retained and protected as prime focus for retail, leisure and commercial activities.</p> <p>Yes. The policy supports economic development and regeneration, including policies for retailing and town centres.</p>	<p>✓</p> <p>✓</p> <p><b>SAVE POLICY</b></p>
<p><b>POLICY: TCR2 VITALITY &amp; VIABILITY</b></p>		
<p><b>GOVERNMENT CRITERIA</b></p>		
<p><b>Is there a clear central strategy?</b></p>	<p><b>COMMENT</b></p> <p>Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including transport, utilities, leisure and amenity.</p>	<p><b>MEETS</b></p> <p>✓</p>
<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, part C of policy PA1-Prosperity for All that which states emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas and help to create more sustainable communities by generally providing a better balance between housing and employment and limit the need for commuting.</p>	<p>✓</p>
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>Yes. The policy relates to the development of land within Hereford city centre and the market towns, maintaining their vitality and viability.</p>	<p>✓</p>
<p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides the criteria for maintaining the vitality and viability of the central shopping and commercial areas of Hereford and the market towns.</p>	<p>✓</p>
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>Yes. The policy supports economic development and regeneration, including policies for retailing and town centres.</p>	<p>✓</p>



		CONCLUSION	SAVE POLICY
<b>POLICY: TCR3 PRIMARY SHOPPING FRONTAGES</b>			
<b>GOVERNMENT CRITERIA</b>			
Is there a clear central strategy?		Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including transport, utilities, leisure and amenity.	✓
Does the Policy have regard to the Community Strategy for the area?		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?		Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 - Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas and help to create more sustainable communities by generally providing a better balance between housing and employment and limit the need for commuting.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?		No.	X
Is the policy necessary and does not merely repeat national or regional policy?		Yes. The policy does not merely repeat national or regional policy. It is locally specific as it identifies the primary shopping frontages in Hereford and the market towns and provides the criteria for proposals for uses within Classes A2 – A5 uses. The primary shopping frontages are identified on the proposal maps.	✓
Is the policy topic based for which the government will have particular regard?		Yes. The policy supports economic development and regeneration, including policies for retailing and town centres.	✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: TCR4 SECONDARY SHOPPING FRONTAGES</b>			
<b>GOVERNMENT CRITERIA</b>			
Is there a clear central strategy?		Yes. Supports the guiding principle P3 in protecting and improving	✓

	opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including transport, utilities, leisure and amenity.		
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 - Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas and help to create more sustainable communities by generally providing a better balance between housing and employment and limit the need for commuting.		✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.		X
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it identifies the secondary shopping frontages in Hereford and the market towns and provides the criteria for proposals for uses within Classes A2 – A5 uses. The secondary shopping frontages are identified on the proposals map.		✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports economic development and regeneration, including policies for retailing and town centres.		✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: TCR5 USES OUTSIDE CLASS A OF THE USE CLASSES ORDER</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	
<b>Is there a clear central strategy?</b>	Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including transport, utilities, leisure and amenity.		✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter		✓

<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>3, paragraph 3.1.3 and 3.1.4 of the UDP. Yes. In conformity with RSS phase 1 &amp; phase 2, part C of policy PA1 - Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas and help to create more sustainable communities by generally providing a better balance between housing and employment and limit the need for commuting.</p>	<p>✓</p>
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>No.</p>	<p>X</p>
<p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. The policy does not merely repeat national or regional policy. It is locally specific as it restricts uses outside Class A within the primary and secondary shopping frontages in Hereford and the market towns.</p>	<p>✓</p>
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>Yes. The policy supports economic development and regeneration, including policies for retailing and town centres.</p>	<p>✓</p>
<p style="text-align: center;"><b>CONCLUSION</b></p>		<p style="text-align: center;"><b>SAVE POLICY</b></p>

<p><b>POLICY: TCR6 NON-RETAIL USES (CLASSES A2 – A5)</b></p>		
<p style="text-align: center;"><b>GOVERNMENT CRITERIA</b></p>		
<p><b>Is there a clear central strategy?</b></p>	<p style="text-align: center;"><b>COMMENT</b></p>	<p style="text-align: center;"><b>MEETS</b></p>
<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including transport, utilities, leisure and amenity. Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, part C of policy PA1 – Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas and help to create more sustainable communities by generally providing a better balance between housing and employment and limit the need for commuting.</p>	<p>✓</p>

<p>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</p> <p>Is the policy necessary and does not merely repeat national or regional policy?</p>	<p>No.</p> <p>Yes. The policy does not merely repeat national or regional policy. It is locally specific, as it requires appropriate for window displays within the primary and secondary shopping frontages in Hereford and the market towns where planning permission is granted for non-retail uses.</p> <p>Yes. The policy supports economic development and regeneration, including policies for retailing and town centres.</p>	<p>X</p> <p>✓</p>
<p>Is the policy topic based for which the government will have particular regard?</p>	<p>CONCLUSION</p>	<p>✓</p> <p>SAVE POLICY</p>

POLICY: TCR7 AMUSEMENT CENTRES		
GOVERNMENT CRITERIA		MEETS
<p>Is there a clear central strategy?</p>	<p>COMMENT</p> <p>Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including leisure and amenity.</p>	<p>✓</p>
<p>Does the Policy have regard to the Community Strategy for the area?</p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p>Is the policy in general conformity with the regional spatial strategy?</p>	<p>Yes. In conformity with RSS phase 1 &amp; 2 part C of policy PA1 – Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas.</p>	<p>✓</p>
<p>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</p>	<p>No.</p>	<p>X</p>
<p>Is the policy necessary and does not merely repeat national or regional policy?</p>	<p>Yes. The policy does not merely repeat national or regional policy. It is locally specific, as it controls proposals for amusement centres, which are a sui generis use, from within the primary and secondary shopping frontages of Hereford and the market towns and provides a criteria for their location in the secondary frontages.</p>	<p>✓</p>

Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration, including policies for retailing and town centres.	CONCLUSION	SAVE POLICY
<b>POLICY: TCR8 SMALL SCALE RETAIL DEVELOPMENT</b>			
<b>GOVERNMENT CRITERIA</b>			
Is there a clear central strategy?	Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including leisure and amenity.		MEETS ✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & part, 2 part C of policy PA1 which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas.		✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.		X
Is the policy necessary and does not merely repeat national or regional policy?	No. The policy is largely repetitive of paragraph 2.4 of PPS6, which states that wherever possible, growth should be accommodated by more efficient use of land and buildings within existing centres. Policy TCR1 – TCR7, which are proposed to be saved, will enable consideration of applications for proposals for small-scale retail development within the central shopping and commercial areas of Hereford and the market towns.		X
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration, including policies for retailing and town centres.	CONCLUSION	✓
<b>POLICY: TCR9 LARGE SCALE RETAIL &amp; LEISURE DEVELOPMENT OUTSIDE CENTRAL SHOPPING &amp; COMMERCIAL AREAS</b>			
<b>CONCLUSION</b>			
<b>DELETE POLICY</b>			

<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including retail, leisure and amenity.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy PA13 – Out-of-centre Retail Development states that smaller scale out of centre retail proposals should be considered in the light of policies and proposals in development plans and take full account of Government guidance including the requirements to demonstrate ‘need’ and the sequential test.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy relates to large-scale retail and leisure development outside central shopping and commercial areas.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy is largely repetitive of RSS policy PA13 – Out-of-centre Retail Development and PPS6 – Planning for Town Centres. However, the policy refers to the retail hierarchy and provides the criteria for assessing large scale retail and leisure development outside the central shopping and commercial areas	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration, including policies for retailing and town centres.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: TCR10 OFFICE DEVELOPMENT</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UPD guiding principle P12 in strengthening and diversifying the County’s employment base by the identification of opportunities for new economic development that are energy efficient in terms of their overall location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for	Yes. The UDP is in conformity with the Herefordshire Community	✓

the area?	Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part A of policy PA14 – Economic Development and the Rural Economy which states that development plans should support the sustainable diversification and development of the rural economy through the growth of existing businesses and the creation of new enterprise.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy relates to office development including larger-scale development proposals outside central shopping and commercial areas.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to proposals for office development within the central shopping and commercial areas and sets out the criteria for larger scale proposals outside these areas and in particular identifies edge of centre locations to be within 500 metres of a central shopping and commercial area. In addition, the policy provides cross-reference to policies TCR3, TCR4 and E14, which are proposed to be saved.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: TCR11 LOSS OF EXISTING OFFICES GOVERNMENT CRITERIA</b>		<b>MEETS</b>
	<b>COMMENT</b>	
Is there a clear central strategy?	Yes. Supports the delivery of UPD guiding principle P12 in strengthening and diversifying the County's employment base by the identification of opportunities for new economic development that are energy efficient in terms of their overall location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part A of policy PA14 – Economic Development and the Rural Economy which states that development plans should support the sustainable diversification and development of the rural economy through the growth of existing	✓

	businesses.		
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.		<b>X</b>
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to the criteria for proposals involving the loss of existing offices within Hereford city centre and market town centres.		✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports economic development and regeneration.		✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: TCR13 LOCAL &amp; NEIGHBOURHOOD SHOPPING CENTRES</b>			
<b>GOVERNMENT CRITERIA</b>			
		<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>		Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including retail.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>		Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.		<b>X</b>
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>		Yes. The policy does not merely repeat national or regional policy. Paragraph 2.58 of PPS6 – Planning for Town Centres which states that by using development plan documents, local authorities should take a positive approach to strengthening local centres. The local and neighbourhood shopping centres within the County are identified within the UDP.	✓



Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration, including policies for retailing.	<b>CONCLUSION</b>	✓	<b>SAVE POLICY</b>
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<b>POLICY: TCR14 VILLAGE COMMERCIAL FACILITIES</b>				
<b>GOVERNMENT CRITERIA</b>				
	<b>COMMENT</b>		<b>MEETS</b>	
Is there a clear central strategy?	Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including retail.		✓	
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓	
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 – Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas.		✓	
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.		✓	
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 2.61 of PPS6 states that planning authorities should adopt policies that recognise the role of vital rural service centres and enhance their vitality and viability. Paragraph 2.62 of PPS6 goes onto state that policies should ensure that the importance of shops and services to the local community is taken into account.		✓	
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration, including policies for retailing.	<b>CONCLUSION</b>	✓	<b>SAVE POLICY</b>

<b>POLICY: TCR15 HOT FOOD TAKEAWAY OUTLETS</b>				
<b>GOVERNMENT CRITERIA</b>				
	<b>COMMENT</b>		<b>MEETS</b>	
Is there a clear central strategy?	Yes. Supports the guiding principle P3 in protecting and improving		✓	

	opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	X
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	No. The issues for consideration in determining applications for hot food take-away outlets namely, effect on residential amenity resulting from traffic generation, highway safety, noise, smell or other amenity considerations are covered in Policies, DR1, DR2, DR3, DR4 and T11. The policy is considered to be repetitive and is therefore recommended for deletion.	X
<b>Is the policy topic based for which the government will have particular regard?</b>	No.	X
	<b>CONCLUSION</b>	<b>DELETE POLICY</b>

<b>POLICY: TCR16 GARDEN CENTRES</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 – Prosperity for All which states that emphasis should be given to	✓

	locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas.		
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.		✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it restricts proposals for new garden centres or the expansion of existing garden centre operations where the proposal is within or adjacent to a settlement boundary, with good accessibility to an existing settlement.		✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No.		✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: TCR17 FARM SHOPS</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>		Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including retail.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>		Yes. In conformity with RSS phase 1 & phase 2, policy PA15 – Agriculture and Farm Diversification which states that development plans should recognise the continuing importance of the agricultural sector and include policies to promote agriculture and farm diversification through the development of innovative business schemes including the promotion of local marketing and supply chains.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.		<b>X</b>

Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 2.62 of PPS6 – Planning for Town Centres states that local authorities should adopt policies that ensure the importance of shops and services to the local community is taken into account. Paragraph 2.63 goes on to recognise that farm shops can meet a demand for local produce in a sustainable way and can contribute to the rural economy.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration, including policies for retailing.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

**POLICY: TCR18 PETROL FILLING STATIONS  
GOVERNMENT CRITERIA**

	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 – Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	<b>X</b>
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it restricts proposals for new petrol filling stations to within or adjacent to settlements, on or adjacent to major traffic routes.	✓
Is the policy topic based for which the government will have particular regard?	No.	<b>X</b>
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: TCR19 HEREFORD LIVESTOCK MARKET - RELOCATION</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P6 in favouring forms of land use and development which work within environmental capacity, guiding principle P7 in giving high priority to conserving and enhancing the characteristic Herefordshire landscape, guiding principle P9 in promoting better accessibility to services and facilities and guiding principle P10 in promoting high design standards.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1- Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns and can serve the needs of the local regeneration areas.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy relates to the relocation of Hereford livestock market relocation.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it sets out the criteria that must be met in considering proposals for the relocation of Hereford livestock market.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>
<b>POLICY: TCR20 EIGN GATE REGENERATION AREA</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P6 in favouring forms of land use and development which work within environmental capacity, guiding principle P7 in giving high priority to conserving and enhancing the characteristic Herefordshire landscape, designated areas, historic buildings and archaeology, guiding principle P9 in promoting better accessibility to services and facilities and guiding	✓

	principle P10 in promoting high design standards.		
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1-Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns and can serve the needs of the local regeneration areas.		✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy relates to the redevelopment of the Eign Gate regeneration area.		✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it sets out the criteria that must be met in considering proposals for the regeneration of the Eign Gate area.		✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports the provision of housing and economic development and regeneration.		✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: TCR21 CANAL BASIN &amp; HISTORIC CORE</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>		Yes. Supports the delivery of guiding principle P6 in favouring forms of land use and development which work within environmental capacity, guiding principle P7 in giving high priority to conserving and enhancing the characteristic Herefordshire landscape, designated areas, historic buildings and archaeology, guiding principle P9 in promoting better accessibility to services and facilities and guiding principle P10 in promoting high design standards.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>		Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 – Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the	✓

	local regeneration areas and help to create more sustainable communities by generally providing a better balance between housing and employment and limit the need for commuting. Yes. The policy relates to regeneration of the canal basin and historic core of Hereford city.		✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>			
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it sets out the criteria that must be met in considering proposals for the redevelopment of the canal basin and historic core for residential development and small-scale retail and leisure uses.		✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports the provision of housing and economic development and regeneration.		✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: TCR22 HEREFORD UNITED FOOTBALL CLUB/MERTON MEADOW</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>		Yes. Supports the delivery of guiding principle P6 in favouring forms of land use and development which work within environmental capacity, guiding principle P7 in giving high priority to conserving and enhancing the characteristic Herefordshire landscape, designated areas, historic buildings and archaeology, guiding principle P9 in promoting better accessibility to services and facilities and guiding principle P10 in promoting high design standards.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>		Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 – Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns, can serve the needs of the local regeneration areas and help to create more sustainable communities by generally providing a better balance between housing and employment and limit the need for commuting.	✓

Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy relates to the redevelopment of Hereford United football ground and Merton Meadow.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it sets out the criteria that must be met in considering proposals for the redevelopment of Hereford United football club/Merton Meadow for a new stadium, new road proposals, office and residential development.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: TCR23 CIVIC QUARTER</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principle P6 in favouring forms of land use and development which work within environmental capacity, guiding principle P7 in giving high priority to conserving and enhancing the characteristic Herefordshire landscape, designated areas, historic buildings and archaeology, guiding principle P9 in promoting better accessibility to services and facilities and guiding principle P10 in promoting high design standards.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 – Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns and can serve the needs of the local regeneration areas.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy relates to the development of the civic quarter for public and commercial offices.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it sets out the criteria that must be met in considering proposals for land in the civic quarter for public and	✓



	commercial offices.	
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: TCR25 LAND FOR RETAIL WAREHOUSING</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including retail	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 – Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns and can serve the needs of the local regeneration areas.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy relates to the development of land at Holmer Road for retail warehousing.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as identifies land at Holmer Road for development for large scale retail warehousing. Whilst part of the land has already been developed, there is a remaining part which does not benefit from planning permission.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration, including retailing.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: TCR26 LAND AT COMMERCIAL ROAD</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principle P6 in favouring forms of	✓

	land use and development which work within environmental capacity, guiding principle P7 in giving high priority to conserving and enhancing the characteristic Herefordshire landscape, designated areas, historic buildings and archaeology, guiding principle P9 in promoting better accessibility to services and facilities and guiding principle P10 in promoting high design standards.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA1 – Prosperity for All which states that emphasis should be given to locating development where it can help meet the needs of rural renaissance, especially of market towns and can serve the needs of the local regeneration areas.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy relates to the development of commercial road for a mixed-use office/leisure development.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it identifies land at Commercial Road for a mixed-use office/leisure development.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports economic development and regeneration.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

## TRANSPORT

<b>POLICY: T1 PUBLIC TRANSPORT FACILITIES</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter	✓

	<p>3, paragraph 3.1.3 and 3.1.4 of the UDP.</p> <p>Yes. In conformity with RRS phase 1 &amp; phase 2, part B (ii) of Policy T1 – Developing accessibility and mobility within the Region to support the spatial strategy, which states improved access will be achieved by measures to improve accessibility and mobility in urban areas, market towns and rural areas so that more sustainable means of travel are encouraged and local regeneration initiatives are supported.</p>	✓
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p> <p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. The policy is effective for the area where significant change in the use or development of land is envisaged.</p> <p>Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides the criteria for assessing proposals for new or improved facilities and infrastructure for public transport. In addition, it safeguards land at Withington, Moreton-on-Lugg and Pontrilas for the potential re-opening of railway stations.</p>	✓
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>Yes. The policy supports economic development and regeneration through providing improved transport infrastructure.</p>	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: T2 PARK &amp; RIDE</b>		<b>MEETS</b>
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>
<p><b>Is there a clear central strategy?</b></p>	<p>Yes. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.</p>	✓
<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	✓
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, policy T6 – Strategic Park &amp; Ride which states that local authorities and other organisations should work together to develop a network of Strategic Park &amp; Ride sites to reduce congestion in major cities. Part C of the policy provides the criteria against which locations for park &amp; ride should be considered.</p>	✓

Is the policy effective for any part of Herefordshire where significant change in the use or development of land is envisaged?	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides the criteria for assessing proposals for bus or rail based park and ride schemes for Hereford.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports infrastructure for housing, economic development and regeneration through providing improved transport infrastructure.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

**POLICY: T3 PROTECTION & DEVELOPMENT OF THE RAIL NETWORK**

<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
	<b>COMMENT</b>	
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport and guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy T2 – Reducing the need to travel reducing the length of journeys through supporting the retention and enhancement of local service provision, especially where public transport provision is poor.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land is envisaged?	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 46 of PPG13 – Transport states that development plans should ensure any disused transport sites and routes are not	✓

	unnecessarily severed by ne development. It is locally specific as safeguards land within Herefordshire with the potential for enhancing the capacity and use of the rail network from development that would obstruct such use.	
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports infrastructure for housing, economic development and regeneration through providing improved transport infrastructure.	✓
		<b>SAVE POLICY</b>
<b>POLICY: T4 RAIL FREIGHT</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part A of policy T10 – Freight, which states that the reliable movement of goods and services is the lifeblood of the West Midlands economy. Development plans should aim to improve the efficiency of freight movement by (iv) encouraging the use of rail for freight, (v) safeguarding existing and disused railway lines and sidings which could be used for rail traffic in the future and (vi) encouraging the development of new rail freight terminals and improving access to those terminals.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged.	✓

Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 45 of PPG13 – Transport states that development plans should identify and protect sites and routes that could be critical in developing infrastructure for the movement of freight. It is locally specific as it safeguards 9 specific sites in the county that have the potential to promote greater use of rail freight.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration through providing improved transport infrastructure.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: T5 SAFEGUARDING FORMER RAILWAY LAND GOVERNMENT CRITERIA</b>		<b>MEETS</b>
	<b>COMMENT</b>	
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RRS phase 1 & phase 2, part B (ii) of Policy T1 – Developing accessibility and mobility within the Region to support the spatial strategy, which states improved access will be achieved by measures to improve accessibility and mobility in urban areas, market towns and rural areas so that more sustainable means of travel are encouraged and local regeneration initiatives are supported.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as in line with PPG13 – Transport it safeguards former	✓

	railway land and structures from development or demolition for transport (including recreational transport) wherever practical and appropriate. This could be for restored railways, bus ways, walking/cycling/riding routes.	
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports economic development and regeneration through providing improved transport infrastructure.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: T6 WALKING</b>		
<b>GOVERNMENT CRITERIA</b>		
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport and guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy T3, which states that development plans should provide greater opportunities for walking and cycling by developing safe, convenient and secure networks, giving pedestrians and cyclists priority, expand 'cycle & ride' and ensure new developments improve walking and cycling facilities.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged and conserves established public rights of way.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy is largely repetitive of paragraph 75 of PPG13 – Transport however, the policy provides greater criteria for establishing walking within development proposals. It is also locally specific as it protects recognised public rights of way and established walking routes from development proposals.	✓

Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration through providing improved transport infrastructure.	✓
<b>CONCLUSION</b>		
<b>SAVE POLICY</b>		
<b>POLICY: T7 CYCLING</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	<p>Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.</p>	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy T3, which states that development plans should provide greater opportunities for walking and cycling by developing safe, convenient and secure networks, giving pedestrians and cyclists priority, expand 'cycle & ride' and ensure new developments improve walking and cycling facilities.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged and conserves established cycle routes.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy is largely repetitive of paragraphs 78, 79 and 80 of PPG13 – Transport however, the policy is locally specific as it identifies 15 planned cycle routes and protects the provision of planned routes.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration through providing improved transport infrastructure.	✓
<b>CONCLUSION</b>		
<b>SAVE POLICY</b>		



<b>POLICY: T8 ROAD HIERARCHY</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RRS phase 1 & phase 2 policy T9 – The Management and Development of National and Regional Transport Networks in bringing detailed forward detailed policies to ensure capacity is safeguarded by appropriate selection of development location, minimising the need for local movements to the strategic network.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged and conserves the strategic highway network.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it identifies the road hierarchy within Herefordshire as defined in the Local Transport Plan and states that new accesses on the strategic highway network will not be encouraged and should not inhibit the strategic function of these routes.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration through providing improved transport infrastructure.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>
<b>POLICY: T9 ROAD FREIGHT</b>		

GOVERNMENT CRITERIA	COMMENT	MEETS
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part A of policy T10 – Freight, which states that the reliable movement of goods and services is the lifeblood of the West Midlands economy. Development plans should aim to improve the efficiency of freight movement by (ii) addressing delivery and servicing problems through traffic management and (vii) encouraging developments that generate significant amounts of freight to have good access to the network.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged and conserves the strategic highway network.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 45 of PPG13 – Transport states that development plans should where possible, located developments generating substantial freight movements from congested central and residential areas and ensure adequate access to trunk roads. The policy is locally specific as it provides the criteria for assessing proposals and requires the submission of workplace travel plans.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration through providing improved transport infrastructure.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

**POLICY: T10 SAFEGUARDING OF ROAD SCHEMES**

GOVERNMENT CRITERIA	COMMENT	MEETS
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy T9 – The Management and Development of National and Regional Transport Networks, which states that local authorities will give high priority to investment in the maintenance, management and selective improvements of the network.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged and conserves the strategic highway network.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it protects 3 new road schemes, or improvement of existing roads that have yet to be delivered from development that would prejudice their implementation.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the infrastructure for housing, economic development and regeneration through providing improved transport infrastructure.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: T11 PARKING PROVISION</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in	✓

	town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.		
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy T7 – Car parking Standards and Management.		✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged and conserves the strategic highway network.		✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. The policy is locally specific as it waives or restricts parking provision within conservation areas or where the setting of listed buildings may be affected to preserve the historic environment. In addition, within the central shopping and commercial area of Hereford, no further private non-residential parking will be permitted.		✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports the infrastructure for housing, economic development and regeneration through providing improved transport infrastructure.		✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: T12 EXISTING PARKING AREAS</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	
<b>Is there a clear central strategy?</b>		Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10	MEETS ✓

	in giving high priority to energy efficiency in terms of location and transport requirements.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy T7 – Car parking Standards and Management.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged and conserves existing parking areas.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it supports the re-development or re-use of existing private parking areas within Hereford and the market towns to encourage the use of alternative modes of transport and provide for commuted payments towards improving other forms of transport.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports infrastructure for housing, economic development and regeneration through providing improved transport infrastructure.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: T13 TRAFFIC MANAGEMENT SCHEMES</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓

Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy T9 – The Management and Development of National and Regional Transport Networks, which states that in bringing forward detailed policies consideration should be given to (i) optimising the use of existing infrastructure across all modes and (ii) ensuring capacity is safeguarded by appropriate selection of development location, minimising the need for local movements.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged and conserves the strategic highway network.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it supports development of Traffic management schemes within Hereford, the market towns and villages.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the infrastructure for housing, economic development and regeneration through providing improved transport infrastructure.	✓
		<b>CONCLUSION</b>
		<b>SAVE POLICY</b>

<b>POLICY: T14 SCHOOL TRAVEL</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	<p data-bbox="846 390 888 1192"><b>COMMENT</b></p> <p data-bbox="888 390 1149 1192">Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.</p>	<b>MEETS</b> ✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy T2 – Reducing the need to travel which (i) encourages those development which generate significant travel demands to be located where their	✓

	accessibility to public transport, walking and cycling is maximised and (ii) promoting patterns of development which reduce the need for travel.	
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged and conserves the strategic highway network.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it relates to proposals for new, expansion of and associated facilities for schools and the need to include a school travel plan. It also requires and new housing development to include arrangements to support safer routes to school.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No.	X
		<b>CONCLUSION</b>
		<b>SAVE POLICY</b>

<b>POLICY: T15 AIR TRANSPORT FACILITIES</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	<b>COMMENT</b> Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 17 phase 2 policy T11 – Airports which states that improvements to strategic and local transport networks and interchanges be provided in order to ensure continued access by all modes to airports is maintained.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or</b>	Yes. The policy is effective for the area where significant change in the use or development of land is envisaged.	✓

<p><b>conservation of the area is envisaged?</b></p> <p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. The policy does not merely repeat national or regional policy. Paragraph 5(2) of Appendix B of PPG13 – Transport recognises the role of small airports and airfields in serving business, recreational, training and emergency services need. The policy is locally specific as it provides the criteria for assessing proposals for the development of airfields, helipads, landing strips or expansion of current facilities and operations.</p> <p>Yes. The policy supports economic development and regeneration through providing improved transport infrastructure.</p>	<p>✓</p>
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>CONCLUSION</p>	<p>✓</p> <p><b>SAVE POLICY</b></p>

<p><b>POLICY: T16 ACCESS FOR ALL</b></p> <p><b>GOVERNMENT CRITERIA</b></p>		
	<p><b>COMMENT</b></p>	<p><b>MEETS</b></p>
<p><b>Is there a clear central strategy?</b></p>	<p>Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those, which are appropriate to the location and character of the area in question, including transport. Supports guiding principle P9 in promoting better accessibility to work, services and facilities in ways which reduce the overall need to travel and promote the use of non-car based transport, guiding principle P10 in giving high priority to energy efficiency in terms of location and transport requirements.</p>	<p>✓</p>
<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, policy T2 – Reducing the need to travel which (i) encourages those development which generate significant travel demands to be located where their accessibility to public transport, walking and cycling is maximised and (ii) promoting patterns of development which reduce the need for travel.</p>	<p>✓</p>
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>Yes. The policy is effective for the area where significant change in the use or development of land is envisaged and conserves the strategic highway network.</p>	<p>✓</p>



Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it requires development proposals to take account of the needs of disabled, older people, parents and young children. In addition it requires schemes to adequately address pedestrian movements in their proposals.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration through providing improved transport infrastructure.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

## NATURAL & HISTORIC HERITAGE

<b>POLICY: LA1 AREAS OF OUTSTANDING NATURAL BEAUTY</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P7 in giving high priority to conserving and enhancing the characteristic Herefordshire landscape including designated areas.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE1, Part B (ii) in conserving and enhancing those areas of the Region, where exceptional qualities should be reinforced by sustainable use and management including Areas of Outstanding Natural Beauty.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy aims to protect and enhance the natural beauty and amenity of the area in the national interest.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. Whilst the policy is largely repetitive of PPS7 – Sustainable Development in Rural Areas. It is locally specific however, as it refers to the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty and the relevant management plans. Paragraph 21 of PPS7 states that AONBs have the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies. The policy also links to the Council	✓

	Landscape Character Assessment Supplementary Planning Document.	
<b>Is the policy topic based for which the government will have particular regard?</b>	No. The policy is not topic based for which the government will have particular regard.	<b>X</b>
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: LA2 LANDSCAPE CHARACTER &amp; AREAS LEAST RESILIENT TO CHANGE</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P7 in protecting, restoring and enhancing the Herefordshire landscape and the processes that support them, and ensuring sympathetic integration of new land use and development.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, Policy QE1 – Conserving and enhancing the environment, part B (i) in supporting regeneration, by restoring degraded areas and (iv) in protecting and enhancing the distinctive character of parts of the Region as recognised by the natural and character areas and associated landscape character assessments. In addition, it is in conformity with RSS Phase 1 & Phase 2 Policy QE6 – The Conservation, enhancement and restoration of the landscape. Local Authorities in their plans, policies and proposals should conserve, enhance and, where necessary restore the quality, diversity and distinctiveness of the landscape character.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy aims to protect and enhance the natural beauty and amenity of the area in the national interest.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. Paragraph 24 of PPS7 states that there are areas of landscape outside nationally designated areas that are particularly highly valued locally. Carefully crafted, criteria based policies, utilising tools such as landscape character assessment, should provide sufficient protection for those areas.	✓

	The policy is locally specific as summary details of the Herefordshire Landscape Character Assessment have been published separately as Supplementary Planning Guidance to complement and provide further guidance and detail for the policy.	
<b>Is the policy topic based for which the government will have particular regard?</b>	No. The policy is not topic based for which the government will have particular regard.	<b>X</b>
		<b>SAVE POLICY</b>
<b>POLICY: LA3 SETTING OF SETTLEMENTS</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports delivery of UDP guiding principle P10 in promoting high design standards in the location, setting, layout and construction of both new development and improvements to existing development.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. The UDP is in conformity with RSS phase 1 & phase 2, policy QE3 – Creating a high quality built environment for all in securing a high quality of townscape, urban form, building design and urban spaces, through the use of landscape design which respects local character, culture and history. In addition Part B (i) of Policy QE5 – Protection and enhancement of the historic environment recognises historic rural landscapes and their settlement patterns as of particular historic significance to the West Midlands.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy aims to conserve the landscape setting of settlements from inappropriate development.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it aims to protect the landscape setting of settlements outside the areas of Hereford, the market towns and rural settlements from inappropriate development. Paragraph 12 of PPS7 states that many county towns and villages are of considerable historic and architectural value, or make an important contribution to local countryside character. Planning Authorities should	✓

	ensure that development respects and, where possible, enhance those particular qualities. It should also contribute to a sense of local identity and regional diversity and be of an appropriate design and scale for it location.	
<b>Is the policy topic based for which the government will have particular regard?</b>	No. The policy is not topic based for which the government will have particular regard.	<b>X</b>
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: LA4 PROTECTION OF HISTORIC PARKS &amp; GARDENS</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P7 in protecting, restoring and enhancing the Herefordshire landscape and the processes that support them, and ensuring sympathetic integration of new land use and development.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. The UDP is in conformity with RSS phase 1 & phase 2, part B (i) of Policy QE5 – Protection and enhancement of the historic environment that recognises historic parks and gardens, in their settings, as being of particular historic significance to the West Midlands.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy aims to conserve the setting of historic parks and gardens.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. Paragraph 2.24 of PPG15 requires local authorities to protect registered parks and gardens in development plans. The advice in PPG15 is also clear that the effect of proposed development on a registered park or garden or its setting is a material consideration in the determination of a planning application. Although there is some repetition between PPG15 and UDP policy LA4, it is considered necessary to save the policy as it specifically refers to the impact on the <u>historic character</u> of the park and gardens as being important.	✓

Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	<b>CONCLUSION</b>	<b>X</b>
		<b>SAVE POLICY</b>	

<b>POLICY: LA5 PROTECTION OF TREES, WOODLANDS &amp; HEDGEROWS</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?		Yes. Supports the delivery of UDP guiding principle P7 in protecting, restoring and enhancing environmental assets giving special protection to the distinctive character of local environments.	✓
Does the Policy have regard to the Community Strategy for the area?		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?		Yes. The UDP is in conformity with RSS phase 1 & phase 2, part (iv) of Policy QE6 – The conservation, enhancement and restoration of the Region's landscape that states that Local Authorities should in their plans and policies conserve, enhance and where necessary, restore the quality, diversity and distinctiveness of landscape character by protecting and, where possible, enhancing natural features that contribute to the character of the landscape and townscape and local distinctiveness.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?		Yes. The policy provides for the protection of individual trees, tree groups, woodlands and hedgerows.	✓
Is the policy necessary and does not merely repeat national or regional policy?		Yes. The policy does not merely repeat national or regional policy. It is locally specific as part 4 of the policy refers to the Woodland Management Guidelines produced for the Malvern Hills and Wye Valley AONBs as a material planning consideration.	✓
Is the policy topic based for which the government will have particular regard?		No. The policy is not topic based for which the government will have particular regard.	<b>X</b>
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: LA6 LANDSCAPING SCHEMES</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?		Yes. Supports the delivery of guiding principle P10 in promoting high	✓

	design standards in the location, setting, layout and construction of both new development and improvements to existing development.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. The UDP is in conformity with RSS phase 1 & phase 2, policy QE3 – Creating a high quality built environment for all in securing a high quality of townscape, urban form, building design and urban spaces, through the use of landscape design which respects local character, culture and history. The UDP is in conformity with RSS Phase 1 & 2 part (iv) of Policy QE6 – The conservation, enhancement and restoration of the Region’s landscape that states that Local Authorities should in their plans and policies conserve, enhance and where necessary, restore the quality, diversity and distinctiveness of landscape character by protecting and, where possible, enhancing natural features that contribute to the character of the landscape and townscape and local distinctiveness.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy requires the submission of landscaping schemes as an integral part of any development proposals that will affect the visual amenity or character of the location.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. The policy cross-references to policy LA2 – Landscape character and policy LA5 – Protection of trees, woodlands and hedgerows that are proposed to be saved.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No. The policy is not topic based for which the government will have particular regard.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: NC1 BIODIVERSITY &amp; DEVELOPMENT</b>	
<b>GOVERNMENT CRITERIA</b>	
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P7 in protecting, conserving, restoring and enhancing features of geological interest and biodiversity and the processes which support them, and ensuring sympathetic integration of new land use and development.
	<b>MEETS</b>
	✓

Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE7 - Protecting, managing and enhancing the Region's biodiversity and nature conservation resources. The plan should encourage the maintenance and enhancement of the Region's biodiversity resources.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The Policy seeks to ensure that protected species, habitats and features of geological interest are conserved.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It sets out the criteria that development proposals should meet to be acceptable.	✓
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

POLICY: NC2 SITES OF INTERNATIONAL IMPORTANCE		
GOVERNMENT CRITERIA		MEETS
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P7 in protecting features of geological interest and biodiversity and the processes that support them.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE7 - Protecting, managing and enhancing the Region's biodiversity and nature conservation resources. The plan should encourage the maintenance and enhancement of the Region's biodiversity resources.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The Policy seeks to ensure that protected species, habitats and features of geological interest are protected.	✓
Is the policy necessary and does not merely repeat national or regional policy?	No. The policy is repetitive of national policy. Paragraph 6 of PPS9 states that 'The most important sites for biodiversity are those	X

	<p>identified through International and European Directives. Local Planning Authorities should identify these sites on proposal maps and cross-refer to the statutory protection given to these sites in the explanatory text. Since they enjoy statutory protection specific policies in respect of these sites should not be included in local development documents.</p> <p>Paragraph 5.2 of Planning for Biodiversity &amp; Geological Conservation: A Guide to Good Practice sets out the RTP1 five point approach to planning decisions for biodiversity. In addition, Circular 06/2005 sets out the statutory tests that Local Authorities must take with regards to sites of international importance.</p> <p>Given the advice in paragraph 6 of PPS 9 it is considered necessary to delete this policy.</p> <p>No. The policy is not topic based for which the government will have particular regard.</p>	
<b>Is the policy topic based for which the government will have particular regard?</b>		<b>X</b>
	<b>CONCLUSION</b>	<b>DELETE POLICY</b>

<b>POLICY: NC3 SITES OF NATIONAL IMPORTANCE</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P7 in protecting, conserving and enhancing features of geological interest and biodiversity and the processes that support them.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy QE7- Protecting, managing and enhancing the Region's biodiversity and nature conservation resources. Plans and policies should encourage the maintenance and enhancement of the Region's wider biodiversity resources.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The Policy seeks to ensure that protected species, habitats and features of geological interest are conserved.	✓



Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 7 of PPS9 states that SSSIs that are not statutorily protected should be given a high degree of protection under the planning system through appropriate policies in plans. Given the advice in paragraph 7 it is considered necessary to save the policy.	✓
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	X
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: NC4 SITES OF LOCAL IMPORTANCE</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P7 in protecting, conserving and enhancing features of geological interest and biodiversity and the processes that support them.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE7 - Protecting, managing and enhancing the Region's biodiversity and nature conservation resources. Plans and policies should encourage the maintenance and enhancement of the Region's wider biodiversity resources.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The Policy seeks to ensure that protected species, habitats and features of geological interest are conserved.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 9 of PPS9 – Biodiversity and Geological Conservation requires local authorities to have criteria based policies in local development documents against which any development on, or affecting, locally important nature conservation sites will be judged. Given the advice in paragraph 9 it is considered necessary to save the policy.	✓
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	X

		CONCLUSION	SAVE POLICY
<b>POLICY: NC5 EUROPEAN &amp; NATIONALLY PROTECTED SPECIES GOVERNMENT CRITERIA</b>			
	<b>COMMENT</b>		<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P7 in protecting, conserving and enhancing features of geological interest and biodiversity and the processes that support them.		✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE7 - Protecting, managing and enhancing the Region's biodiversity and nature conservation resources. The plan should encourage the maintenance and enhancement of biodiversity resources.		✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The Policy seeks to ensure that protected species, habitats and features of geological interest are conserved.		✓
Is the policy necessary and does not merely repeat national or regional policy?	No. The policy repeats national policy. Paragraph 15 of PPS9 states that many individual wildlife species receive statutory protection under a range of legislative provisions, and specific policies in respect of the species should not be included in local development documents. Paragraph 5.10 of the Planning for Biodiversity & Geological Conservation: A Guide to Good Practice acknowledges the development control process as playing a critical part in ensuring that statutory protection of species is applied and that Part 4 of Circular 06/2005 sets out the statutory tests that Local Authorities must take with regards to protecting European and nationally protected species. In addition, Circular 2/2002: European protected species and changes in licensing procedures provides for the protection of species through the licensing regime. Given the advice in paragraph 15 of PPS9 it is considered necessary to delete this policy.		X
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.		X

	CONCLUSION	DELETE POLICY
<b>POLICY: NC6 BIODIVERSITY ACTION PLAN PRIORITY HABITATS &amp; SPECIES GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P7 in protecting, conserving and enhancing features of geological interest and biodiversity and the processes that support them.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE7 - Protecting, managing and enhancing the Region's biodiversity and nature conservation resources. The plan should encourage the maintenance and enhancement of biodiversity resources and include policies and proposals to achieve its minimum share of the UK Biodiversity Action Plan (BAP) and targets of local partnerships and others BAPs.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The Policy seeks to ensure that protected species, habitats and features of geological interest are conserved.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 16 of PPS9 states that Local Authorities should take measures to protect the habitats of these species from further decline through policies in local development documents. The policy is also locally specific, as it requires development to have regard to Herefordshire Biodiversity Action Plans. Given the advice in paragraph 16 and the local element it is considered necessary to save this policy.	✓
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	<b>X</b>
<b>CONCLUSION</b>		<b>SAVE POLICY</b>
<b>POLICY: NC7 COMPENSATION FOR LOSS OF BIODIVERSITY</b>		

<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P7 in enhancing features of geological interest and biodiversity and the processes that support them.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, policy QE7 - Protecting, managing and enhancing the Region's biodiversity and nature conservation resources. The plan should encourage the enhancement of biodiversity resources.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The Policy seeks to ensure that protected species, habitats and features of geological interest are conserved.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. The policy is locally specific, as it requires appropriate mitigation and compensatory measures and cross-references to other biodiversity policies in the development plan.	✓
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: NC8 HABITAT CREATION, RESTORATION &amp; ENHANCEMENT</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P7 in protecting, conserving and enhancing features of geological interest and biodiversity, the processes that support them and to take a common approach to biodiversity and nature conservation issues which cross local planning authority and Regional boundaries, especially those relevant to the strategic river corridors of the River Wye.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓

<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, policy QE1 - Conserving and enhancing the environment. Part B of the policy states that Local Authorities in their plans, policies and proposals should protect and where possible enhance other irreplaceable assets and those of a limited or declining quantity, which are of fundamental importance to the Region's overall environmental quality such as specific wildlife habitats and river environments.</p> <p>Yes. The Policy seeks to ensure that protected species, habitats and features of geological interest are conserved.</p>	<p>✓</p>
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>Yes. The Policy does not merely repeat national or regional policy. Paragraph 12 of PPS9 states that Local Authorities should aim to maintain networks through policies in plans.</p> <p>The policy is locally specific, as part 4 requires measures to contribute towards one or more targets in the Herefordshire Biodiversity Action Plans.</p> <p>Given the advice in paragraph 12 and 14 of PPS9 and the local element it is considered necessary to save this policy.</p>	<p>✓</p>
<p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>No. The policy is not topic based for which the government will have particular regard.</p>	<p>X</p>
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p><b>CONCLUSION</b></p>	<p><b>SAVE POLICY</b></p>

