

# AGENDA

## Overview and Scrutiny Committee

Date: **Friday 9 December 2011**

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Time: **10.00 am**

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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:

**Tim Brown, Committee Manager (Scrutiny)**

Tel: 01432 260239

Email: [tbrown@herefordshire.gov.uk](mailto:tbrown@herefordshire.gov.uk)

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If you would like help to understand this document, or would like it in another format or language, please call Tim Brown, Committee Manager (Scrutiny) on 01432 260239 or e-mail [tbrown@herefordshire.gov.uk](mailto:tbrown@herefordshire.gov.uk) in advance of the meeting.

# Agenda for the Meeting of the Overview and Scrutiny Committee

## Membership

<b>Chairman</b>	<b>Councillor A Seldon</b>
<b>Deputy-Chairman</b>	<b>Councillor JW Millar</b>
	<b>Councillor AM Atkinson</b>
	<b>Councillor PL Bettington</b>
	<b>Councillor WLS Bowen</b>
	<b>Councillor MJK Cooper</b>
	<b>Councillor PGH Cutter</b>
	<b>Councillor EPJ Harvey</b>
	<b>Councillor MAF Hubbard</b>
	<b>Councillor RC Hunt</b>
	<b>Councillor TM James</b>
	<b>Councillor Brig P Jones CBE</b>
	<b>Councillor JLV Kenyon</b>
	<b>Councillor R Preece</b>
	<b>Councillor SJ Robertson</b>
	<b>Councillor P Rone</b>
	<b>Councillor PJ Watts</b>

## Statutory Co-optees

**Mr P Burbidge - Roman Catholic Church**  
**Miss E Lowenstein – Secondary School Parent Governor**  
**Mr T Plumer – Primary School Parent Governor**  
**Mr P Sell – Church of England**

## GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

### What is a personal interest?

You have a personal interest in a matter if that matter affects the well-being or financial position of you, your relatives or people with whom you have a close personal association more than it would affect the majority of other people in the ward(s) to which the matter relates.

A personal interest can affect you, your relatives or people with whom you have a close personal association positively or negatively. If you or they would stand to lose by the decision, you should also declare it.

You also have a personal interest in a matter if it relates to any interests, which you must register.

### What do I need to do if I have a personal interest?

You must declare it when you get to the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you. You may still speak and vote unless it is a prejudicial interest.

If a matter affects a body to which you have been appointed by the authority, or a body exercising functions of a public nature, you only need declare the interest if you are going to speak on the matter.

### What is a prejudicial interest?

You have a prejudicial interest in a matter if;

- a) a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgment of the public interest; and
- b) the matter affects your financial interests or relates to a licensing or regulatory matter; and
- c) the interest does not fall within one of the exempt categories at paragraph 10(2)(c) of the Code of Conduct.

### What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest you must withdraw from the meeting. However, under paragraph 12(2) of the Code of Conduct, if members of the public are allowed to make representations, give evidence or answer questions about that matter, you may also make representations as if you were a member of the public. However, you must withdraw from the meeting once you have made your representations and before any debate starts.

## AGENDA

Pages

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|----|---|--------|
| 1. | <p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive apologies for absence.</p>  |        |
| 2. | <p><b>NAMED SUBSTITUTES (IF ANY)</b></p> <p>To receive details of any Member nominated to attend the meeting in place of a Member of the Committee.</p>   |        |
| 3. | <p><b>DECLARATIONS OF INTEREST</b></p> <p>To receive any declarations of interest by Members in respect of items on the Agenda.</p>   |        |
| 4. | <p><b>MINUTES</b></p> <p>To approve and sign the Minutes of the meeting held on 28 November 2011.<br/><i>(To Follow)</i></p>  |        |
| 5. | <p><b>SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY</b></p> <p>To consider suggestions from members of the public on issues the Committee could scrutinise in the future.</p> <p><i>(There will be no discussion of the issue at the time when the matter is raised. Consideration will be given to whether it should form part of the Committee's work programme when compared with other competing priorities.)</i></p>  |        |
| 6. | <p><b>QUESTIONS FROM THE PUBLIC</b></p> <p>To note questions received from the public and the items to which they relate.</p> <p><i>(Questions are welcomed for consideration at a Scrutiny Committee meeting so long as the question is directly related to an item listed on the agenda. If you have a question you would like to ask then please submit it <b>no later than two working days before the meeting</b> to the Committee Officer. This will help to ensure that an answer can be provided at the meeting).</i></p> |        |
| 7. | <p><b>LOCAL DEVELOPMENT FRAMEWORK CONSULTATION PROCESS</b></p> <p>To inform the Committee of the legal requirements governing consultation on the Local Development Framework (LDF) and to set out the consultation process undertaken to date by the Council.</p> <p><b>(This report does not detail the content of the LDF, nor the analysis of the responses received to the consultations.)</b></p>   | 1 - 18 |



## **PUBLIC INFORMATION**

### **Public Involvement at Scrutiny Committee Meetings**

You can contact Councillors and Officers at any time about Scrutiny Committee matters and issues which you would like the Scrutiny Committee to investigate.

There are also two other ways in which you can directly contribute at Herefordshire Council's Scrutiny Committee meetings.

#### **1. Identifying Areas for Scrutiny**

At the meeting the Chairman will ask the members of the public present if they have any issues which they would like the Scrutiny Committee to investigate, however, there will be no discussion of the issue at the time when the matter is raised. Councillors will research the issue and consider whether it should form part of the Committee's work programme when compared with other competing priorities.

#### **2. Questions from Members of the Public for Consideration at Scrutiny Committee Meetings and Participation at Meetings**

You can submit a question for consideration at a Scrutiny Committee meeting so long as the question you are asking is directly related to an item listed on the agenda. If you have a question you would like to ask then please submit it **no later than two working days before the meeting** to the Committee Officer. This will help to ensure that an answer can be provided at the meeting. Contact details for the Committee Officer can be found on the front page of this agenda.

Generally, members of the public will also be able to contribute to the discussion at the meeting. This will be at the Chairman's discretion.

(Please note that the Scrutiny Committee is not able to discuss questions relating to personal or confidential issues.)

# **The Public's Rights to Information and Attendance at Meetings**

## **YOU HAVE A RIGHT TO: -**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

## **Please Note:**

Agenda and individual reports can be made available in large print. Please contact the officer named on the front cover of this agenda **in advance** of the meeting who will be pleased to deal with your request.

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If you have any questions about this agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning the officer named on the front cover of this agenda or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.



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## **HEREFORDSHIRE COUNCIL**

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

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<b>MEETING:</b>	<b>OVERVIEW AND SCRUTINY COMMITTEE</b>
<b>DATE:</b>	<b>9 DECEMBER 2011</b>
<b>TITLE OF REPORT:</b>	<b>LOCAL DEVELOPMENT FRAMEWORK CONSULTATION PROCESS</b>
<b>REPORT BY:</b>	<b>DIRECTOR FOR PLACES AND COMMUNITIES</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To inform the Committee of the legal requirements governing consultation on the Local Development Framework (LDF) and to set out the consultation process undertaken to date by the Council. This report does not detail the content of the LDF, nor the analysis of the responses received to the consultations.

### **Recommendation**

**THAT: The content of the report be noted, subject to any comments the committee wishes to make.**

### **Key Points Summary**

- Within the Overview and Scrutiny work programme it states that the Committee will be informed of the legal requirements governing consultation on the LDF and the consultation process undertaken to date by the Council and invited to comment.
- Consultation and engagement is a key element in the preparation of Development Plan Documents. Since work began upon the preparation of the Core Strategy in 2007 there have been a series of on-going consultations across the County which have helped to inform the development of the emerging Plan.
- The requirements for Development Plan Document consultation are set out in Regulations 25 and 27 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.
- The regulations are supported by Planning Policy Statement 12: Local Spatial Planning (PPS12) which sets out government policy on Local Development Frameworks and provides advice upon the preparation of Core Strategies, including community engagement.
- The Herefordshire Statement of Community Involvement (SCI) was adopted in March 2007.