<p><b>POLICY: NC9 MANAGEMENT OF FEATURES OF THE LANDSCAPE IMPORTANT FOR FAUNA &amp; FLORA</b></p>		<p><b>GOVERNMENT CRITERIA</b></p>	<p><b>COMMENT</b></p>	<p><b>MEETS</b></p>
<p><b>Is there a clear central strategy?</b></p>	<p>Yes. Supports the delivery of UDP guiding principle P7 in protecting, conserving and enhancing features of geological interest and biodiversity and the processes that support them.</p>	<p>✓</p>		
<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>		
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, policy QE1: Conserving and enhancing the environment and policy QE7: Protecting, managing and enhancing the Region's biodiversity and nature conservation resources. The plan should encourage the</p>	<p>✓</p>		

		maintenance and enhancement of biodiversity resources.	
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>		Yes. The Policy seeks to ensure that protected species, habitats and features of geological interest are conserved.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>		Yes. The policy does not merely repeat national or regional policy. Paragraph 14 of PPS9 states that development proposals provide many opportunities for building in beneficial biodiversity or geological features as part of good design. Local Authorities should maximise such opportunities in and around developments. The policy is locally specific as it requires management and monitoring of features and cross-references to policy NC7, which is recommended for saving.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>		No. The policy is not topic based for which the government will have particular regard.	X
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: HBA1 ALTERATIONS &amp; EXTENSIONS TO LISTED BUILDINGS</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>		Yes. Supports the delivery of UDP guiding principle P7 in protecting, restoring and enhancing environmental assets giving high priority to conserving and enhancing historic buildings and the processes which support them, and ensuring sympathetic integration of new land use and development.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>		Yes. In conformity with RSS phase 1 & phase 2, part B of policy QE1: Conserving and enhancing the environment states that Local Authorities should in their plans, policies and proposals requires the conservation of existing environmental assets, and enhancement of other irreplaceable assets which are of fundamental importance to the Region's overall environmental quality such as built heritage. Of particular historic significance are listed buildings. Part A of Policy QE5: Protection and enhancement of the historic environment states that development plans should identify, protect,	✓

	conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.	
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy seeks to ensure that listed buildings are conserved.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. Paragraph 2.4 of PPG15 states that Local Authorities should ensure that aspects of conservation policy that are relevant, directly or indirectly, to development control decisions are included – for instance, policies for alterations or extensions to listed buildings. Part 1 of the policy is repetitive of PPG15 but part 2-4 of the policy is locally specific and provides more detail for consideration than PPG15.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No. The policy is not topic based for which the government will have particular regard.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: HBA2 DEMOLITION OF LISTED BUILDINGS</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P7 in protecting, restoring and enhancing environmental assets giving high priority to conserving and enhancing historic buildings and the processes which support them, and ensuring sympathetic integration of new land use and development.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase1 & phase 2, Part B of Policy QE1: Conserving and enhancing the environment states that Local Authorities should in their plans, policies and proposals requires the conservation of existing environmental assets, and enhancement of other irreplaceable assets which are of fundamental importance to the Region's overall environmental quality such as built heritage. Of particular historic significance are listed buildings. Part A of Policy QE5: Protection and enhancement of the historic	✓

	environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.	
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The Policy seeks to ensure that listed buildings are conserved.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy is largely repetitive of paragraph 3.19 of PPG15 that sets out, only in exceptional circumstances, what must be demonstrated when determining applications for demolition of listed buildings. The policy is locally specific however, as it requires listed building consent to be conditional on a contract for the redevelopment works being signed and planning permission for those works granted prior to demolition taking place.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No. The policy is not topic based for which the government will have particular regard.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: HBA3 CHANGE OF USE OF LISTED BUILDINGS</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P7 in protecting, restoring and enhancing environmental assets giving high priority to conserving and enhancing historic buildings and the processes which support them, and ensuring sympathetic integration of new land use and development.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part B of Policy QE1 - Conserving and enhancing the environment states that Local Authorities should in their plans, policies and proposals requires the conservation of existing environmental assets, and enhancement of other irreplaceable assets which are of fundamental importance to the Region's overall environmental quality such as built heritage. Of particular historic significance are listed buildings.	✓



	Part A of Policy QE5: Protection and enhancement of the historic environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.		
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The Policy seeks to ensure that listed buildings are conserved.		✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 2.18 of PPS7 requires planning authorities to set out their policy criteria for permitting the conversion and re-use of buildings. The policy sets out the criteria and cross-references to policies HBA12 & HBA13. In addition, part 2 of the policy is locally specific as it refers specifically to the preservation of the existing building, its features and setting and where relevant those of any immediately adjacent buildings.		✓
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.		X
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: HBA4 SETTING OF LISTED BUILDINGS</b>			
<b>GOVERNMENT CRITERIA</b>			
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P7 in protecting, restoring and enhancing environmental assets giving high priority to conserving and enhancing historic buildings and the processes which support them, and ensuring sympathetic integration of new land use and development.	<b>COMMENT</b>	<b>MEETS</b>
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part B of Policy QE1 - Conserving and enhancing the environment states that Local Authorities should in their plans, policies and proposals requires the conservation of existing environmental assets, and enhancement of other irreplaceable assets which are of fundamental importance to the		✓

	Region's overall environmental quality such as built heritage. Of particular historic significance are listed buildings. Part A of Policy QE5 - Protection and enhancement of the historic environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.	
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The Policy seeks to ensure that listed buildings are conserved.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy is largely repetitive of paragraph 2.16 and 2.17 of PPG15. It is locally specific however, as it sets out how the impact of the proposal is to be judged in terms of scale, massing, location, detailed design and the effects of its uses and operations.	✓
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: HBA5 DESIGNATION OF CONSERVATION AREAS</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P7 in protecting, restoring and enhancing environmental assets giving high priority to conserving and enhancing designated areas and the processes which support them, and ensuring sympathetic integration of new land use and development.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, Part B (i) of policy QE5 – Protection and enhancement of the historic environment that recognises, conservation areas, in their settings, as being of particular historic significance to the West Midlands.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy seeks to ensure that designated areas of conservation are conserved.	✓

<p>Is the policy necessary and does not merely repeat national or regional policy?</p>	<p>Yes. The policy is largely repetitive of paragraph 4.4 and 4.5 of PPG15 that sets out certain aspects that form the basis for a coherent assessment. However, the policy is locally specific as it identifies additional elements including in part 4 'precincts and similar important layouts creating enclosure, serial vision and views in and out of the area' and 'significant landmarks, vistas and panoramas' in part 7.</p>	<p>✓</p>
<p>Is the policy topic based for which the government will have particular regard?</p>	<p>No. The policy is not topic based for which the government will have particular regard.</p>	<p>X</p>
<p><b>CONCLUSION</b></p>		<p><b>SAVE POLICY</b></p>
<p><b>POLICY: HBA6 NEW DEVELOPMENT WITHIN CONSERVATION AREAS</b></p>		
<p><b>GOVERNMENT CRITERIA</b></p>		
<p>Is there a clear central strategy?</p>	<p><b>COMMENT</b></p> <p>Yes. Supports the delivery of UDP guiding principle P7 in protecting, restoring and enhancing environmental assets giving high priority to conserving and enhancing historic buildings and the processes which support them, and ensuring sympathetic integration of new land use and development.</p>	<p>MEETS</p> <p>✓</p>
<p>Does the Policy have regard to the Community Strategy for the area?</p>	<p>The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p>Is the policy in general conformity with the regional spatial strategy?</p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, Part B (i) of policy QE5 – Protection and enhancement of the historic environment that recognises, conservation areas, in their settings, as being of particular historic significance to the West Midlands.</p>	<p>✓</p>
<p>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</p>	<p>Yes. The Policy seeks to ensure that designated areas of conservation are conserved.</p>	<p>✓</p>
<p>Is the policy necessary and does not merely repeat national or regional policy?</p>	<p>Yes. The policy does not merely repeat national or regional policy. Paragraph 4.15 of PPG15 states that the status now accorded to the development plan by section 54A of the principal Act makes it particularly important that an authority's policies for its conservation areas, insofar as they bear on the exercise of development controls, should be set out in the local plan. PPG15 does not go into detail regarding the criteria for new development within conservation areas and therefore, the policy is locally specific.</p>	<p>✓</p>

Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	<b>CONCLUSION</b>	<b>X</b> <b>SAVE POLICY</b>
<b>POLICY: HBA7 DEMOLITION OF UNLISTED BUILDINGS WITHIN CONSERVATION AREAS</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P7 in protecting, restoring and enhancing environmental assets giving high priority to conserving and enhancing historic buildings within designated areas and the processes which support them, and ensuring sympathetic integration of new land use and development.		<b>MEETS</b> <b>✓</b>
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		<b>✓</b>
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, Part B (i) of policy QE5 – Protection and enhancement of the historic environment that recognises, conservation areas, in their settings, as being of particular historic significance to the West Midlands.		<b>✓</b>
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The Policy seeks to ensure that locally important buildings in designated areas of conservation are conserved.		<b>✓</b>
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy is largely repetitive of paragraphs 4.26, 4.27 and 4.29 of PPG15. However, it is locally specific as part 3 of the policy requires information where the structural condition of the building is such that the cost of repair out-weighs the importance of its retention.		<b>✓</b>
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	<b>CONCLUSION</b>	<b>X</b> <b>SAVE POLICY</b>
<b>POLICY: HBA8 LOCALLY IMPORTANT BUILDINGS</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P7 in protecting, restoring and enhancing environmental assets giving high priority to conserving and enhancing historic buildings and the processes which		<b>MEETS</b> <b>✓</b>

	support them, and ensuring sympathetic integration of new land use and development.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part A of policy QE5 – Protection and enhancement of the historic environment that states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy seeks to ensure that locally important buildings are conserved.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. Paragraph 6.16 of PPG15 states that planning authorities can formulate local plan policies for the protection of locally important buildings.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No. The policy is not topic based for which the government will have particular regard.	<b>X</b>
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: HBA9 PROTECTION OF OPEN AREAS &amp; GREEN SPACES</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P7 in protecting, restoring and enhancing environmental assets giving high priority to conserving and enhancing designated areas and the processes which support them, and ensuring sympathetic integration of new land use and development.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, Part B (i) of policy QE4 – Greenery, Urban Greenspace and Public Spaces which states that development plan policies should create and enhance urban	✓

	green space networks by ensuring adequate protection is given to key features such as open spaces.	
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy seeks to ensure that open areas are conserved.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to land that has already been established within Hereford, the market towns or main villages as being shown on the proposal maps.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No. The policy is not topic based for which the government will have particular regard.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: HBA10 SHOPFRONTS</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P10 in promoting high design standards of both new development and existing development.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part B (i) of policy QE3 – Creating a high quality built environment for all which states that particular attention should be given to securing a high quality of townscape, urban form, building design through the use of architecture and urban design which respects regional and local character, culture and history. In addition RSS Phase 1 & 2, part A of policy QE5 – Protection and enhancement of the historic environment that states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness. Of particular historic significance are listed buildings and conservation areas.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or</b>	Yes. The policy conserves historic shop fronts within conservation areas and on listed buildings.	✓

<p><b>conservation of the area is envisaged?</b></p> <p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to the repair or retention of historic shop fronts within conservation areas and on listed buildings, which contribute to the character of the area or building respectively and provides a set of criteria for consideration of alterations to those historic shop fronts.</p>	<p>✓</p>
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p>No. The policy is not topic based for which the government will have particular regard.</p>	<p>X</p>
<p><b>CONCLUSION</b></p>		<p><b>SAVE POLICY</b></p>

<p><b>POLICY: HBA11 ADVERTISING</b></p> <p><b>GOVERNMENT CRITERIA</b></p>		
	<p><b>COMMENT</b></p>	<p><b>MEETS</b></p>
<p><b>Is there a clear central strategy?</b></p>	<p>Yes. Supports the delivery of UDP guiding principle P10 in promoting high design standards of both new development and existing development.</p>	<p>✓</p>
<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with phase 1 &amp; phase 2, part B of policy QE3: Creating a high quality built environment for all states that particular attention should be given to securing a high quality of townscape.</p>	<p>✓</p>
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>No.</p>	<p>X</p>
<p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>	<p>No. The policy is repetitive of paragraphs 4.31 to 4.37 of PPG15 with regards to advertisements and the duty to pay special attention to the desirability of preserving or enhancing the character or appearance of an area. The policy is also repetitive of paragraphs 11 to 14 of PPG19 with regards to amenity and paragraphs 15 to 16 of PPG19 with regards to public safety. The policy repeats national policy and is therefore recommended for deletion.</p>	<p>X</p>

Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	<b>X</b>
	<b>CONCLUSION</b>	<b>DELETE POLICY</b>

<b>POLICY: HBA12 RE-USE OF RURAL BUILDINGS</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P8 in promoting sustainable land use and management through the recycling of previously developed buildings for appropriate new uses.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with phase 1 & phase 2, part B of policy QE1: Conserving and enhancing the environment which states that Local Authorities should in their plans, policies and proposals provide for the re-use of redundant and under used buildings of merit. Part C of policy QE3: Creating a high quality built environment for all states that Local Authorities should have regard to how buildings could be reused to achieve the objective of policy QE3. Part A of policy QE5: Protection and enhancement of the historic environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness. In particular strategies should explore the regeneration potential of traditional buildings in the countryside and recognise the value of conservation led regeneration.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy seeks to ensure that buildings of architectural or historic merit are conserved.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Paragraph 17 of PPS7 states that Local Authorities in plans and policies should set out their criteria for permitting the conversion and re-use of buildings in the countryside for economic, residential and any other purposes, including mixed uses. The policy sets out the criteria to be applied in determining planning applications.	✓



	In addition, the policy links to the Council Supplementary Planning Guidance: Re-use and Adaptation of Rural Buildings.	
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	<b>X</b>
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: HBA13 RE-USE OF RURAL BUILDINGS FOR RESIDENTIAL PURPOSES</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P8 in promoting sustainable land use and management through the recycling of previously developed buildings for appropriate new uses.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part B of policy QE1: Conserving and enhancing the environment which states that Local Authorities should in their plans, policies and proposals provide for the re-use of redundant and under used buildings of merit. Part C of policy QE3: Creating a high quality built environment for all states that Local Authorities should have regard to how buildings could be reused to achieve the objective of policy QE3. Part A of policy QE5: Protection and enhancement of the historic environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change is such a way that respects local character and distinctiveness. In particular strategies should explore the regeneration potential of traditional buildings in the countryside and recognise the value of conservation led regeneration.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy seeks to ensure that buildings of architectural or historic merit are conserved.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Paragraph 17 of PPS7 states that Local Authorities in plans and policies should set out their criteria for permitting the conversion and re-use of buildings in the countryside for economic, residential	✓

	and any other purposes, including mixed uses. The policy sets out the criteria to be applied in determining planning applications. In addition, the policy links to the Council Supplementary Planning Guidance: Re-use and Adaptation of Rural Buildings.	
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	<b>X</b>
		<b>CONCLUSION</b>
		<b>SAVE POLICY</b>
<b>POLICY: ARCH1 ARCHAEOLOGICAL ASSESSMENTS &amp; FIELD EVALUATIONS</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principle P7 in safeguarding and perpetuating environmental assets and to give special attention to irreplaceable resources such as archaeological remains.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part B of policy QE1: Conserving and enhancing the environment which states that Local Authorities should in their plans, policies and proposals protect and where possible enhance other irreplaceable assets which are of fundamental importance to the Region's overall environmental quality such as historic landscape features and built heritage. Part A of policy QE5: Protection and enhancement of the historic environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. Policy ensures that areas of archaeological importance are conserved.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 15 of PPG16 states that detailed development plans should include policies for the protection, enhancement and preservation of sites of archaeological interest and of their settings.	✓

	<p>Paragraph 21b of PPG16 states that where important archaeological remains exist, it is reasonable for the planning authority to request the prospective developer to arrange for a field evaluation to be carried out before any decision on the planning application is made.</p> <p>The policy is locally specific as it refers to the need for a historic landscape appraisal where proposals are put forward in Archaeological Important Urban Areas (AIUA's). The AIUA settlements are listed in paragraph 9.7.7 of the UDP.</p> <p>No. The policy is not topic based for which the government will have particular regard.</p>	<p><b>X</b></p>
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>	<p><b>CONCLUSION</b></p>	<p><b>SAVE POLICY</b></p>
<p><b>POLICY: ARCH2 FOUNDATION DESIGN &amp; MITIGATION FOR URBAN SITES</b></p>		
<p><b>GOVERNMENT CRITERIA</b></p>		
<p><b>Is there a clear central strategy?</b></p>	<p>Yes. Supports the delivery of guiding principle P7 in safeguarding and perpetuating environmental assets and to give special attention to irreplaceable resources such as archaeological remains.</p>	<p>✓</p>
<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, part A of policy QE5: Protection and enhancement of the historic environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.</p> <p>Yes. Policy ensures that areas of archaeological importance are conserved.</p>	<p>✓</p>
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>	<p>Yes. The policy does not merely repeat national or regional policy. Paragraph 15 of PPG16 states that detailed development plans should include policies for the protection, enhancement and preservation of sites of archaeological interest and of their settings. The policy is locally specific as it requires the submission of details</p>	<p>✓</p>
<p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>		<p>✓</p>

	of the foundation design of development in Hereford Area of Archaeological Importance (AAI) and the historic market towns of Bromyard, Kington, Ledbury, Leominster and Ross-on-Wye.	
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	<b>X</b>
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: ARCH3 SCHEDULED ANCIENT MONUMENTS</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principle P7 in safeguarding and perpetuating environmental assets and to give special attention to irreplaceable resources such as archaeological remains.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase1 & phase 2, part B of policy QE1: Conserving and enhancing the environment which states that Local Authorities should in their plans, policies and proposals protect and where possible enhance other irreplaceable assets which are of fundamental importance to the Region's overall environmental quality such as historic landscape features and built heritage. Part A of policy QE5: Protection and enhancement of the historic environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness. Part B states that of particular historical significance to the West Midlands are scheduled and unscheduled ancient monuments.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. Policy ensures that schedule ancient monuments in the county are conserved.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 16 of PPG16 states that archaeological remains identified and scheduled, as being of national importance should	✓

	normally be earmarked in development plans for preservation. The policy is locally specific as it refers to the Scheduled Ancient Monuments within Herefordshire and they are identified on the proposals maps.		
<b>Is the policy topic based for which the government will have particular regard?</b>	No. The policy is not topic based for which the government will have particular regard.	<b>CONCLUSION</b>	<b>X</b>
		<b>SAVE POLICY</b>	
<b>POLICY: ARCH4 OTHER SITES OF NATIONAL OR REGIONAL IMPORTANCE</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>		Yes. Supports the delivery of guiding principle P7 in safeguarding and perpetuating environmental assets and to give special attention to irreplaceable resources such as archaeological remains.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>		Yes. In conformity with RSS phase 1 & phase 2, part B of policy QE1: Conserving and enhancing the environment which states that Local Authorities should in their plans, policies and proposals protect and where possible enhance other irreplaceable assets which are of fundamental importance to the Region's overall environmental quality such as historic landscape features and built heritage. Part A of policy QE5: Protection and enhancement of the historic environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>		Yes. Policy ensures that areas of archaeological importance are conserved.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>		Yes. The policy does not merely repeat national or regional policy. Paragraph 16 of PPG16 states that other unscheduled archaeological remains of more local importance may also be identified in development plans and policies as particularly worthy	✓

	of preservation.		
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.		<b>X</b>
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: ARCH5 SITES OF LESSER REGIONAL OR LOCAL IMPORTANCE</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principle P7 in safeguarding and perpetuating environmental assets and to give special attention to irreplaceable resources such as archaeological remains.		✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part B of policy QE1: Conserving and enhancing the environment which states that Local Authorities should in their plans, policies and proposals protect and where possible enhance other irreplaceable assets which are of fundamental importance to the Region's overall environmental quality such as historic landscape features and built heritage. Part A of policy QE5: Protection and enhancement of the historic environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.		✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. Policy ensures that areas of archaeological importance are conserved.		✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 16 of PPG16 states that other unscheduled archaeological remains of more local importance may also be identified in development plans and policies as particularly worthy of preservation.		✓
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.		<b>X</b>