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Further information on the subject of this report is available from  
Dr David Nicholson, Head of Strategic Planning and Regeneration on (01432) 260166

The SCI sets out Herefordshire Councils' policy for engaging with the local community and stakeholders throughout the preparation, alteration and continuing review of planning documents. The SCI highlighted the need for two stages of consultation in preparing such documents – Issues and Options; Preferred Options and Pre-submission publicity. A third stage (pre-submission publication) is provided for after full Council approval of the planning documents.

- During the period of preparing the Core Strategy there have been six periods of consultation as follows:
  - Identifying the issues, May 2007;
  - Key Issues Consultation , September – October 2007;
  - Developing Options, June – August 2008;
  - Place Shaping, January – March 2010;
  - Preferred Options, July –November 2010;
  - Revised Preferred Option; September – November 2011.

## **Alternative Options**

- 1 There are no alternatives to undertaking consultation upon statutory Development Plan Documents such as the Core Strategy. Consultation is a fundamental element of the preparation of such documents enshrined in the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.

## **Reasons for Recommendations**

- 2 To ensure the Committee is fully appraised of the requirements for consultation on the LDF, and to provide an opportunity for comment

## **Introduction and Background**

- 3 Consultation and engagement is a key element in the preparation of Development Plan Documents, such as the Herefordshire Core Strategy. Herefordshire Council recognise the importance of consultation and engagement with stakeholders and local people in helping to inform plans for the County and significant resource has been utilised to undertake consultation during the preparation of the Core Strategy.
- 4 This report deals specifically with the process of the Local Development Framework (LDF) and the consultation stages, it does not cover the content of the Core Strategy, nor does it cover the responses received and analysis of the responses. In a future Overview & Scrutiny report the Committee will have the opportunity to give consideration to an analysis of responses to the latest round of consultation (Revised Preferred Option) and the proposals in the LDF.
- 5 A number of key decisions on transport strategy in the County will be taken as part of the LDF process. A separate, but related, County-wide strategy to the LDF is the Local Transport Plan 3 (LTP3) which will be subject to its own consultation process and will reflect strategic decisions that are taken in relation to the LDF.

## Key Considerations

### Planning Regulations

- 6 The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, set out the requirements for a Local Planning Authority to enable public participation in the plan making process. The process is divided into two main elements; the first (Regulation 25) covers the plan preparation process up until the approval of a draft plan by Full Council whilst the second regulation (Regulation 27) deals with the process after a draft plan is approved.
- 7 Regulation 25 sets out the requirements for Local Planning Authorities to consult the specific and general consultation bodies. They must also consider whether or not it is appropriate to invite representations from local residents and local businesses. If the Local Planning Authority does consider that it is appropriate to invite representations from local residents and local businesses, then they have a further obligation – they must make arrangements to invite those representations and any representations received must be considered by them.
- 8 As set out above, Regulation 27 deals with the process in respect of representations upon a final draft plan. This will take place after Full Council approval. The Regulations specify that a single period of six weeks or more, in which representations on the Plan can be made, is necessary at this time. The Local Planning Authority (LPA) have the discretion to specify a period of more than six weeks if they feel more time is needed - giving them more flexibility. If any representations are submitted during this period the Secretary of State will consider them before his independent examination. As with the previous stage Regulation 27 requires:
  - a. consultation with specific and general consultation bodies,
  - b. the publication of the documents on the website as well as making copies available at offices and other appropriate locations in the area, and
  - c. giving notice by local advertisement of the publication of the plan.