		CONCLUSION	SAVE POLICY
<b>POLICY: ARCH6 RECORDING OF ARCHAEOLOGICAL REMAINS</b>			
<b>GOVERNMENT CRITERIA</b>			
Is there a clear central strategy?		Yes. Supports the delivery of guiding principle P7 in safeguarding and perpetuating environmental assets and to give special attention to irreplaceable resources such as archaeological remains.	✓
Does the Policy have regard to the Community Strategy for the area?		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?		Yes. In conformity with RSS phase 1 & phase 2, part A of policy QE5 - Protection and enhancement of the historic environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?		Yes. Policy ensures that areas of archaeological importance are conserved.	✓
Is the policy necessary and does not merely repeat national or regional policy?		The policy is largely repetitive of paragraph 25, 27 and 28 of PPG16. It is locally specific however; as it provides for excavation and/or recording before alteration, demolition, site clearance or commencement of development whereas PPS16 provides for commencement of development only.	✓
Is the policy topic based for which the government will have particular regard?		No. The policy is not topic based for which the government will have particular regard.	X
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: ARCH7 HEREFORD AAI</b>			
<b>GOVERNMENT CRITERIA</b>			
Is there a clear central strategy?		Yes. Supports the delivery of guiding principle P7 in safeguarding and perpetuating environmental assets and to give special attention to irreplaceable resources such as archaeological remains.	✓
Does the Policy have regard to the Community Strategy for		Yes. The UDP is in conformity with the Herefordshire Community	✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

the area?	Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part A of policy QE5 - Protection and enhancement of the historic environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. Policy ensures that areas of archaeological importance are conserved.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 15 of PPG16 states that detailed development plans should include policies for the protection, enhancement and preservation of sites of archaeological interest and their settings. The policy is locally specific as it refers to Hereford Area of Archaeological Importance.	✓
Is the policy topic based for which the government will have particular regard?	No. The policy is not topic based for which the government will have particular regard.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: ARCH8 ENHANCEMENT &amp; IMPROVED ACCESS TO ARCHAEOLOGICAL SITES</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of guiding principle P7 in safeguarding and perpetuating environmental assets and to give special attention to irreplaceable resources such as archaeological remains.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part B of policy QE1 - Conserving and enhancing the environment which states that Local Authorities should in their plans, policies and proposals protect and where possible enhance other irreplaceable assets which are of fundamental importance to the Region's overall environmental quality such as historic landscape features and built	✓



	heritage. Part A of Ppolicy QE5: Protection and enhancement of the historic environment states that development plans should identify, protect, conserve and enhance the Region's diverse historic environment and manage change in such a way that respects local character and distinctiveness.	
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. Policy ensures that areas of archaeological importance are conserved.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to the enhancement of sites of archaeological interest and where appropriate improvement of public access to them.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No. The policy is not topic based for which the government will have particular regard.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

## RECREATION, SPORT AND TOURISM

<b>POLICY: RST1 CRITERIA FOR RECREATION, SPORT &amp; TOURISM DEVELOPMENT</b>		<b>MEETS</b>
<b>GOVERNMENT CRITERIA</b>		
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy QE4 – Greenery, urban green space and public spaces which states that local authorities should ensure that there is adequate provision of accessible high quality urban greenspace with an emphasis on maintaining and enhancing sports, playing fields and recreation	✓

	grounds. In conformity with RSS phase 1 & phase 2, part C of policy PA10 – Tourism and Culture which states that local authorities should identify those areas where the development of sustainable tourism can be encouraged to the benefit of the local economy and employment without damaging local environment or character. In addition, part C of RSS policy PA14 – Economic Development and the Rural Economy states that priority should be given to economic activity with strong links to the rural area, including tourism and leisure.		
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.		<b>X</b>
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy is largely repetitive of PPG17 – Open Space, Sport and Recreation. It is locally specific however, as it refers to proposals within the open countryside only being permitted where the countryside is the primary resource for the proposal and the rural landscape and environment is sustained.		<b>✓</b>
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports economic development.		<b>✓</b>
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: RST2 RECREATION, SPORT &amp; TOURISM DEVELOPMENT WITHIN AREAS OF OUTSTANDING NATURAL BEAUTY</b>		<b>MEETS</b>
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.	<b>✓</b>
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	<b>✓</b>
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy QE4 – Greenery, urban green space and public spaces which states that local authorities should ensure that there is adequate provision of	<b>✓</b>

	<p>accessible high quality urban greenspace with an emphasis on maintaining and enhancing sports, playing fields and recreation grounds.</p> <p>In conformity with RSS phase 1 &amp; phase 2, part C of policy PA10 – Tourism and Culture which states that local authorities should identify those areas where the development of sustainable tourism can be encouraged to the benefit of the local economy and employment without damaging local environment or character.</p> <p>Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides for recreation, sport and tourism development within the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty whilst conserving the unique character and qualities of the landscape, biodiversity and geological interests.</p> <p>Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to the unique character and qualities of the landscape, biodiversity and geological interests in the Malvern Hills and Wye Valley Area of Outstanding Natural Beauty.</p> <p>Yes. The policy supports economic development.</p>		
<p><b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b></p>			✓
<p><b>Is the policy necessary and does not merely repeat national or regional policy?</b></p>			✓
<p><b>Is the policy topic based for which the government will have particular regard?</b></p>			✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: RST3 STANDARDS FOR OUTDOOR PLAYING &amp; PUBLIC OPEN SPACE</b>		<b>MEETS</b>
<b>GOVERNMENT CRITERIA</b>		
<p><b>Is there a clear central strategy?</b></p>	<p>Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.</p>	✓
<p><b>Does the Policy have regard to the Community Strategy for the area?</b></p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	✓
<p><b>Is the policy in general conformity with the regional spatial strategy?</b></p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, policy QE4 – Greenery, urban green space and public spaces which states that local authorities should ensure that there is adequate provision of accessible high quality urban greenspace with an emphasis on</p>	✓

	maintaining and enhancing sports, playing fields and recreation grounds.	
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	<b>X</b>
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 7 of PPG17 advises that local authorities should use information gained from their assessments of needs and opportunities to set locally derived standards for the provision of outdoor playing and public open space. The policy is locally specific as it sets out the standards.	✓
Is the policy topic based for which the government will have particular regard?	No.	<b>X</b>
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: RST4 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	
		<b>MEETS</b>	
Is there a clear central strategy?		Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.	✓
Does the Policy have regard to the Community Strategy for the area?		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?		Yes. In conformity with RSS phase 1 & phase 2, part B (i) of policy QE4 – Greenery, urban green space and public spaces which states development plan policies should create and enhance urban greenspace networks by ensuring adequate protection is given to key features such as open spaces.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?		Yes. The policy conserves existing recreational open space.	✓
Is the policy necessary and does not merely repeat national or regional policy?		Yes. The policy does not merely repeat national or regional policy. It is locally specific as it identifies specific open spaces and	✓

	identifies those spaces with recognised value on the proposal maps. It also sets out the criteria when considering development proposals that involve the loss of public or private open space. No.		
<b>Is the policy topic based for which the government will have particular regard?</b>		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
			<b>X</b>

<b>POLICY: RST5 NEW OPEN SPACE IN/ADJACENT TO SETTLEMENTS</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>		Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>		Yes. In conformity with RSS phase 1 & phase 2, policy QE4 – Greenery, urban green space and public spaces which states that local authorities should ensure that there is adequate provision of accessible high quality urban greenspace with an emphasis on maintaining and enhancing sports, playing fields and recreation grounds.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>		No.	<b>X</b>
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>		Yes. The policy does not merely repeat national or regional policy. It is locally specific as it identifies new open space in/adjacent to settlements both in urban and rural areas. The open space will provide public recreational, amenity and facilities. The sites are identified on the proposal maps.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>		No.	<b>X</b>
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: RST6 – COUNTRYSIDE ACCESS</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part B of policy QE4 – Greenery, urban green space and public spaces which states development plan policies should create and enhance urban greenspace networks by (i) ensuring adequate protection is given to key features such as parks, footpaths and cycleways, river valleys, canals and open spaces, (ii) identifying the areas where new physical linkages between these areas need to be forged; and (iii) linking new urban greenspace to the wider countryside to encourage the spread of species.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to new access countryside facilities to resources such as common land, woodland, water, landscape, historic sites and nature conservation.	✓
Is the policy topic based for which the government will have particular regard?	No.	X
<b>CONCLUSION</b>		<b>SAVE POLICY</b>
<b>POLICY: RST7 PROMOTED RECREATIONAL ROUTES</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in	✓

	town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part B of policy QE4 – Greenery, urban green space and public spaces which states development plan policies should create and enhance urban greenspace networks by (i) ensuring adequate protection is given to key features such as footpaths and cycleways, river valleys, canals and open spaces; (ii) identifying the areas where new physical linkages between these areas need to be forged; and (iii) linking new urban greenspace to the wider countryside to encourage the spread of species.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	X
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. Paragraph 32 of PPS17 states that rights of way are an important recreational facility, which local authorities should protect and enhance. It is locally specific as the policy refers to the development and improvement of recreational routes being based on local routes. In addition, the Public Rights of Way Strategy sets out the process by which the Council will develop existing routes.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: RST8 WATERWAY CORRIDORS &amp; OPEN WATER AREAS</b>		
<b>GOVERNMENT CRITERIA</b>		
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health,	✓

	utilities, leisure and amenity.		
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part B of policy QE4 – Greenery, urban green space and public spaces which states development plan policies should create and enhance urban greenspace networks by (i) ensuring adequate protection is given to key features such as river valleys and canals, (ii) identifying the areas where new physical linkages between these areas need to be forged; and (iii) linking new urban greenspace to the wider countryside to encourage the spread of species.		✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy provides for the conservation of landscape, historic heritage and biodiversity when considering recreational development on waterway corridors and open water areas.		✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to recreational development based on, or associated with the River Wye and Lugg navigations. It also has cross-reference to policies NC2 and NC3. It is proposed to delete policy NC2 - Sites of international importance. This is not considered to effect delivery of the proposal because sites of international importance enjoy statutory protection and specific policies in respect of these sites should not be included in local development documents.		✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No.		X
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: RST9 HEREFORDSHIRE &amp; GLOUCESTERSHIRE CANAL</b>	
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.
	<b>MEETS</b>
	✓



<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part B of policy QE4 – Greenery, urban green space and public spaces which states development plan policies should create and enhance urban greenspace networks by (i) ensuring adequate protection is given to key features such as canals, (ii) identifying the areas where new physical linkages between these areas need to be forged; and (iii) linking new urban greenspace to the wider countryside to encourage the spread of species.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy provides for the safeguarding of the historic route of the Herefordshire and Gloucestershire Canal.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to the safeguarding of the Herefordshire and Gloucestershire Canal together with its associated infrastructure, buildings towpath and features.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	No.	X
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: RST10 MAJOR SPORTS FACILITIES</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy QE4 – Greenery, urban green space and public spaces which states that local authorities should ensure that there is adequate provision of	✓

	accessible high quality urban greenspace with an emphasis on maintaining and enhancing sports, playing fields and recreation grounds.	
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy relates to proposals for new major sports facilities, meeting identified regional or sub regional needs.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it identifies that major sports facilities will only be permitted on the edge of Hereford and the market towns unless there is a demonstrable requirement for the use in a specific location.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy will support economic development.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: RST11 GOLF COURSES</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
	<b>COMMENT</b>	
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy QE4 – Greenery, urban green space and public spaces which states that local authorities should ensure that there is adequate provision of accessible high quality urban greenspace with an emphasis on maintaining and enhancing sports, playing fields and recreation grounds.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	<b>X</b>

Is the policy necessary and does not merely repeat national or regional policy?	No. The policy is largely repetitive of paragraph 22 – Stadia and major developments in PPS17. In addition, proposals for golf courses, driving ranges and extensions to existing golf courses can be adequately determined using UDP policies S8, RST1, RST2 and RST10.	✓
Is the policy topic based for which the government will have particular regard?	No.	X
<b>CONCLUSION</b>		<b>DELETE POLICY</b>
<b>POLICY: RST12 VISITOR ACCOMMODATION</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	<b>COMMENT</b> Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA10 – Tourism and Culture which states that local authorities should identify those areas where the development of sustainable tourism can be encouraged to the benefit of the local economy and employment without damaging local environment or character.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 34 (i) of PPS7 states that local authorities should support, through planning policies, sustainable rural tourism. It is locally specific as it provides set criteria for consideration of proposals for accommodation for visitors both within identified settlements and outside identified settlements.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓

CONCLUSION		SAVE POLICY
<b>POLICY: RST13 RURAL &amp; FARM TOURISM DEVELOPMENT</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part C of policy PA10 – Tourism and Culture which states that local authorities should identify those areas where the development of sustainable tourism can be encouraged to the benefit of the local economy and employment without damaging local environment or character.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 34 (i) of PPS7 states that local authorities should support, through planning policies, sustainable rural tourism. In addition, RRS phase 1 & phase 2, policy PA15 – Agriculture and Farm Diversification states that development plans should include positive policies to promote agriculture and farm diversification through the development of innovative business schemes including sustainable tourism.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>
<b>POLICY: RST14 STATIC CARAVANS, CHALETS, CAMPING &amp; TOURING CARAVAN SITES</b>		

<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities in town and country, giving priority to those which are appropriate to the location and character of the area in question, including health, utilities, leisure and amenity.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2 ,part C of policy PA10 – Tourism and Culture which states that local authorities should identify those areas where the development of sustainable tourism can be encouraged to the benefit of the local economy and employment without damaging local environment or character.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 39 (ii) of PPS7 states that local authorities should, where appropriate (e.g. in popular holiday areas), set out policies on the provision of new holiday and touring caravan sites and chalet developments, and on the expansion and improvement of existing sites and developments. The policy sets out the criteria for this form of development.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports economic development and regeneration.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

## MINERALS

<b>POLICY: M2 BORROW PITS</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principles P1, P7 & P8 in ensuring protection, restoration and enhancement of the	✓

	environment.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy M1 – Mineral Working for Non Energy Minerals (page 88 & page 140) and RSS Phase 1 & Phase 2 Policy M4 – Energy Minerals (page 92 & page 145).	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. Borrow pits are used in the course of large-scale civil engineering construction projects.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. The policy is locally specific and refers to the need to ensure that borrow pits are controlled and subject to the same environmental considerations as other mineral workings and the requirement for reclamation.	✓
<b>Is the policy topic based for which the government will have particular regard</b>	Yes. Borrow pits may form part of the infrastructure in the delivery of housing and economic development and regeneration of the county.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: M3 CRITERIA FOR NEW AGGREGATE MINERAL WORKINGS</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principles P1, P7 & P8 in ensuring protection, restoration and enhancement of the environment.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, policy M1 – Mineral Working for Non Energy Minerals (page 88 & page 140)	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy relates to the development of land where new aggregate mineral workings are proposed.	✓

Is the policy necessary and does not merely repeat national or regional policy?	Yes. MPS1 paragraph 13 states that planning authorities should define mineral safeguarding areas (MSAs). Given that the UDP does not define MSAs the UDP policy provides the local framework for assessing planning applications for new aggregate mineral workings.	✓
Is the policy topic based for which the government will have particular regard?	Yes. New aggregate workings may form part of the infrastructure in the delivery of housing and economic development and regeneration of the county.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: M4 NON-AGGREGATE BUILDING STONE &amp; SMALL SCALE CLAY PRODUCTION</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P7 in ensuring protection, restoration and enhancement of environmental resources, giving special attention to irreplaceable resources and to the local distinctive character✓ of the area.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In accordance with RSS phase 1 & phase 2, policy M1, part A (iii) – Mineral Working for Non Energy Minerals which states the contribution alternative sources of materials should be taken into account when making provision for the supply of minerals	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy relates to the development of land where new non-aggregate building stone may be proposed.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. The policy is locally specific and refers to the need for the material for the preservation of local distinctiveness, particularly features of local historic or architectural interest, listed and vernacular buildings or archaeological sites. Also provides for the provision of small-scale clay production.	✓
Is the policy topic based for which the government will have particular regard	Yes. Non-aggregate building stone may form part of the infrastructure in the delivery of housing and economic development and regeneration of the county.	✓

		CONCLUSION	SAVE POLICY
<b>POLICY: M5 SAFEGUARDING MINERAL RESERVES</b>			
<b>GOVERNMENT CRITERIA</b>			
Is there a clear central strategy?		Yes. Supports the delivery of UDP guiding principles P1 and P5 in ensuring sustainable use of natural resources and minimising the depletion of scarce and non-renewable resources.	✓
Does the Policy have regard to the Community Strategy for the area?		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?		Yes. In accordance with RSS phase 1 & phase 2, policy M1, part B (v) – Mineral Working for Non Energy Minerals which states that development plans should safeguard mineral resources from other forms of development	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?		Yes. The policy conserves identified mineral resources.	✓
Is the policy necessary and does not merely repeat national or regional policy?		Yes. The policy does not merely repeat national or regional policy. MPS1 paragraph 13 states that planning authorities should define mineral safeguarding areas (MSAs) in order that proven resources are not needlessly sterilised by non-mineral development. Given that the UDP does not define MSAs it is considered that the UDP policy is necessary in order to ensure that known minerals could be worked in the future are protected from sterilisation by other forms of development. In addition the policy is locally specific in that it requires a geological assessment of the site.	✓
Is the policy topic based for which the government will have particular regard		Yes. Identified mineral resources may form part of the infrastructure in the delivery of housing and economic development and regeneration of the county.	<b>X</b>
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>WASTE</b>			
<b>POLICY: W1 NEW WASTE MANAGEMENT FACILITIES</b>			



GOVERNMENT CRITERIA	COMMENT	MEETS
<p>Is there a clear central strategy?</p>	<p>Yes. Supports the UDP guiding principle P5 in promoting forms of environmental management which reduce energy consumption and waste, and encourage use of recycled and renewable resources, guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, guiding principle P7 in protecting environmental assets, giving special attention to irreplaceable resources and to the distinctive character of local environments and guiding principle P10 in promoting high design standards in the location, setting, layout and construction of new development. High priority will be given to energy efficiency in terms of design, form, location and transport requirements.</p>	<p>✓</p>
<p>Does the Policy have regard to the Community Strategy for the area?</p>	<p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	<p>✓</p>
<p>Is the policy in general conformity with the regional spatial strategy?</p>	<p>Yes. In conformity with RSS phase 1 &amp; phase 2, part A (i) of policy WD3 – Criteria for the Location of Waste Management Facilities which states that local authorities in their development plans should include policies for all major waste streams to guide the location and siting of waste treatment and recycling to appropriate locations, having regard to the proximity principle and other environmental and amenity principles.</p>	<p>✓</p>
<p>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</p>	<p>Yes. The policy is effective for the area where significant change in use or development is envisaged.</p>	<p>✓</p>
<p>Is the policy necessary and does not merely repeat national or regional policy?</p>	<p>Yes. The policy is largely repetitive of the locational criteria identified in Annex E of PPS10 – Planning for Sustainable Waste Management. The policy is locally specific however as it includes additional constraints to those identified in Appendix E and subdivides the locational criteria into primary and secondary constraints in determining applications for new waste management facilities.</p>	<p>✓</p>
<p>Is the policy topic based for which the government will have particular regard?</p>	<p>Yes. The policy is for waste management.</p>	<p>✓</p>

		CONCLUSION	SAVE POLICY
<b>POLICY: W2 LANDFILL OR LANDRAISING GOVERNMENT CRITERIA</b>			
<b>Is there a clear central strategy?</b>		<p>Yes. Supports the UDP guiding principle P5 in promoting forms of environmental management which reduce energy consumption and waste, and encourage use of recycled and renewable resources, guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, guiding principle P7 in protecting environmental assets, giving special attention to irreplaceable resources and to the distinctive character of local environments and guiding principle P10 in promoting high design standards in the location, setting, layout and construction of new development. High priority will be given to energy efficiency in terms of design, form, location and transport requirements.</p> <p>Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.</p>	MEETS ✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>		Yes. In conformity with RSS phase 1 & phase 2, part C of policy WD3 – Criteria for the Location of Waste Management Facilities which states that development plans should restrict the granting of planning permission for new sites for landfill to proposals which are necessary to restore despoiled or degraded land.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>		Yes. The policy is effective for the area where significant change in use or development is envisaged.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>		Yes. The policy does not merely repeat national or regional policy. It is locally specific as it refers to not only landfilling but also changing landforms by landraising. The policies also cross-references to policy W1 – New Waste Management Facilities.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>		Yes. The policy is for waste management.	✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: W3 WASTE TRANSPORTATION &amp; HANDLING</b>			

GOVERNMENT CRITERIA	COMMENT	MEETS
Is there a clear central strategy?	Yes. Supports the UDP guiding principle P10 in giving high priority to energy efficiency in terms of design, form, location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part A (i) of policy WD3 – Criteria for the Location of Waste Management Facilities which states that local authorities in their development plans should include policies for all major waste streams to guide the location and siting of waste treatment and recycling to appropriate locations, having regard to the proximity principle and other environmental and amenity principles.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is largely repetitive of UDP policy DR3 – Movement and DR4 – Environment. It is more specific as it allows measures to be applied for safe transportation of waste from source to treatment facility to protect the public and the environment.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy is for waste management.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: W4 TEMPORARY PERMISSIONS</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	Yes. Supports the UDP guiding principle P5 in promoting forms of environmental management which reduce energy consumption and waste, and encourage use of recycled and renewable resources, guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, guiding principle P7 in protecting environmental assets, giving special	✓

	attention to irreplaceable resources and to the distinctive character of local environments and guiding principle P10 in promoting high design standards in the location, setting, layout and construction of new development. High priority will be given to energy efficiency in terms of design, form, location and transport requirements.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part A (i) of policy WD3 – Criteria for the Location of Waste Management Facilities which states that local authorities in their development plans should include policies for all major waste streams to guide the location and siting of waste treatment and recycling to appropriate locations, having regard to the proximity principle and other environmental and amenity principles.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy is effective for the area where significant change in use or development is envisaged.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides for temporary permission where doubt exists about the character or potential effects of waste treatment proposals. The policy also cross-references to the need to comply with policy W1 – New Waste Management Facilities.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy is for waste management.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: W5 WASTE MANAGEMENT LICENSING</b>	
<b>GOVERNMENT CRITERIA</b>	
<b>Is there a clear central strategy?</b>	<p style="text-align: center;"><b>COMMENT</b></p> <p>Yes. Supports the UDP guiding principle P5 in promoting forms of environmental management which reduce energy consumption and waste, and encourage use of recycled and renewable resources, guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, guiding principle P7 in protecting environmental assets, giving special</p>
	<b>MEETS</b>
	✓

	attention to irreplaceable resources and to the distinctive character of local environments and guiding principle P10 in promoting high design standards in the location, setting, layout and construction of new development. High priority will be given to energy efficiency in terms of design, form, location and transport requirements.		
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part A (i) of policy WD3 – Criteria for the Location of Waste Management Facilities which states that local authorities in their development plans should include policies for all major waste streams to guide the location and siting of waste treatment and recycling to appropriate locations, having regard to the proximity principle and other environmental and amenity principles.		✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.		X
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides additional protection to that afforded through waste management licensing.		✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy is for waste management.		✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: W6 DEVELOPMENT IN THE VICINITY OF WASTE MANAGEMENT FACILITIES</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	
<b>Is there a clear central strategy?</b>		Yes. Supports the UDP guiding principle P5 in promoting forms of environmental management which reduce energy consumption and waste, and encourage use of recycled and renewable resources, guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, guiding principle P7 in protecting environmental assets, giving special attention to irreplaceable resources and to the distinctive character of local environments and guiding principle P10 in promoting high	MEETS ✓

	design standards in the location, setting, layout and construction of new development. High priority will be given to energy efficiency in terms of design, form, location and transport requirements.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part A (i) of policy WD3 – Criteria for the Location of Waste Management Facilities which states that local authorities in their development plans should include policies for all major waste streams to guide the location and siting of waste treatment and recycling to appropriate locations, having regard to the proximity principle and other environmental and amenity principles.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy is effective for the area where significant change in use or development is envisaged.	✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides for the protection of existing waste management facilities from large-scale development within 1km and all other development proposals within 250m of facilities.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy is for waste management.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: W7 LANDFILL GAS UTILISATION</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the UDP guiding principle P5 in promoting forms of environmental management which reduce energy consumption and waste, and encourage use of recycled and renewable resources.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part A (i) of policy WD3 – Criteria for the Location of Waste Management Facilities which states that local authorities in their development plans should	✓

	include policies for all major waste streams to guide the location and siting of waste treatment and recycling to appropriate locations, having regard to the proximity principle and other environmental and amenity principles.	
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	<b>X</b>
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides for the installation of landfill gas utilisation where there are no unacceptable adverse impacts.	<b>✓</b>
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy is for waste management.	<b>✓</b>
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: W8 WASTE DISPOSAL FOR LAND IMPROVEMENT GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the UDP guiding principle P5 in promoting forms of environmental management which reduce energy consumption and waste, and encourage use of recycled and renewable resources, guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, guiding principle P7 in protecting environmental assets, giving special attention to irreplaceable resources and to the distinctive character of local environments and guiding principle P10 in promoting high design standards in the location, setting, layout and construction of new development. High priority will be given to energy efficiency in terms of design, form, location and transport requirements.	<b>✓</b>
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	<b>✓</b>
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2 policy QE6 – The conservation, enhancement and restoration of the Region's landscape part (vi) identifying opportunities for the restoration of degraded landscapes including current and proposed minerals workings and waste disposal sites.	

Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy is effective for the area where significant change in use or development is envisaged.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides the criteria for assessing proposals to deposit waste for land improvement. The policy also cross-references to the need to comply with policy W1 – New Waste Management Facilities.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy is for waste management.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: W9 RECLAMATION, AFTERCARE &amp; AFTERUSE</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the UDP guiding principle P5 in promoting forms of environmental management which reduce energy consumption and waste, and encourage use of recycled and renewable resources, guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, guiding principle P7 in protecting environmental assets, giving special attention to irreplaceable resources and to the distinctive character of local environments and guiding principle P10 in promoting high design standards in the location, setting, layout and construction of new development. High priority will be given to energy efficiency in terms of design, form, location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2 policy QE6 – The conservation, enhancement and restoration of the Region's landscape part (vi) identifying opportunities for the restoration of degraded landscapes including current and proposed minerals workings and waste disposal sites.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or	No.	<b>X</b>



<b>conservation of the area is envisaged?</b>			
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides for the granting of planning permission only where there are satisfactory proposals for reclamation, aftercare and after use.		✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy is for waste management.		✓
		<b>CONCLUSION</b>	<b>SAVE POLICY</b>
<b>POLICY: W10 TIME LIMITS FOR SECONDARY ACTIVITIES</b>			
<b>GOVERNMENT CRITERIA</b>			
		<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?		Yes. Supports the UDP guiding principle P5 in promoting forms of environmental management which reduce energy consumption and waste, and encourage use of recycled and renewable resources, guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, guiding principle P7 in protecting environmental assets, giving special attention to irreplaceable resources and to the distinctive character of local environments and guiding principle P10 in promoting high design standards in the location, setting, layout and construction of new development. High priority will be given to energy efficiency in terms of design, form, location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for the area?		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?		Yes. In conformity with RSS phase 1 & phase 2, policy QE6 – The conservation, enhancement and restoration of the Region's landscape part (vi) identifying opportunities for the restoration of degraded landscapes including current and proposed minerals workings and waste disposal sites.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?		No.	✗
Is the policy necessary and does not merely repeat national or regional policy?		Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides for secondary activities on site but	✓

	ensures that these cease when the lifetime of the landfill expires so that reclamation can take place.	
Is the policy topic based for which the government will have particular regard?	Yes. The policy is for waste management.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: W11 DEVELOPMENT – WASTE IMPLICATIONS</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the UDP guiding principle P5 in promoting forms of environmental management which reduce energy consumption and waste, and encourage use of recycled and renewable resources, guiding principle P6 in favouring those forms of land use and development which work within environmental capacity, guiding principle P7 in protecting environmental assets, giving special attention to irreplaceable resources and to the distinctive character of local environments and guiding principle P10 in promoting high design standards in the location, setting, layout and construction of new development. High priority will be given to energy efficiency in terms of design, form, location and transport requirements.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part A (iii) of policy WD3 – Criteria for the Location of Waste Management Facilities that requires the submission of a waste audit and provision for in-house or on-site recycling and treatment of wastes, in the case of major development proposals. No.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it provides the information required to be submitted in a Waste Audit.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy is for waste management.	✓

	CONCLUSION	SAVE POLICY
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## COMMUNITY FACILITIES AND SERVICES

POLICY: CF1 UTILITY SERVICES & INFRASTRUCTURE GOVERNMENT CRITERIA		
	COMMENT	MEETS
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle, P3 in protecting and improving opportunities for access to services and facilities, P5 in promoting forms of environmental management, P6 in favouring forms of land use that work within environmental capacity and P7 in protecting, restoring and enhancing environmental assets.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part B (viii) of policy RR3 – Market Towns which states that through policies in development plans local authorities should provide community facilities, leisure and services.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it sets out that proposals for utility services and infrastructure must not adversely affect the character and quality of the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the delivery of infrastructure relating to housing and economic development and regeneration.	✓
CONCLUSION		
		SAVE POLICY

POLICY: CF2 FOUL DRAINAGE GOVERNMENT CRITERIA		
	COMMENT	MEETS
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle, P3 in protecting and improving opportunities for access to services and facilities, P5 in	✓

	promoting forms of environmental management, P6 in favouring forms of land use that work within environmental capacity and P7 in protecting, restoring and enhancing environmental assets.	
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part B (viii) of policy RR3 – Market Towns which states that through policies in development plans local authorities should provide community facilities, leisure and services.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	X
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it sets out a sequential approach to ensure that development makes satisfactory arrangements for foul drainage.	✓
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy relates to infrastructure for housing, economic development and regeneration.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: CF3 TELECOMMUNICATIONS</b>		
<b>GOVERNMENT CRITERIA</b>		<b>MEETS</b>
<b>Is there a clear central strategy?</b>	Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities.	✓
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1 & phase 2, part B (viii) of policy RR3 – Market Towns which states that through policies in development plans local authorities should provide community facilities and services.	✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	No.	X

Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. Paragraph 39 of PPG8 – Telecommunications states that local plans should set out policies and proposals for the location of telecommunication developments. The policy is locally specific as it sets out the criteria for assessing proposals for telecommunications and has regard to the protection of the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty, conservation areas and listed buildings.	✓
Is the policy topic based for which the government will have particular regard?	No.	X
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: CF4 RENEWABLE ENERGY</b>		
<b>GOVERNMENT CRITERIA</b>		
	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P5 in promoting forms of environmental management, P6 in favouring forms of land use that work within environmental capacity and P7 in protecting, restoring and enhancing environmental assets.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. the UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, EN1 – Energy Generation and policy EN2 – Energy Conservation.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy conserves sites of both international importance and national importance.	✓
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it sets out the criteria for assessing proposals for renewable energy and has regard to the protection of the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy supports renewable energy.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>

<b>POLICY: CF5 NEW COMMUNITY FACILITIES</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P2 in working towards an improved balance between housing, work community, educational and cultural facilities throughout the County and guiding principle P3 in protecting and improving opportunities for access to services and facilities.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part B (viii) of policy RR3 – Market Towns which states that through policies in development plans local authorities should provide community facilities, leisure and services.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it sets out the criteria that must be assessed in proposals for new community facilities.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy relates to the infrastructure necessary to support housing.	✓
	<b>CONCLUSION</b>	<b>SAVE POLICY</b>

<b>POLICY: CF6 RETENTION OF EXISTING FACILITIES</b>		
<b>GOVERNMENT CRITERIA</b>	<b>COMMENT</b>	<b>MEETS</b>
Is there a clear central strategy?	Yes. Supports the delivery of UDP guiding principle P2 in working towards an improved balance between housing, work community, educational and cultural facilities throughout the County and guiding principle P3 in protecting and improving opportunities for access to services and facilities.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓

Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part B (viii) of policy RR3 – Market Towns which states that through policies in development plans local authorities should retain community facilities, leisure and services.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	No.	X
Is the policy necessary and does not merely repeat national or regional policy?	Yes. The policy does not merely repeat national or regional policy. It is locally specific as it sets out the criteria that must be assessed in proposals for the loss of existing facilities.	✓
Is the policy topic based for which the government will have particular regard?	Yes. The policy relates to the infrastructure necessary to support housing.	✓
		<b>CONCLUSION</b>
		<b>SAVE POLICY</b>

<b>POLICY: CF7 RESIDENTIAL NURSING &amp; CARE HOMES</b>			
<b>GOVERNMENT CRITERIA</b>		<b>COMMENT</b>	
		<b>MEETS</b>	
Is there a clear central strategy?		Yes. Supports the delivery of UDP guiding principle P3 in protecting and improving opportunities for access to services and facilities, giving priority to those which are appropriate to the location and character of the area in question, including health and welfare.	✓
Does the Policy have regard to the Community Strategy for the area?		Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?		Yes. In conformity with RSS phase 1 & phase 2, part B (viii) of policy RR3 – Market Towns which states that through policies in development plans access must be improved to health facilities and enable their integration with social and other service provision.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?		No.	X
Is the policy necessary and does not merely repeat national or regional policy?		No. The policy does not merely repeat national or regional policy. It is locally specific as it restricts the development of residential nursing and care homes to those areas where new residential development is acceptable.	✓

Is the policy topic based for which the government will have particular regard?	Yes. The policy supports the provision of housing.	✓
<b>CONCLUSION</b>		<b>SAVE POLICY</b>
<b>POLICY: CF8 SCHOOLS</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	<b>COMMENT</b> Yes. Supports the delivery of UDP guiding principle P2 in working towards an improved balance between housing, work community, educational and cultural facilities throughout the County and guiding principle P3 in protecting and improving opportunities for access to services and facilities.	✓
Does the Policy have regard to the Community Strategy for the area?	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.	✓
Is the policy in general conformity with the regional spatial strategy?	Yes. In conformity with RSS phase 1 & phase 2, part B (vii) of policy RR3 – Market Towns which states that through policies in development plans the developing role of higher and further education should be facilitated.	✓
Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?	Yes. The policy provides for the development of two new schools.	✓
Is the policy necessary and does not merely repeat national or regional policy?	No. The policy is not necessary as both schools referred to in the policy have been built.	✓
Is the policy topic based for which the government will have particular regard?	No.	X
<b>CONCLUSION</b>		<b>DELETE POLICY</b>
<b>POLICY: CF9 COMMUNITY FACILITIES AT BRADBURY ESTATE, HEREFORD</b>		
<b>GOVERNMENT CRITERIA</b>		
Is there a clear central strategy?	<b>COMMENT</b> Yes. Supports the delivery of UDP guiding principle P2 in working towards an improved balance between housing, work community, educational and cultural facilities throughout the County and guiding principle P3 in protecting and improving opportunities for access to	✓
<b>CONCLUSION</b>		<b>MEETS</b>



	services and facilities.		
<b>Does the Policy have regard to the Community Strategy for the area?</b>	Yes. The UDP is in conformity with the Herefordshire Community Strategy – a Sustainable Future for the County, as detailed in Chapter 3, paragraph 3.1.3 and 3.1.4 of the UDP.		✓
<b>Is the policy in general conformity with the regional spatial strategy?</b>	Yes. In conformity with RSS phase 1& phase 2, part A of policy RR3 – Market Towns which states that market towns have a key role in helping to regenerate rural areas, as a focus for sustainable economic and housing development and by providing services and other facilities.		✓
<b>Is the policy effective for any part of Herefordshire where significant change in the use or development of land or conservation of the area is envisaged?</b>	Yes. The policy relates to the provision of a new housing estate.		✓
<b>Is the policy necessary and does not merely repeat national or regional policy?</b>	No. The policy is not necessary as funding for the community facilities has been secured through a section 106 agreement in relation to the development of the site for housing.		X
<b>Is the policy topic based for which the government will have particular regard?</b>	Yes. The policy supports infrastructure necessary to support housing.		✓
	<b>CONCLUSION</b>		<b>DELETE POLICY</b>



# PROCUREMENT STRATEGY 2009

## PORTFOLIO RESPONSIBILITY: RESOURCES

CABINET

25 JUNE 2009

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### Wards Affected

County-wide.

### Purpose

To seek Cabinet's agreement of the updated Procurement Strategy.

### Key Decision

This is not a Key Decision.

### Recommendation

THAT

- a) the updated Procurement Strategy be approved; and
- b) the Strategy's emphasis on sustainability be noted.

### Reasons

1. "Procurement" is the process of acquiring goods, works and services from third parties. The process spans the whole life cycle from identification of needs, through to the end of a service contract or the end of the useful life of an asset. It includes options appraisal and the critical "make or buy" decision. An appropriate strategy helps deliver this activity in an effective manner.

### Considerations

2. The strategy updates the 2008 document and is designed to define the approach that must be followed by officers. It is also a point of reference, providing guidance on all procurement related activity.
3. In a departure from the previous Procurement Strategy, it reflects the importance of sustainable procurement as well as supporting local sourcing of goods and services where possible.
4. The strategy reinforces the Council's commitment to achieving value for money and this will feed into the Use of Resources section of Comprehensive Area Assessment.
5. Implementing this strategy will assist in improving the way the Council performs its procurement activities and deliver better procurement outcomes and tangible benefits. It encompasses and reinforces all the corporate policies that need to be taken in to consideration before, during and after the procurement process.

6. It is not intended to be a procedure manual. Other documents will provide this detail and will be available via the Intranet.
7. The strategy places an emphasis on sustainable procurement that should include seeking more local sourcing. The council cannot discriminate in favour of local suppliers because they are local. However, there is a close link between sustainability and environmental factors and procurement decisions outlined in the strategy. The council has recently taken a more pro-active approach to increase the number of local suppliers who may be either aware of appointments to bid for council business or more able to make an effective proposal to be considered for contracts.
8. The emphasis on sustainability is in line with evidence that central government is also placing this factor at a higher level of importance. Specific council activity to deliver a sustainable sourcing approach will centre on four key elements:
  - a) To ensure that procurement practices support corporate objectives.
  - b) To evaluate and improve current procurement practices to achieve better value for money.
  - c) To ensure good practice examples and processes are identified and applied consistently across the organisation.
  - d) To integrate procurement activities into other strategies adopted by the council and to ensure that corporate objectives are addressed holistically.
9. Local sourcing will be encouraged by enhancing local firms' ability to compete.
10. More effective use of the council's web portal on the website will be made to register suppliers and for planning tenders. The web portal will also display a listing of the council's regularly bought categories of goods and services that could be sourced locally.
11. It is in the council's interest that more opportunities are published on the portal. As a result, the strategy will make it mandatory for staff to publish all requirements with a value over £5,000 on the portal.
12. The strategy also indicates that the Regeneration and Resources Directorates will seek to hold a training seminar with Business Link and the Chamber of Commerce, to help potential suppliers understand the requirements when submitting tenders for public sector contracts. Coupled with this, there be an annual "Meet the Buyer" event.
13. Since early 2009 procurement training has been in place to promote a common understanding of the principles, objectives, key skills and methods of procurement to key officers in directorates. This was an action arising out of the Use of Resources assessment.
14. The strategy contains input from NHS Herefordshire to help build on the emerging joint working around procurement. The HPS Steering Group has requested an update on progress to achieve joint working in procurement and a report will be presented to the Steering Group meeting of 26<sup>th</sup> June.

## **Financial Implications**

15. An effective Procurement Strategy can make a considerable contribution to the Council's overall financial position.

## **Risk Management**

16. A clear, up-to-date Procurement Strategy is an effective means of managing the risks associated with procuring goods and services.

## **Alternative Options**

17. There are no alternative options

## **Consultees**

18. None

## **Appendices**

- Appendix A - Procurement Strategy 2009

## **BACKGROUND PAPERS**

- Procurement Strategy 2008





# **Procurement Strategy**

## **2009**

## **Contents Page**

1.	Introduction	3
2.	Herefordshire Council's Current Position	7
3.	The National Context	9
4.	Herefordshire's Local Context	12
5.	Legal Framework and Financial Regulations	15
6.	Strategic Framework for Procurement	16
7.	Forward Plan	24



# 1. INTRODUCTION

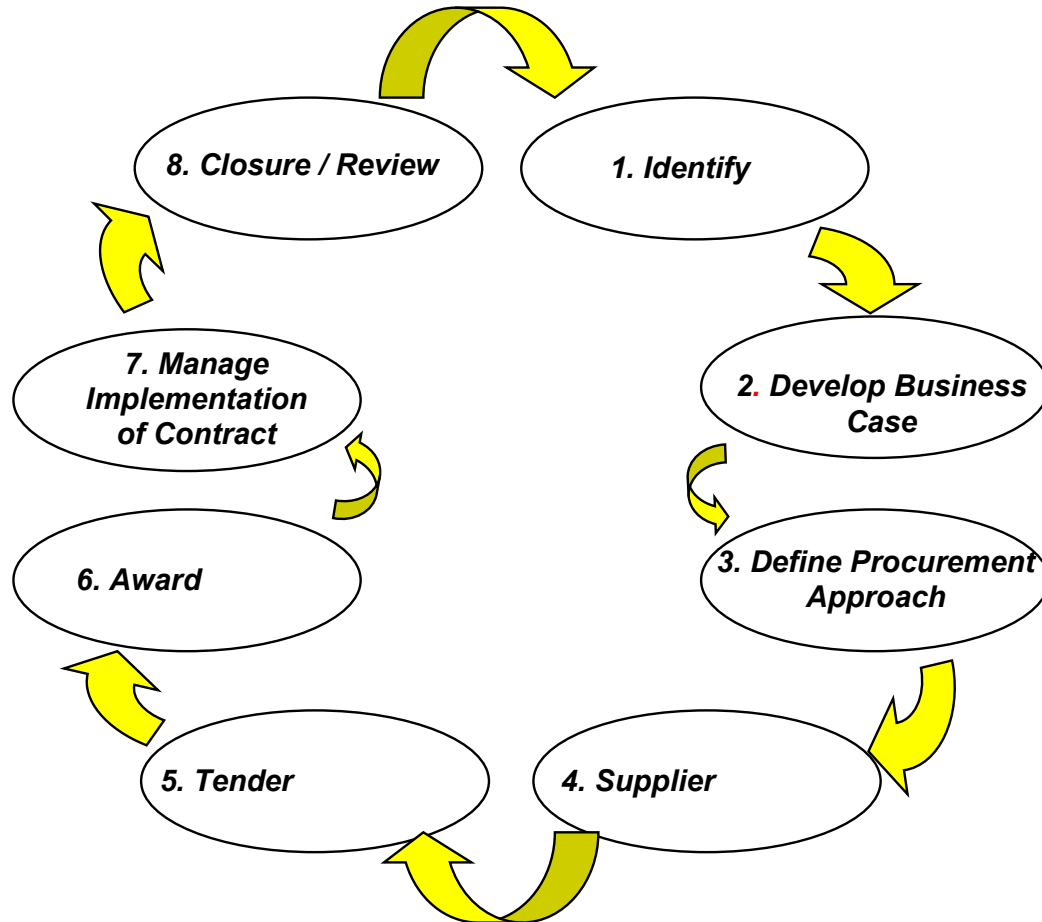
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## 1.1 Introduction

- 1.1.1 Herefordshire Council's Corporate Procurement function was created 2 1/2 years ago and has made noticeable progress in raising the professionalism applied to the purchasing of goods and services by the council. The original procurement strategy was written in 2007 and set out the overall ethos, principles and goals relative to all Herefordshire Council's procurement activity. It is now pertinent to update the strategy to reflect the growing importance of sustainable sourcing as a target, not only for Governmental bodies, but also more generally in the commercial world. The revised strategy also sets out the council's approach to supporting local sourcing of goods and services where possible. Equally, after the initial work done in establishing procurement as a central resource, and in raising the prevailing standards of commissioning and contracting work in service areas, it is necessary to delineate the actions required over the next 2 to 3 years to build on that work and progress.
- 1.1.2 For the purpose of this strategy the procurement process is defined as:
- “The whole process of acquisition from third parties and in house providers, covering goods services and works. The process spans the entire life cycle from initial concept and definition of business need to the effective management of markets, through to the end of the useful life of an asset or end of services contract. It involves options appraisals and the critical “make or buy” decision which may result in the provision of services in house in appropriate circumstances”.
- 1.1.3 Procurement is more than just the process of buying things. It covers the whole process from the initial identification of a need for a good service, through selecting a supplier or partner, receiving the goods or service, managing a contract, achieving the benefits expected, to finally disposing of an asset or ending a contract.

- 1.14 The Procurement to pay process can be shown as a series of key steps as in the following diagram:-

### The Procurement Cycle



- 1.15 Procurement is a critical process for ensuring that the council meets the needs of the community. The public do not distinguish between in-house services and those provided by contractors. Poor procurement can lead to a loss of confidence by the public in our ability to deliver excellent public services.
- 1.16 The Comprehensive Spending Review 2007 (CSR07) set out the government's efficiency agenda for the three financial years 2008/09 to 2010/11. The council's procurement strategy will keep in step with the expectations of this national strategy.
- 1.17 The council must focus on procurement as a major means of reducing the budgetary pressures it will face in the future. This will be managed through the council's transformation programme Herefordshire Connects and monitored by the Benefits Realisation Board.

## **1.2 Commissioning**

- 1.2.1 Commissioning is a term which is often used with procurement mainly in the public sector. Commissioning covers the assessment of needs in the area as well as designing and procuring services. It involves
- a) User and community engagement
  - b) Strategic planning for services to deliver sustainable outcomes
  - c) Shaping markets
  - d) Monitoring the delivery of outcomes

## **1.3 Purpose of the Strategy**

- 1.3.1 This document aims to provide a framework for the full range of procurement activity carried out across the council and ensure that procurement planning reflects the council's corporate standards and objectives.
- 1.3.2 This will provide an opportunity to co-ordinate current processes and to identify and act on improvements to ensure that best value is being obtained consistently when goods and services are purchased. It sets out areas for strategic consideration and development.
- 1.3.3 It should be noted that this document is not a Procurement Manual. Best practice procedures and documents are available on the council intranet or from the Corporate Procurement team directly.

## **1.4 Objectives**

- a) To ensure that procurement practices support corporate objectives.
- b) To evaluate and improve current procurement practices to achieve better value for money.
- c) To ensure good practice examples and processes are identified and applied consistently across the organisation.
- d) To integrate procurement activities into other strategies adopted by the council and to ensure that corporate objectives are addressed holistically.
- e) To ensure that current and future procurement activities are planned, monitored and reviewed effectively.
- f) To identify opportunities for working with others, both public and private sector, to widen the scope for maximising purchasing power and Value for Money and identifying innovation and efficiencies.
- g) To drive the Sustainability agenda.
- h) Drive efficiencies and data capture via the implementing of e-procurement.

- i) Raise skill levels within procurement by guidance and training.

## **1.5 Benefits**

1.5.1 In taking this strategy forward, the council can expect to realise the following benefits: -

- a) Improved value for money, by increasing the quality of goods and services bought and/or decreasing the costs.
- b) More efficient procurement, saving staff time and improving effectiveness.
- c) Consistent, compliant and best practice procurement processes.
- d) Better risk management which includes ensuring financial security, avoiding fraudulent or illegal activity, ensuring compliance with EU Procurement law and domestic regularity guidelines and environmental and employment law.
- e) Better project planning.
- f) Closer integration of the council's overall objectives and business plans.
- g) Consistent application of the council's key policies including sustainability, equality and diversity.
- h) Increased knowledge of how its money is being spent.

## **2. HEREFORDSHIRE COUNCIL'S CURRENT POSITION**

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### **2.1 Establishment**

- 2.1.1 The Corporate Procurement team comprises a Strategic Procurement and Efficiency Review Manager plus a Corporate Procurement Officer operating purely on behalf of the council. Funding for an additional post is included in the 2009/10 budget.
- 2.1.2 Elsewhere in Herefordshire Council there are a number of Contracts Officers or Contracts Monitoring Officers whose roles are mainly concerned with purchasing activities, plus Corporate Programme Projects Managers, whose duties may entail elements of procurement responsibility within their overall project management tasks.
- 2.1.3 The remaining activity is carried out by Service Heads or delegated to their staff.
- 2.1.4 The Legal Department, prior to the appointment of the Corporate Procurement team were the main source of advice and support on procurement matters and remains an essential and valuable resource.

### **2.2 Skills/Capability**

- 2.2.1 Whilst the Strategic Procurement Manager (currently an interim) has several years procurement management experience and relevant commercial training, and the current assistant is studying CIPS qualification, it appears there has been little or no specific training for other staff with purchasing responsibilities.
- 2.2.2 A number of personnel have acquired skills and knowledge via several years on the job experience and some have attended training courses as a personal or service area initiative. However, given that specialist procurement staff have been recruited relatively recently and the lack of a formal training programme, it is to be expected that the general standard of procurement expertise and routines can be improved. In compiling the contracts register data it has been apparent that in some areas responsibilities and knowledge are not always passed on when new staff arrive in post.

### **2.3 Expenditure/Data**

- 2.3.1 Information on expenditure is currently accessed from the finance system, which requires drilling down through two or three layers of data, and the assistance of the Finance systems team. It is likely that unit pricing data for any one category will prove not to have been captured sufficiently consistently and or not be detailed enough for analysis of savings opportunities or benefits. There is also the potential of mis-coding which means a spend category report will include inappropriate, or exclude appropriate, items. The key to improvement will be the implementing the Agresso electronic procurement system planned within the Herefordshire Connects Programme. This will force the input of full and precise detail during the creation of Purchase Orders and enable the fast and accurate reporting of items being bought and the pricing applied to them.

## 2.4 Contracts Data

- 2.4.1 The initial manual contracts database (the Contacts Register) was set up in March 2008 in spreadsheet format. This is currently being refreshed and expanded under the supervision of Corporate Procurement, but is not yet fully complete, with some gaps in (i) listing all current contracts or (ii) in having the full data required against each contract.
- 2.4.2 A number of issues have been identified; -
- Lack of dedicated resources for keeping the data and/or furnishing the data within the service areas.
  - Lack of understanding of the information required.
  - Lack of adequate records.
  - Lack of ownership of particular contracts in that the responsibility and/or the records may not be passed on when people leave a post, and some may be shared between services.
  - There is an inconsistent approach to contract monitoring.
- 2.4.3 Improvements in these areas would;-
- Enable the council to better assess its financial liabilities in terms of contractual commitments.
  - Identify procurement opportunities in terms of savings opportunities.
  - Measure success in such areas as carbon reduction and other sustainability targets (including local sourcing), equality and diversity.
  - Measure the value for money obtained from the supply base in terms of supplier performance, or price.
  - Maintain a log of what significant data is held by the council's supply base and where to obtain details.
  - Facilitate timely initiation of contract renewals and provide a central overview of planning and performance of procurement across the council.

### **3. THE NATIONAL CONTEXT**

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#### **3.1 Comprehensive Spending Reviews**

- 3.1.1 The national efficiency agenda was initiated by the 2004 Gershon Review, which promoted savings from shared back office services and joint procurement arrangements. The aim was to make the best use of resources available for the provision of public services and to release more resources to the front line.
- 3.1.2 The 2004 Spending Review incorporated these objectives. All councils had to deliver 2.5% efficiency savings per year, with at least half of these to be cash releasing. The target was a total of £3bn by the third year (2007/08).
- 3.1.3 The 2007 Comprehensive Spending Review (CSR 07) required councils collectively to deliver 3% cash releasing savings per year. The target set for local government was £4.9bn by 2010/11.
- 3.1.4 In the 2008 Pre Budget Report the Government announced that departments were making good progress towards the CSR 07 value for money target and announced an additional £5bn target for 2010/11.
- 3.1.5 The 2009 Budget Report presented on 22<sup>nd</sup> April 2009 announced further efficiency savings during the CSR07 period, increasing local governments targets to £5.5bn. The Budget revealed public spending cuts from 2010/11 and £9bn of efficiency savings for the public sector in the next spending review period (local government targets not specified).
- 3.1.6 The indication for local government is that there will be increasing pressure on services and a tighter local government settlement from 2011/12.

#### **3.2 Value for Money Gains**

- 3.2.1 In October 2007, the Department for Communities and Local Government published 'Delivering Value for Money in Local Government Meeting the Challenge of CSR07', which set out the efficiency challenge. The paper recognised that there is considerable potential from effective harnessing of efficiency and innovation techniques such as smart procurement and service redesign.
- 3.2.2 For the CSR07 period, 2008/09 to 2010/11, councils are required to submit information on their achievement of Value for Money (VFM) gains through a National Indicator (NI179). This information is also required to be shown on council tax bills and council tax information leaflets.

#### **3.3 Comprehensive Area Assessment**

- 3.3.1 Comprehensive Area Assessment (CAA) is the new framework for the independent assessment of local public services from April 2009. It will give central government and the local community a picture of how the council is performing and achieving value for money.

3.3.2 The CAA assessment includes an Area Assessment of how local services are delivering better results for the area, and an Organisational Assessment, measuring performance and use of resources.

3.3.4 There are 4 themes that run through the Area Assessment:

- Sustainability
- Inequality
- Vulnerable people
- Value for money

The themes of sustainability, inequality and value for money are incorporated in to the Procurement Strategy.

3.3.5 The Organisational Assessment includes a use of resources judgement, which has a specific focus on value for money. One of the key lines of enquiry is whether the organisation commissions and procures quality services and supplies, tailored to local needs, to deliver sustainable outcomes and value for money.

3.3.6 The procurement strategy aims to support :-

- a) An increased focus in sustainability in the supply chain, both by including an assessment of environmental impact when selecting suppliers and by encouraging suppliers to improve their use of resources when providing goods and services.
- b) Encouraging suppliers to reach appropriate standards in diversity and equality via the selection process and during ongoing supplier/contract management.
- c) Improved value for money from suppliers both from reducing costs of goods and services and raising the quality received overall. The strategy encompasses assisting Herefordshire Council to provide better value for money to the public, not only by providing better quality services but more efficiently due to improved procurement processes. The new electronic procurement system and procedures coming out of the Herefordshire Connects and shared services programmes, will help reduce the costs of providing the council's services.
- d) The council's response to the current economic climate, which will put pressure on their ability to maintain revenues and so demands increased value from suppliers in order to maintain services.
- e) Local industry by assisting them compete for Herefordshire Council contracts.

## **3.4 The National Procurement Strategy**

3.4.1 The National Procurement Strategy was launched in 2003 by central and local government. It was developed to help councils recognise the potential of effective and innovative procurement to improve service delivery and to realise potential savings and other benefits from working together in partnership that will:

- Better achieve community plan objectives;



- Deliver consistently high quality services that meet users' needs, with a range of partners from other sectors;
- Provide savings and better value for money, thereby improving the cost effectiveness of the council;
- Build social cohesion and promote equality of opportunity for service users, businesses and council staff;
- Be sustainable for the communities and areas served and benefit local citizens;
- Support delivery of the Council's e-government agenda;
- Enable Councils to manage and assess risks in the market place; and
- Be delivered through different structures and in new forms.

3.4.2 The National Procurement Strategy also required councils to stimulate the market by actively engaging with suppliers and providing information, including access to the council through their website.

3.4.3 The National Procurement Strategy (NPS) has been a catalyst for the development of a more strategic approach to procurement in local government and has created a platform for the realisation of efficiency gains and more sustainable procurement.

## **4. HEREFORDSHIRE'S LOCAL CONTEXT**

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### **4.1 Council Priorities**

- 4.1.1 Procurement supports the achievement of the council's objectives.
- 4.1.2 The Corporate Plan contains the current overall targets, milestones and actions, together with the budgets and other resources to achieve them, over the coming years.
- 4.1.3 The council's Corporate Plan themes are:
- a) Children and Young People
  - b) Health and Well Being
  - c) Older People
  - d) Economic development and enterprise
  - e) Safer and stronger communities
  - f) Sustainable communities
  - g) Organisational improvement and greater efficiency
- 4.1.4 The council's top priorities are:
- The best possible life for every child, safeguarding vulnerable children and improving educational attainment
  - Reshaped adult health and social care, so that more older and other vulnerable people maintain control of their lives
  - The essential infrastructure for a successful economy, enabling sustainable prosperity for all
  - Affordable housing to meet the needs of local people
  - Better services, quality of life and value for money, particularly by working in partnership with the Herefordshire Primary Care Trust and other local organisations
- 4.1.5 Plans for individual directorates and services set out what each directorate and service will do to contribute to the corporate plan and achieve relevant targets. These feed into the plans of individual teams and the objectives and targets set annually for individual managers and their staff.
- 4.1.6 The Procurement Strategy aims to integrate good procurement practice into service planning and delivery to support the council's objectives.

## **4.2 Herefordshire Connects**

- 4.2.1 Herefordshire Connects is the council's transformation programme to modernise the way in which day-to-day business is transacted to deliver improved value for money and better services for the community.
- 4.2.2 At the core of the business plan for Herefordshire Connects is the requirement to make cashable efficiency savings to support the council's Medium Term Financial Management Strategy.
- 4.2.3 More efficient and effective purchasing is a key element of the programme and one of the main drivers for improved procurement.

## **4.3 Herefordshire Public Services**

- 4.3.1 The 'deep partnership' between the council and NHS Herefordshire is a key driver to developing collaborative working on procurement.
- 4.3.2 A Shared Services Board is looking at potential services which could be shared across the PCT and County Hospital. One of the potential shared services is procurement. The Board is working with Improvement and Efficiency West Midlands, the regional partnership set up by the government to help authorities increase efficiency and improve performance.

## **4.4 NHS Herefordshire existing arrangements.**

- 4.1 NHS Herefordshire is a member of the West Midlands Collaborative procurement hub. The healthcare purchasing consortium (HPC) is a NHS not for profit organisation and operates as an arms length agency of the University Hospitals Coventry and Warwick NHS Trust. HPC is amongst the largest collaborative hubs in terms of spend, geographical coverage and savings achieved. Members of the hub pay a block fee (HPCT circa £40k) which covers all infrastructure costs, salaries, training etc. This fee relates to a core service but also includes a 20 days per annum that are available for the PCT to access specific procurement support on projects of their choice.
- 4.2 All savings that HPC make through negotiations with suppliers are passed back as either cash releasing savings, cost avoidance or added value savings to member trusts. In 2007/08 a savings target of £153k was achieved against a fee of £38k.
- 4.3 NHS Herefordshire has a small central buying team who use an electronic requisitioning system (Eros) and link through to a number of electronic catalogues. Buying/ Procurement is centralised within the PCT.

### **Analysis of Spend**

- 4.4 NHS Herefordshire in 2008/09 spent £254million. An analysis of operating costs shows that the PCT spends only a small proportion of its resources on buying goods and services as the main area of expenditure is related to the commissioning of NHS, Primary Care and Non NHS care. The Provider Services arm of the PCT is the main requisitioner of supplies and services.

- 4.5 The PCT has a small block Capital allocation of approximately £1m although additional capital bids to the Strategic Health Authority can result in increased allocations. Historically local businesses have been successful in winning tenders for maintenance and capital works.

**Opportunities for Shared Services arrangements**

- 4.6 NHS Herefordshire is committed as part of the Shared Services review to explore opportunities around the potential to deliver additional savings through a joint procurement approach.
- 4.7 It is currently envisaged that as part of World Class Commissioning initiative that Strategic Health Authorities will be creating Commissioning Procurement hubs. This will need to be considered in the context of an overall joint Procurement Strategy.

## **5. LEGAL FRAMEWORK AND FINANCIAL REGULATIONS**

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### **5.1 EU Procurement Directives**

- 5.1.1 Public procurement, both performed by Central Government and by Local Authorities, Fire, Police and Health Services, is regulated within European Union members by specific legislation. The EU Public Contracts Directive of 2004, enacted in the UK via the Public Contracts Regulations 2006, is the currently applicable law.
- 5.1.2 This sets out thresholds for goods, services and works and a closely defined set of procedures that must be followed in contracting where the lifetime value of the contract is likely to exceed the appropriate threshold. Any breach of the regulations can potentially lead to penalties, including the setting aside of a contract award, any of which could be financially costly and damaging to the council's reputation. As the object of the Directive is primarily to encourage competition throughout the EU, this is potentially an obstacle to promoting the use of local suppliers.

### **5.2 Council's Constitution**

- 5.2.1 The council's contract procedure rules are contained within Appendix 5 of the council's constitution. These reflect the legislative requirements of EU and the council's procedures.
- 5.2.2 Adherence to these regulations is mandatory for all council employees.
- 5.2.3 The primary objective of the council's Standing Orders and Financial Regulations is to ensure that all contracts for works, services and supplies are entered into by the council in a manner which: -
  - a) secures the best possible value for money; and
  - b) is demonstrably free from impropriety

## **6. STRATEGIC FRAMEWORK FOR PROCUREMENT**

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### **6.1 General Principles**

- 6.1.2 Procurement must be result focused i.e. meeting the council's objectives; ensuring customer needs are satisfied and achieving value for money.
- 6.1.3 High value and strategic procurement carries far higher risks if the project is not completed successfully e.g. a construction contract of tendering for provision of a service. Strong support and guidance needs to be in place for this type of procurement.

### **6.2 Routine Procurement**

- 6.2.1 Procurement of low value items by individual budget holders accounts for a significant proportion of the council's expenditure when aggregated across the whole range of council services. Whilst flexibility needs to be maintained to ensure that budget holders can respond to their own requirements, there needs to be sufficient co-ordination to allow good practices to be shared, benefits to be accrued for economies of scale and targets and improvements to be identified and achieved.

### **6.3 Procurement Planning**

- 6.3.1 Any procurement strategy needs to have a role in the forward planning of strategic procurement reviews. This provides a framework for the realisation of benefits from implementation and aligns contract renewal dates for goods and services internally. This will also help identify collaboration opportunities with other public sector organisations.
- 6.3.2 Each directorate should have a Strategic Forward Procurement Plan to ensure that the authority maximises the opportunities for procurement savings in future years.
- 6.3.3 The forward plan is driven by a number of triggers that may stimulate the inception of a procurement project. These are depicted in the diagram below: -



6.3.4 The forward plan considers a number of drivers for example:-

- a) Renewal dates for large strategic contracts
- b) Market opportunities and maturity
- c) Opportunities for investigating new financial models for the procurement of services
- d) Poor performance of services/best value reviews
- e) Analysis of internal spend
- f) Analysis of non-pay expenditure

## 6.4 Project Management

6.4.1 Procurement undertaken in this category needs to be managed to formal project management principles, with responsibilities clearly outlined and plans in place setting targets, milestones, timescales and resources required for successful completion. This applies not only to tendering processes but also to the performance of the contract once in place to ensure the desired results are achieved and the council's objectives met. Any project should consider the training given to key employees undertaking this work to ensure that the appropriate project management skills are in place.

6.4.2 Before the start of any procurement project a business case must be completed to define the desired benefits and the approach to achieving them. Successful completion of the business case will lead to a project manager being appointed to the project for its duration.

6.4.2 All strategic procurement exercises will be project managed under the PRINCE2 project methodology which will be led by the project manager. Each will undertake an options analysis comparing all or some or a hybrid of the following procurement options:-

- a) Traditional procurement
- b) Partnering
- c) PFI/Public Private Partnership

- d) Outsourcing
- e) In house service provision

## **6.5 Consortia and Joint Negotiation**

- 6.5.1 Any procurement activity becomes more powerful when shared with other local authorities, agencies and private sector partners to identify areas of common interest. There are a number of local authorities that have joined together to share expertise, realise administrative efficiencies and economies of scale for mutual benefit.
- 6.5.2 The council owns a share of West Mercia Supplies purchasing consortium (WMS) and as a result receives a significant dividend each year which makes a valuable contribution to the overall budget. It is vital that the council employees use WMS appropriately and do not purchase outside of this arrangement for the agreed products and services.
- 6.5.3 A purchase from a non WMS supplier is on an exception only basis and cannot proceed unless agreed by the Head of Financial Services or the Strategic Procurement and Efficiency Manager.
- 6.5.4 The Strategic Procurement and Efficiency Manager will investigate opportunities for utilising purchasing consortiums where beneficial to the council.
- 6.5.5 Herefordshire is a member of the Joint Procurement Group consisting of Worcestershire County Council, Telford and Wrekin Council and Shropshire County Council. Opportunities for joint working and best practice sharing are discussed on a regular basis.

## **6.6 Partnership Working**

- 6.6.1 Partnering is more about the approach undertaken than a specific method of procurement. The council is committed to working with public, private and voluntary sector organisations to develop co-operative procurement arrangements and develop supplier effectiveness. Exploring further opportunities to work in partnership and achieve benefit from sharing resources, skills and expertise, will evidence this commitment.
- 6.6.1 The aim of partnering is for clients and service providers to work together to achieve best value for all parties by adopting a flexible and motivated approach unrestrained by artificial barriers and in a non-confrontational manner. Ideally, the partnership will be underpinned with a formal contract, processes and procedures document in which the ethos of the partnership is captured.
- 6.6.2 The partnering model enables customers and service providers to work together sharing risk, cost savings, innovations and best practice. The relationship is built on mutual respect and the trust that develops between customer and supplier at strategic and operational levels and enables the sharing of skills, knowledge and research. Where quality is enhanced, life cycle costs are driven down and customer satisfaction remains high.
- 6.6.3 Opportunities arising from the 'deeper partnership' with NHS Herefordshire and Hereford Hospital will be developed within the Shared Services project. This is likely to lead to changes in procurement practices, processes and organisation within the partnership. At the very least, an increase in collaboration via joint contracting on appropriate commodities or services, and shared resources to carry out activities more efficiently, should be sought.



## **6.7 Training**

- 6.7.1 A substantial amount of procurement carried out within the council is not managed by purchasing professionals and, therefore, the skills required need to be properly identified and met. This will include the project and contract management skills referred to earlier as well as competency in appraising suppliers, carrying out tendering processes, negotiations and risk management.
- 6.7.2 Where new processes are adopted e.g. use of payment cards or on-line procurement or changes to guidance/standing orders, training requirements need to be identified as part of the changes proposed.
- 6.7.3 Training needs will be identified, and a training plan created to cover these training needs through the Procurement Exchange Group led by the Strategic Procurement and Efficiency Manager.
- 6.7.4 The Procurement Exchange Group is made up of a cross section of Herefordshire Council's procurement staff plus a representative of Legal Services, and gives opportunity for two way procurement information exchange and acts as an internal network for all procurement related activity and initiatives.

## **6.8 Environmental and Sustainable Procurement**

- 6.8.1 Whatever method of procurement is used, the council must ensure that providers of goods and services work to environmental standards equivalent to those set within the council and are made aware of relevant requirements. This may be achieved both by contractual means and through advice, support and guidance.
- 6.8.2 UK Government has laid down the need for all public bodies to actively engage in increasing sustainable procurement in the "Sustainable Procurement National Action Plan" in 2006. This document offers the following definition;
- "Sustainable procurement is a process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment".
- 6.8.3 Herefordshire Council in turn have stated within their environmental policy a commitment to :-
- Use its influence to actively encourage responsible environmental practise by suppliers and contractors
  - Integrate relevant environmental specifications and standards into procurement and commissioning processes.
  - Promote this policy to all contractors, partners.

6.8.4 The benefits of successful sustainable procurement will include:

- a) Global benefits, like reducing the harmful affects of climate change, conserving diminishing natural resources and protecting the natural world.
- b) Direct-impact and localised benefits, such as optimal value for money through the whole life cost of purchases being fully assessed, increasing use of local businesses to reduce “product miles” and hence delivery costs (including emissions).

6.8.5 Herefordshire Council has thousands of suppliers and contractors, so procurement activity can have a large influence on the total environmental impact, the impact on suppliers staff and on council staff and our citizens, as well as on council finances. The Corporate Procurement team will work with the council’s Environmental Management team to provide tools to improve and monitor sustainability throughout the procurement process. The calculation of real true cost of a purchase can be very complex and procurement will assist in training staff to evaluate the issues involved.

6.8.6 Apart from identifying recent environmental issues during the process to select suppliers and including them in the selection decision and the contract, suppliers should be monitored and encouraged to meet or exceed standards set by the council during ongoing contract management. It may also be appropriate to include in the initial commissioning phase, options analysis to determine whether the design and specification of the requirement should incorporate sustainability.

6.8.7 The council is certified to International Environmental Management Standard ISO 14001, and so it is obliged to make contractors/suppliers aware of policy, procedures and instructions to ensure they comply with our environmental goals and all legal requirements. Ultimately the council is responsible for the actions of its contractors, hence appropriate levels of supervision and monitoring must be carried out. Procurement will seek to ensure the vertical supply chain, i.e. council contractor’s suppliers and subcontractors are also considered in any assessment.

6.8.8 Further guidance can be obtained from Herefordshire Council’s Environmental Management team and the Corporate Procurement team as appropriate.

## **6.9 Local Sourcing**

6.9.1 Closely linked to sustainability, due to the environmental benefits of avoiding long journeys for delivery of goods and services and also travel to meetings between council staff and suppliers, there is also the imperative of trying to boost trade within the county especially during the current economic downturn.

6.9.2 The benefits to the environment and the councils’ constituents of increasing procurement awards to local businesses, has to be balanced with the need for best value for money overall and open competition. This latter factor is important when ensuring compliance with EU Procurement legislation.

6.9.3 Corporate Procurement will proactively seek opportunities to increase the number of local suppliers qualifying for council business. As many will be small and medium sized Enterprises (SME’s), any barriers to success this may involve need to be addressed.

## 6.10 Equality and Diversity

6.10.1 All Herefordshire residents have a right to expect that public money is spent on services which suit their needs, and that it is spent in a way which promotes equality of opportunity and delivers high quality goods and services.

6.10.2 Legislation now requires the authority to eliminate unlawful discrimination. Where an external supplier carries out our functions for us, we remain responsible for meeting this duty. Therefore it is vital to take issues of equality into consideration when:

- a) Providing services;
- b) Purchasing services;
- c) Employing staff; and
- d) Working in partnership with other organisations.

6.10.3 It is key that we demand the same commitment from those who deliver services on our behalf.

6.10.4 When procuring or commissioning services, the council will:

- a) Treat contractors and partners with dignity and respect.
- b) Encourage applications from partners and contractors which represent the Herefordshire population.
- c) Ensure that, in setting the standards for the services it procures, barriers for potential services users will be eliminated. These barriers may include affordability, language, physical accessibility, culture, attitude, the geographical location, income and others.
- d) Ensure that individuals and organisations providing services on its behalf are aware of the council's Comprehensive Equality Policy and understand their responsibility for implementing it.
- e) Ensure that the services it provides and those provided on its behalf are monitored to ensure fairness, equity and accessibility for all.
- f) Ensure that the organisations it commissions comply with all equalities legislation and do not unlawfully discriminate as an employer or service provider.
- g) Use whatever opportunities the law allows to ensure that those providing the council with works, goods or services or providing services on the council's behalf, accept a commitment to equality and monitor their own performance in the area.
- h) Provide diversity training sessions for partners' employees.
- i) Encourage contractors to agree to further voluntary steps to promote equality after the contract has been awarded.

6.10.5 When providing services on behalf of the council, partners will:

- a) Treat council officers and members of the public with dignity and respect.
- b) Ensure that everyone providing, receiving or benefiting from the service are treated fairly and without discrimination (on whatever grounds), either directly or indirectly, and will put systems in place to monitor these criteria.
- c) Ensure that barriers to accessing services are removed, including physical, communication and attitudinal barriers.
- d) Make every effort to consult, involve and encourage the participation of the diverse communities of Herefordshire to ensure equitable service delivery.
- e) Comply with all relevant diversity legislation and reflect the council's values of "service with integrity, empathy and equity".
- f) Provide such information as the council may reasonably request for the purpose of assessing the partner's compliance with the above conditions.
- g) Ensure that staff providing the service have diversity training and understand their responsibilities in regards to the council's commitment to diversity and relevant equality legislation.

## **6.11 eProcurement**

6.11.1 All modern, efficient, organisations of any reasonable size will employ "eprocurement", meaning an electronic (computerised) procurement system. This allows the whole procure to pay process to be carried out electronically, from the raising of goods and service requisitions, through authorising and despatch of purchase orders, to invoice matching for payment. This offers significant advantages over manual, paper-driven systems.

### **6.11.2 Efficiency**

6.11.3 The process can be quicker, and also take less man hours to carry out, because

- a) the process is semi-automated,
- b) key data is carried by the system and so quick to find or appears automatically;
- c) there is much less reliance on paper physically moving between staff and suppliers.

### **6.11.3 Control**

6.11.4 The system can prompt the use of mandatory suppliers as well as the correct item descriptions and codes, which in turn improves the accuracy of the data for reporting. Password protected authorisation ensures ordering and payment cannot continue unless they adhere to the correct value thresholds, account codes and budgets. The improved visibility of all activity during the cycle, captured within the system, vastly improves audit ability.

## **6.12 Risk Register**

- 6.12.1 The procurement of services or the identification of a partner to deliver such services will always include a measure of risk to the authority. The Corporate Risk Manager will assist in reviewing those risks before final decisions are made and should accordingly be involved in the process from the embryonic stage of any such project. Reviewing the risks and how they can be controlled often opens up opportunities and should be seen as a positive part of the procurement process.
- 6.12.2 The council's Risk Management Policy and Guidance document is available on the intranet and should be used as a basis for considering the risks during the procurement process.
- 6.12.3 Insurance implications are often left to last in the matters to be considered. However, there can be a danger in this as inadequate insurance arrangements can put a project on hold whilst insurers consider the current levels of cover against those required. Again, as soon as a procurement process is considered the insurance section should be contacted for advice.

## **7. FORWARD PLAN**

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### **7.1 Organisational Structure**

- 7.1.1 A shared services strategy is due to be produced by August 2009, further developing the partnership between Herefordshire Council the Primary Care Trust and Hereford Hospital Trust including recommendations for the Procurement teams future organisational structure. The aim is to realise the requirements of all three bodies, together with the opportunities for collaborative purchasing of common items, efficiencies from a shared strategic professional resource and streamlined 'procure to pay' processes.
- 7.1.2 Meanwhile, unless overridden by short to medium term developments within the shared service project, a review should be carried out within Herefordshire Council to the following ends:-
- a) Within each Directorate the level of manpower required to carry out their procurement activities assessed, and those roles carrying out those responsibilities identified and listed. Hence a check is produced showing who is responsible for:
    - (i) Supervising tender and request for quotation processes
    - (ii) Contract monitoring/day to day supply contract management and reporting
    - (iii) Maintaining the contracts register and all supply contracts documents
    - (iv) Raising of Requisitions and Purchase Orders.
    - (v) Any gaps in manning including unfilled positions or responsibilities not currently covered are to be reported with a plan to recover such situations.
  - b) The monitoring level in the Corporate Procurement team assessed against the current workload and any increase in workload anticipated from this forward plan. Recommendations forthcoming from this to be presented to the Director of Resources for assessment, together with the gap analysis arising from the work in the services in a) above. Thereby an overall view of the adequacy of staffing for all procurement activity is presented, such that any issues arising can be addressed.
- 7.1.3 The implementation of Agresso will bring changes in process/procedures and require training.
- 7.1.4 At this stage it is assumed that the clerical activity of raising requisitions, approving purchase orders, checking against budget and authority levels will remain decentralised in the Directorates as at present. Electronic procurement systems allow this process to be much more fast and efficient, than manual systems or by setting up a central clerical service.

### **7.2 Systems and Procedures**

- 7.2.1 The electronic Agresso Procurement system planned for implementation by April 2010 requires the creation of the following, under the direction of the Herefordshire Connects team and Corporate Procurement:
- a) Policies and procedures and structures that realise the full level of potential efficiencies in the whole procure to pay process afforded by electronic requisition

creation, approval and conversion to purchase order and invoice matching and payment.

- b) Ensuring that procedures facilitate adherence to budgetary controls and authority levels and to procurement policy. Thus includes enforcing the use of mandatory supply contracts, plus maximum report ability to make supplier performance monitoring, buyer performance, expenditure tracking and data analysis prior to tendering monitoring so much better than currently possible.
- c) Devising the training programme for users of the new system including procurement procedures to be followed. The recipients for training being identified by the review in 7.1.
- d) Managing the loading of electronic supplier catalogues onto the new system, enabling those staff raising requisitions/purchase orders to select the product codes, descriptions and price easily and accurately from the current suppliers (e.g. WMS).
- e) Ensuring master files such as the product file are adequate to enable detailed reports to be obtained to meet Herefordshire Council's requirements. For example, a coding structure for all goods and services should be created that enables the grouping of like categories for tendering purposes.

7.2.2 Under current systems capability there is little or no capture of unit pricing, making assessment of savings opportunities and post-tender savings/benefits calculations extremely difficult

### **7.3 Training**

7.3.1 A programme of six full days of Procurement Training spread through the first half of 2009/10 has commenced for around twenty staff where procurement duties are a key part of their role. This had been set up to promote a common understanding of the principles, objectives, key skills and methods of procurement in a local government context, to the core practitioners within directorates and corporate projects team.

7.3.2 As mentioned in 7.2 above, the implementation of Agresso will entail the mechanisation of routine day to day procurement and revised procedures and familiarity with use of the system will need to be taught to the fairly large numbers of administrative staff involved. Corporate Procurement need to ensure council policy and best procurement practise are adhered to.

7.3.3 Corporate Procurement need to follow developments in EU legislation and interpretation together with developing National Governmental guidelines that pertain to procurement. Therefore they will need to attend occasional ad hoc courses and seminars accordingly.

7.3.4 The course mention in 7.3.1 is mainly for staff who carry out most of the procurement duties. It is intended as the most effective and speedy way to raise standards and levels of consistency and assumes an amount of "training upwards" will be undertaken by attendees when back in their service areas. It is believed that subsequent training of Heads of Service should be planned to ensure they fully understand the principles of good procurement, and so provide appropriate support to their contracts staff when carrying out their duties and manage the recruitment/appointment of such staff to best effect.

- 7.3.5 To promote best practise in integrating sustainability targets into procurement activity, it is proposed that a specific training course (up to one day) be set up as quickly as possible for contracts staff. This would aim to provide suggestions and guidelines to enable specific actions to be taken when selecting suppliers and monitoring contracts.

## **7.4 Procurement Savings Opportunities**

- 7.4.1 One key goal of the Herefordshire Connects project is to realise cost savings from Herefordshire Council's supply base by putting in place new supply contracts for goods and services, or combining expenditure that is currently dispensed amongst a number of small contracts or a larger number of suppliers than is conducive to obtaining best value. Some existing contracts may potentially be renewed on improved terms.
- 7.4.2 Working within Connects will enable benefits tracking to be carried out under protocols established by the programme.
- 7.4.3 Corporate Procurement have identified an initial list of categories that appear to have most potential savings opportunities and will develop a set of priorities and time plan during May/June 2009.

## **7.5 Contracts Register**

- 7.5.1 Herefordshire Council holds an up to date record of all supply contracts on a central contracts register held by the Corporate Procurement team.
- 7.5.2 The majority of contracts are let directly within directorates, rather than centrally and the 'Responsible Person' for each Service needs to maintain records for the purposes of their own procurement planning and contract management plus the council's audit requirements and to comply with commercial law. The best way to maintain the register as an up to date document is for the responsible persons to update the register at the same time as they update their own records. Hence, ideally there would be one shared resource online where an electronic register would be visible to all, and updatable by all authorised staff via password. Otherwise the Corporate Procurement team would have to continue spending time collating the data from the directorate periodically and the staff there would be updating two documents instead of one.
- 7.5.3 Corporate Procurement will investigate the options and propose the most efficient solution to keep the register up to date going forward.

## **7.6 Procurement Manual/Financial Procedures**

- 7.6.1 The council constitution is being rewritten and so the Appendix covering Contract Procedures is also being updated. Once Agresso procurement is implemented, there will be a need to incorporate any amendment that may be needed to accommodate revised processes arising from that. There is also a need to update and clarify sections currently in the light of experience since they were last issues.
- 7.6.2 It is also believed that more detailed guidelines in procurement practise would be very helpful to procurement staff in the directorates, to ensure both best practise in obtaining



value for money and also compliance to council and EU regulations. This detailed guidance should be within the Contract Procedures or in a specific Procurement Manual.

- 7.6.3 The Corporate Procurement team will undertake to draft updated and expanded guidelines and recommend the best way to make them available to all staff.

## **7.7 Sustainability**

- 7.7.1 With the increased focus on this subject throughout Government, the Procurement team will devise and implement several initiatives to ensure Herefordshire Council maximises the levels of sustainable sourcing within council control and influence. These will include;-

- a) Preparation and dissemination of suitable tender clauses and tender evaluation tools and contract clauses to promote sustainability to all appropriate staff.
- b) Organising specific training.
- c) Identifying the top ten Herefordshire Council suppliers in terms of their carbon footprint and instigating contract management and contract renewal targets to lower their impact on the environment. This may include working with them on planned reductions by, for example, changing their sourcing policies or practises, and/or replacing them with alternative suppliers with a smaller footprint in the future.
- d) Determine the contract value where specific commitments to environmental management will be sought from suppliers and monitoring regimes established. Identifying whether all categories of goods and services are included, or lower impact ones can be exempted. Qualifying suppliers will be encouraged to work towards ISO 14001.

## **7.8 Local Sourcing**

- 7.8.1 The Procurement team will aim to increase awareness of opportunities within the council's procurement requirement amongst business in the county, and actively seek to enhance local firms' ability to compete.
- 7.8.2 The Web Portal on the Herefordshire Council website will be used to register suppliers and upcoming tenders, plus other advertising avenues contributing to meeting the bigger sourcing events. The web portal will also display a listing of the council's regularly-bought categories of goods and services that could be sourced locally.
- 7.8.3 To ensure the Portal is used as productively as possible, it is recommended that the currently low rate of opportunities being published be increased by the council making it mandatory for staff to publish *all* requirements with a value over £5,000 on the Portal (in addition to any further advertising media that may be appropriate for any particular tender).
- 7.8.4 A potential issue is that when local companies do tender for contracts their bids are not as strong as they could be. To that end the Economic Development Service is proposing to establish a training seminar with Business Link and the Chamber of Commerce on meeting the requirements of public sector tenders. In this way the council will assist with the wider goal of helping local firms win national as well as local contracts.

- 7.8.5 The council, Business Link, and the Chamber of Commerce will seek to develop a programme of events and activities in addition to that in 7.8.4, to develop local suppliers' awareness and capabilities, including an annual 'Meet the Buyer' event.
- 7.8.6 Barriers to entry will be covered by;-
- a) Producing guidance to suppliers on how to improve their chances of qualifying for tenders.
  - b) Looking at criteria included in tender evaluation to lessen potential discrimination against less experienced or small companies.
  - c) Concentrating on services where local suppliers may offer specific advantages to ensure they can maximise their success on these.
- 7.8.7 Value for money needs to be achieved, but part of the criteria used to evaluate this when scoring tenders can include strengthening the local economy and reducing transportation costs. This will be developed for new programmes and new key contracts. The Procurement Team will lead in producing detailed written guidelines for all staff to use when planning to go to market and when drawing up award criteria and scoring regimes.
- 7.8.8 A criteria template will also be issued to officers when judging tenders, with officers ensuring that local companies have an opportunity to tender for purchases and contracts. In addition companies awarded contracts would be encouraged to sub contract to local companies, maximise local labour and use locally produced goods. A commitment needs to be made by companies to address this and tested during the course of the contract.
- 7.8.9 A note to all Schools and Colleges in the County will be distributed to encourage them to 'Buy Local' as far as practicable and offering further guidance as required.

## **7.9 Contract Monitoring/Management**

- 7.9.1 Several aspects of the procurement goals detailed here require ongoing dialogue and support of current suppliers. To ensure not only that best value and quality goods and service are obtained from the supply base, issues like sustainability and equality and diversity need to be monitored fully and diligently.
- 7.9.2 Corporate Procurement will work with contracts officers to ensure an adequate programme of contract management is in place and is carried out to a planned timeline and with clear targets set and measured for all key suppliers.

# REVIEW OF ASSET MANAGEMENT AND PROPERTY SERVICES

## PORTFOLIO RESPONSIBILITY: RESOURCES

CABINET

25 JUNE 2009

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### Wards Affected

County-wide

### Purpose

To update Cabinet on the review of Asset Management and Property Services and to propose alignment of the work with the emerging Shared Services activity.

### Key Decision

This is a Key Decision because it is significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

It was included in the Forward Plan.

### Recommendations

#### THAT:

- (a) **the contents of the report be noted; and**
- (b) **Cabinet agree that, pending the outcome of the work on Shared Services, the Asset Management and Property Services Division continues to explore service improvements.**

### Reasons

- 1.1 In September 2008, Cabinet decided there should be a service review of the Asset Management & Property Services (AMPS) Division of the Resources Directorate. This decision came about as one of the outcomes of the Council's Service Delivery Review of Contract and Technical Consultancy Services provided by Amey plc. Whereas it was considered appropriate to proceed with the integration of the Council's and Amey's Highways Services to form a single delivery vehicle, it was suggested that any decision to consider this vehicle for some element of Operational Property Services be set aside pending the outcome of a review of the Council's property estate.
- 1.2 The Cabinet resolution of 11 September stated that "Asset Management and Property Services be excluded from the negotiation whilst a wider review of the property estate and its management is carried out and that this is completed by the end of March 2009".

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Further information on the subject of this report is available from  
David Powell, Director of Resources, on 01432 383519

- 1.3 The 2007 Review of AMPS which was approved by Cabinet in February 2007 set out the operating structure, functional scope and terms of reference for the then new AMPS Division. The procedures established in that Review for the management of corporate property assets were formally incorporated into the July 2008 version of the Herefordshire Constitution. These procedures form the basis upon which the service is managed.

## Considerations

2. Work to deliver the Cabinet recommendation was undertaken and produced useful information such as identifying the areas of pressure for the service as well as a greater understanding of the key strategic and operational requirements to be delivered.
3. A number of significant benefits have accrued from the work carried out to date and these are as follows:
- i) The Strategic Asset Manager has held a series of meetings with directorate and service management teams to ascertain their medium term aspirations in terms of asset utilisation for service delivery purposes. This series of meetings has raised the profile of asset utilisation. Services are challenged to project their service delivery needs into the future and then translate those needs into a clear identification of the size, scope and location of buildings and land to support the service delivery.
  - ii) As part of the process, the Council's asset management arrangements were explained and support provided as part of the service planning and performance improvement cycle to ensure that long term pressures could be managed and brought to the Executive in sufficient time to allow proper consideration of options. The principal aim was to reduce duplication of effort and resource and to ensure that any opportunities for co-location and shared infrastructure were fully explored in the time available. Examples include Replacement MRU/Records office, Cultural Service Consolidation, identification of potential sites for affordable housing and Community Asset Transfer.
  - iii) Over the last year, the division has progressively developed a capacity to support the development of major capital projects and, with the commissioning of third party support, is currently involved in the ESG, Rotherwas Futures, accommodation rationalisation, replacement Livestock Market, replacement Data Centre/Modern Records Unit (MRU), Building Schools for the Future, Primary Strategy for Change and Special Educational Needs review programmes.
  - iv) The remit of the Strategic Asset Management team has incorporated the revision of standing orders, the scheme of delegation and the updating of the contracts and procurement elements in Appendix 5 of the Constitution.
  - v) Responsibility for asset management is clearly defined within Appendix 4, Section 3, of the Constitution and the roles and responsibilities of officers and their supporting corporate groups are highlighted alongside the relevant policies and procedures. The mechanisms detailed in the constitution are in place, as are the internal controls to ensure that compliance takes place. In terms of contract and procurement compliance, the post of Contract Commissioning Officer has now

been filled, with the specific responsibility for overseeing all procurement for the division and ensuring compliance.

vi) The current use of resources judgment assesses the management of assets as a “3” on a scale of 1-4. This is an improvement on the previous judgment where a “2” was achieved.

vii) The property management satisfaction indicators used for benchmarking with other members of Chief Corporate Property Officers in Local Government (COPROP) currently rate the service in the top 10% of authorities in the group. In addition, work is currently being undertaken to prepare the baseline data for the new corporate estates VfM indicators, of which there are five primary and eleven secondary PIs (two of these are awaiting final definition from the Audit Commission). As many of these are new or amended indicators it is too early to rate our relative performance with other COPROP members. Benchmarking of performance will begin from 2010 using the baseline data collected this year.

viii) In 2007 the government, committed to implementing the recommendations of the Quirk Review, set up a detailed implementation plan “Opening the Transfer Window”, in conjunction with a range of Government departments, public and third sector bodies to effect their delivery in partnership with each other. As part of this commitment the Government is supporting a demonstration programme called “Advancing Assets for Communities” which is designed to provide expert advice and support to local authority-community sector partnerships where they are principally concerned with community asset transfer.

ix) Following the launch of the programme in June 2007, 20 demonstration areas were selected from the 57 expressions of interest received by the Development Trusts Association (DTA) who are co-ordinating the exercise on behalf of the government.

x) Herefordshire Council, as one of these authorities, has been in discussions with the DTA and has benefited from advisory support to progress policy development in this area. The recent award to progress the transfer of Grange Court to a local development trust has raised interest in the process and prompted the need for a policy to be developed at a county level which reflects the aspirations of all the strategic partners.

xi) There exists a strong legacy of public sector asset transfers to community organisations during the lifetime of the authority and the current policy development will build on this position.

xii) From April 2010, the Council will be affected by a new, legally binding climate change and energy saving scheme, called the Carbon Reduction Commitment. This is a mandatory scheme to promote energy efficiency and help reduce carbon emissions. It will introduce an emissions trading system which will provide a financial incentive to reduce CO<sup>2</sup> emissions by placing a price on those emissions and participants will have to purchase allowances equivalent to their annual emissions.

xiii) There will be a financial incentive scheme to reward high performers and performance league tables will be published and available for scrutiny. The proposals are designed to encourage organisations to create energy management strategies and generate awareness amongst senior management.

xiv) Although the detailed impact is unclear, as the data is still being collected, the likely impact in financial terms for the authority is that it would cost up to £200k per annum to purchase sufficient allowances, based on current levels of consumption.

xv) The first payment is due in 2010 based upon consumption in 2008/09 and 2009/10 combined (i.e. £400k). This figure will form part of the review of the Medium Term Financial Management Strategy.. It is also unclear at present as to whether the Council and NHHSH will be treated as single or separate entities and which of their partners will be included in the calculations e.g. HALO and The Courtyard.

xvi) The current working relationship between client managers and building services staff at Amey is effective and with clear direction and close support, high quality projects can be delivered. An example of this has been the Interim Accommodation Strategy which was delivered to timetable and within budget. In 2009, service managers met their counterparts in Amey to review the project and to consider how ongoing working arrangements may be improved by the use of the newly acquired strategic capacity within the division.

xvii) The CAA Framework was confirmed in February 2009. This will have significant implications for the way AMPS will need to be structured and for the priorities it will need to adopt if it is to properly support the council in achieving an acceptable overall judgement. Whereas the service has an integral part to play in supporting the overall assessment, it has a critical role to play in supporting the UoR assessment and in particular the KLOEs in relation to the management of its assets. The particular KLOE which relates to Asset Management is 3.2 – *Does the Organisation manage its assets effectively to help deliver its strategic priorities and service needs?* This Division is working on the elements of the KLOE, looking at the basic requirements that need to be met; what a well performing Council might look like; and the sources of evidence that are likely to be required to support our self assessment and judgement.

## Conclusions

4. The overall conclusion is that the 2007 review of AMPS did provide a structure and framework that, at the time, was fit to support the needs of the Council. However, with the onset of the “deep partnership” with NHHSH and subsequent changes taking place at a national level to major capital funding programmes, climate change legislation, new performance frameworks and wider initiatives around shared services, the 2007 arrangements are being re-visited, to ensure the Division meets changing priorities.
5. The 2007 review set up four service areas within the divisional structure. Whereas all of these are now substantially staffed, some structures have only been fully populated for a few months. Given the very short time that the divisional restructure has had to bed in, it is too early to assess the full impact of the new organisation. However, there is evidence to demonstrate that the strategic part of the structure is starting to meet the needs of the organisation. Early performance results would indicate that improvement has already taken place (UoR judgement and COPROP benchmarking results) and work is under way to embed the organisation’s emerging new culture and establish the principle of partnership working. The successes established around collaborative working to deliver the Interim Accommodation Strategy would suggest that strong potential exists for future joint working and the emerging direction of travel indicates that further improvement is highly likely to take place.

6. Given that, since the Cabinet decision in September 2008, there is now a focus on exploring shared services, it is appropriate that this work is used to shape the future position of the Asset Management and Property Services Division.

### **Legal Implications**

7. None arise directly, but an effective Property Services function will ensure the council meets statutory compliance obligations.

### **Financial Implications**

8. None arise from the report.

### **Risk Management**

9. The Resources Directorate risk register covers property-related risks and their mitigation. An effective Asset Management and Property Service is a key requirement in order to manage these risks.

### **Alternative Options**

10. None identified

### **Appendices**

None

### **Background Papers**

Review of Service Delivery Partnership with Amey – Report to Cabinet on 11 September, 2008.





## ESG RETAIL QUARTER DEVELOPMENT AGREEMENT

### PORTFOLIO RESPONSIBILITY: ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES

CABINET

25 JUNE 2009

#### Wards Affected

Central

#### Purpose

To seek approval to proceed to conclude negotiations and enter into the Edgar Street Grid (ESG) Retail Quarter Development Agreement between Herefordshire Council, ESG Herefordshire Ltd, and Stanhope following an initial European procurement process and subsequent detailed financial and programming negotiations.

#### Key Decision

This is a key decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

It was included on the Forward Plan.

#### Recommendation

##### THAT:

- (a) **the substantive terms of the Development Agreement so far negotiated as described in this report be approved; and**
- (b) **approval be given for negotiations to be finalised on the basis of those substantive terms and for the finalised Development Agreement to be signed under the authority of the Director of Regeneration.**

#### Reasons

The Retail Quarter is one of the principal elements of the Edgar Street Grid (ESG) redevelopment. Signature of the Development Agreement will tie both parties into the development process and give greater certainty that this mixed-use scheme will progress within a structured timeframe. The signature of the Development Agreement represents the conclusion of an open market process that started with a developer selection procedure that recommended Stanhope as the preferred developer.

The ESG Herefordshire Ltd (ESG) Board and Advantage West Midlands (AWM) have been involved in the selection process alongside senior Herefordshire Council Officers. This report summarises the terms of the Development Agreement and the financial implications for the Council.

## Considerations

### Background

- 1 The Retail Quarter lies in the south western corner of the Edgar Street Grid area and is shown outlined in red on the plan at Appendix 1; the site includes the Council assets of the Livestock Market and associated business premises, Garrick House, the New Market Tavern, and the multi-storey and surface car parks adjacent to Garrick House. The Herefordshire UDP and ESG SPD identify that the entire Retail Quarter site should be considered for redevelopment as a mixed-use site.
- 2 At its meeting on 28 February 2008 Cabinet approved the selection of Stanhope as the preferred developer for the Edgar Street Grid Retail Quarter and authorised detailed negotiations with them prior to consideration of a full Development Agreement.
- 3 Herefordshire Council land ownerships within the Retail Quarter are shown in Appendix 2 and amount to approximately 4 hectares (9.9 acres). As a condition of the Development Agreement Stanhope will be expected to fund the acquisition, within the Retail Quarter, of any further land and property required to progress the redevelopment.
- 4 After signing of the Development Agreement, Stanhope will be refining their design proposals and confirming the ownerships within the Retail Quarter necessary to progress their scheme. Such land may be vested in the Council pending redevelopment

### Negotiations

- 5 Since their selection as preferred partner in February 2008, Stanhope have been in negotiation with Herefordshire Council, ESG Herefordshire Ltd, and AWM with regard to the final development mix and designs for the site, and over the detailed financial considerations.
- 6 This period has seen a significant deterioration in the economy and therefore the terms of the Development Agreement have been amended to reflect the requirements of both Herefordshire Council and Stanhope.
- 7 Of particular note is that negotiations have included the consideration of a phasing mechanism that will have the result of delivering retail development on a staged basis. The phasing programme and critical delivery path will require some months of refinement and evaluation and when agreed will be incorporated in the Development Agreement.
- 8 The proposed Development Agreement with Stanhope comprises of the following:-
  - Development Agreement with around 20 appendices and over 10 schedules;
  - CPO Indemnity Agreement (to be concluded at a later date); and
  - 250 year Head Lease.

Should Cabinet approval be given to this report, the Development Agreement will be in a position to be signed shortly, with the CPO Indemnity Agreement to follow later in the year once the phased scheme has been agreed. The 250 year Head Lease will not be granted to Stanhope until the scheme has been practically completed.

- 9 This Cabinet report and its appendices summarise the terms of the Development Agreement with Stanhope and the procedure that has been followed, with the major implications to the Council highlighted. The detailed synopsis of the Development Agreement is attached in Appendix 3 which is a confidential document and exempt from publication and will be tabled at the meeting during the confidential session.

### **Development Programme**

- 10 The wider Edgar Street Grid programme should be viewed in the context of an area wide infrastructure framework with individual development projects, such as the Retail Quarter, “plugged” into the wider infrastructure on a phased basis.
- 11 The infrastructure framework consists principally of: off-site flood mitigation, the Link Road, on-site flood alleviation and re-alignment of Widemarsh Brook, and the new livestock market construction. The major development projects are the Retail Quarter, Urban Village, Transport Hub and New Area.
- 12 The capital sum received from Stanhope for the Retail Quarter forms a proportion of the overall funding package required to finance the wider Edgar Street Grid redevelopment. Details of the redevelopments expenditure and income can be seen in Appendix 4 – ESG Programme Finance which is a confidential document and exempt from publication and will be tabled at the meeting during the confidential session.
- 13 Advantage West Midlands and Herefordshire Council have already made significant financial investment within the Edgar Street Grid development, principally on land and property acquisitions, and preliminary infrastructure design.
- 14 The Development Programme identifies elements of the redevelopment unfinanced by either Herefordshire Council or AWM. Discussions are underway between Herefordshire Council, ESG Herefordshire Ltd, and the Homes and Communities Agency (HCA) with a view to the latter providing the necessary financial contribution.

### **Community Benefits**

- 15 The proposed development will bring a range of significant economic and social benefits to the county. These have been outlined in previous reports on the Retail Quarter. Benefits will be achieved over a number of years as the development commences.
- 16 In addition to proposed retail development, the scheme contains a multi-screen cinema and associated restaurants, car parking and high quality pedestrianised streets. The agreement also requires Stanhope to deliver very substantial improvements for pedestrians through extensive works to Blueschool Street and Newmarket Street in order to ensure excellent connections to the Maylord Centre and High Town.

### **ESG Board Position**

- 17 The ESG board has considered the redevelopment of the existing livestock market and adjoining land in considerable depth, both through debating reports at key stages in the selection and negotiation process and through scrutiny of the Stanhope proposals by the Retail Quarter sub-group which comprises board members and senior officers of Herefordshire Council and AWM. Following this lengthy consideration, the ESG board has considered the terms of the development agreement and concluded that the board should recommend Herefordshire Council

sign the agreement. The board is also of the view that the development of the site must be brought forward in carefully considered stages rather than as a single scheme.

## Legal Considerations

- 18 The contractual obligations and potential risks of entering into the Development Agreement are set out in Appendix 3 (which is exempt from publication and will be tabled in confidential session.)

## Financial Considerations

- 19 The financial implications for the Council are at Appendix 4, (which is exempt from publication and will be tabled in confidential session.)

## Risk Management

- 20 In order to ensure effective negotiations and minimise risk, external legal and retail development/ valuation advice has been provided by Pinsent Masons and Montagu Evans respectively, with the latter further supported by EC Harris, quantity surveyors. This will continue during the final negotiations.
- 21 The agreement contains a series of defined stages, at which both parties must take important decisions. In this way, both Herefordshire Council and Stanhope progressively make greater commitment as the development becomes more certain. This is a tried and tested means by which the public sector ensures delivery of high quality, complex commercial developments. These stages are described in detail at Appendix 3.
- 22 If at the end of the conditionality period all the other main pre-conditions have been satisfied but the Development Agreement has not gone unconditional because the Council have still failed to satisfy its livestock relocation condition (that is the Council have failed to relocate the livestock market from the Retail Quarter site), Stanhope can terminate the Development Agreement and the Council will be responsible for meeting Stanhope's abortive costs.
- 23 These costs will be substantive, hence the Council need to be absolutely certain that they can deliver vacant possession of the livestock market before they confirm they are satisfied, during the initial 18 month period, with the initial pre-condition relating to delivering vacant possession of the livestock market.
- 24 Should discussions with the Homes and Communities Agency be unsuccessful (paragraph 14) it will be necessary to realign the development and in particular reduce the infrastructure element. A secondary development programme has been worked up by ESG Herefordshire Ltd for implementation should the above scenario arise. Should this programme need to be implemented a further report will be brought back to Cabinet.

## Alternative Options

- 25 To not sign, or to delay the signing of, the Development Agreement with Stanhope.
- 26 Not signing the Development Agreement has direct implications for the rest of the ESG development in terms of delivery and financing. In the current economic climate, government agencies and private developers require confidence that

redevelopment schemes are progressing to programme. Non signature of the Development Agreement may cause both Stanhope and AWM to review their investment in the Retail Quarter, and, should this be delayed, the whole of the ESG scheme including the essential investment in local infrastructure.

- 27 Additionally either alternative option would have implications for the role and integrity of the ESG Herefordshire Ltd Board and Company. A decision not to progress the proposal would result both in damage to the reputation of the authority and loss of significant resources to support the regeneration of the city.

## Consultees

ESG Herefordshire Ltd has been integral to the selection of Stanhope as the preferred development partner and has been constantly involved throughout the negotiation process.

Legal

Asset Management and Property Services

Finance

## Appendices

Appendix 1 Site Map of Retail Quarter

**Appendix 2 Map of Herefordshire Council owned land and property within the ESG Retail Quarter**

### **EXCLUSION OF THE PUBLIC AND PRESS**

**Not for Publication: the following two appendices are exempt from publication on the grounds that they disclose information relating to the financial or business affairs of any particular person (including the authority holding that information). The appendices will be tabled at the meeting in confidential session.**

Appendix 3 Synopsis of Development Agreement – ESG Herefordshire Ltd

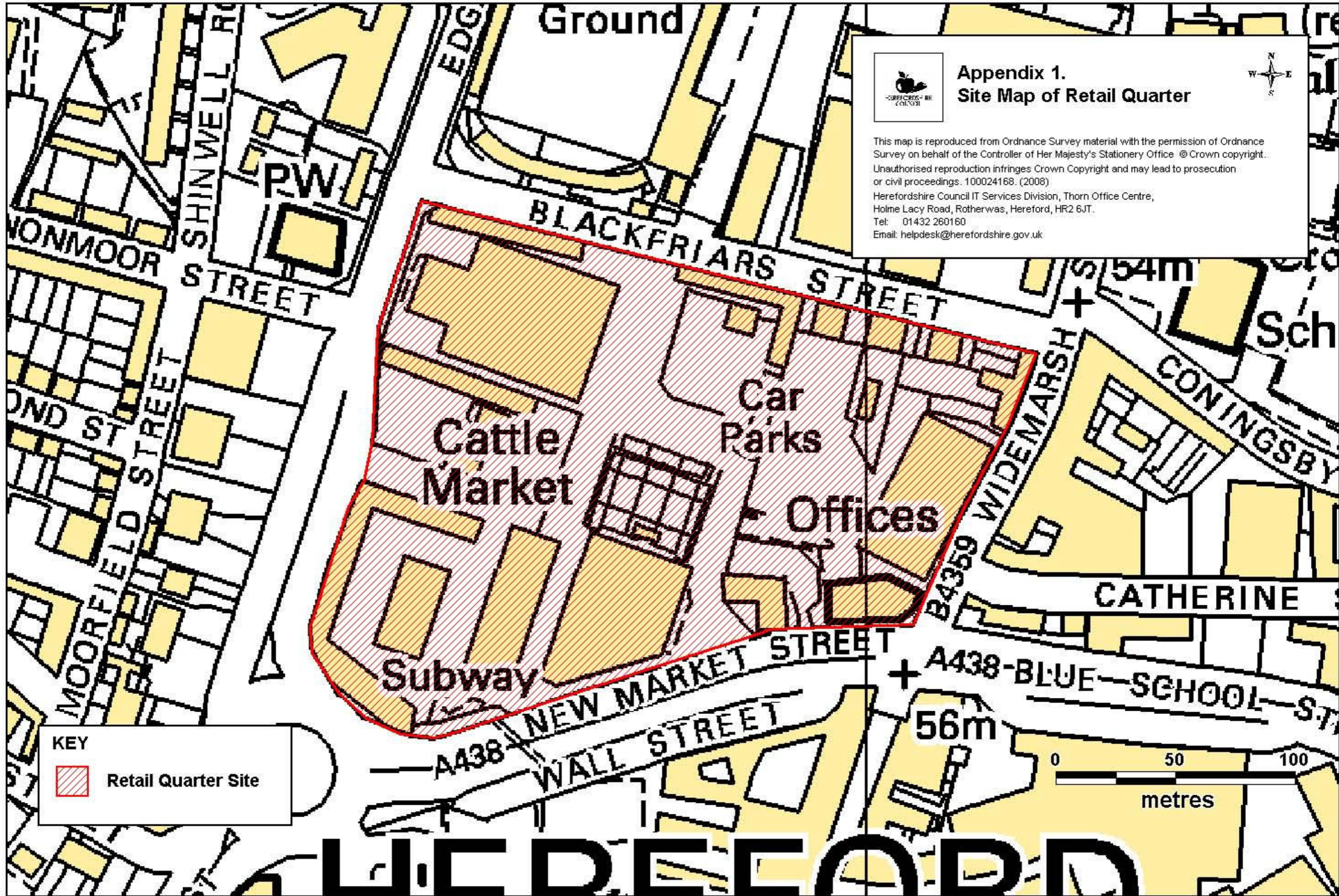
Appendix 4 ESG Programme Finance Proposals

## Background Papers

None identified.







**Appendix 1.**  
**Site Map of Retail Quarter**

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**KEY**  
 Retail Quarter Site







**KEY**

 **Herefordshire Council Owned Land**



**Appendix 2.**  
**Map of Herefordshire Council owned land**  
**and property within the ESG Retail Quarter**



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