### Planning Policy Statement 12

- 9 Planning Policy Statement 12 (PPS12): Local Spatial Planning provides advice and guidance for the preparation of Core strategies including 'Participation', paragraph 4.20 indicates that public involvement in planning should be:
  - appropriate to the level of planning;
  - from the outset – leading to a sense of ownership of local policy decisions;
  - continuous – part of ongoing programme, not a one-off event, with clearly articulated opportunities for continuing involvement;
  - transparent and accessible – using methods appropriate to the communities concerned; and
  - planned – as an integral part of the process for making plans.
- 10 PPS12 also indicates that councils must produce a Statement of Community Involvement (SCI) which should follow these principles and that the involvement of the public in preparing core strategies must follow the approach set out in the SCI.
- 11 In paragraph 4.25 PPS12 details that '*consultation on the Core Strategy during the preparation phase of the plan should be proportionate to the scale of the issues involved in the plan*'. It suggests that for growth figures and aspects which will affect the whole county then a widespread consultation should occur to incorporate the whole county, but if the consultation is more specific and related to a localised area or topic, for example, rates of affordable housing, then a more targeted approach to the consultation would be acceptable.

- 12 The PPS also stresses the importance of engaging with key stakeholders throughout the preparation phase of the Core Strategy in order to enable potential impediments to the plan to be identified and overcome. The key stakeholders would include organisations such as the Environment Agency, Natural England and English Heritage, Parish / Town Councils, Highways agency, PCT, Network Rail and utility companies. The PPS also strongly encourages engagement with landowners and developers. The 2008 Regulations and Annex E of PPS12 set out those bodies that the Council must consult with when preparing plan documents.

### **Statement of Community Involvement**

- 13 Herefordshire Council produced a Statement of Community Involvement (SCI) which was adopted in March 2007. This sets out how and when the local community can become involved in the preparation of the Local Development Documents and in the consideration of planning applications. The Council must comply with its adopted SCI when preparing its Local Development Framework documents and this compliance will be tested when these are independently examined. The Herefordshire Statement of Community Involvement itself was adopted following a formal examination by the Planning Inspectorate.

- 14 The Statement of Community Involvement:

- a. Identifies who will be consulted on plan documents and planning applications and when they will be actively involved in plan making and in reaching decisions on planning applications;
- b. Sets out transparent, accessible and meaningful approaches to community involvement in plan preparation and decision making on planning applications;
- c. Encourages early involvement in decision making between the community, interest groups and stakeholders;
- d. Recognises and understands the different needs of all sections of the community and stakeholder interests and establishes the most effective means of enabling all sections of the community to make their views known and help shape planning decisions in their areas;
- e. Explains how the results of the consultations will be fed into preparation of local development documents and how those involved will be kept informed;
- f. Sets out standards for the Council to achieve and explains how the process will be resourced and managed and how the planning process will be co-ordinated with other community involvement and consultation initiatives.

- 15 The Statement of Community Involvement also identifies a range of consultation methods that will effectively engage the public, and what methods would be the most appropriate to the policy area being prepared and its stage of preparation.

- 16 The SCI was produced to accord with the 2004 Local Development Regulations which were superseded by new regulations in 2008. Under the 2004 regulations a three stage consultation process existed which needed to be complied with. The first two of these stages being undertaken during the plan preparation stages (before Council approval of a draft plan), with the third final stage undertaken after Council approval. These stages are summarised as follows:

- a. Firstly the Local Planning Authority had to consult specific and general consultation bodies (but not the public) and take into account their views when preparing their plan;
- b. Secondly once the proposed plan had been prepared it had to be made available for public inspection for a period of six weeks for any public representations. Public representations then had to be considered;
- c. Once all of the public representations had been considered the Plan could then be submitted to the Secretary of State for independent examination. The Plan would then

be published for a further period of six weeks in which additional representations would be allowed.

17 The SCI therefore anticipates specific consultation at issues and options stage and preferred options during the plan preparation process. It then anticipates consultation following Council approval and submission to the Secretary of State. This was in accordance with the 2004 Regulations rather than the simplified two stage procedure now set out in the amended 2008 regulations, as detailed in the 'Planning Regulations' section of this report.

18 However, in preparing the Core Strategy the Council have recognised the need for on-going consultation and to-date there have been six distinct consultation exercises held since 2007. The majority of the consultations have been county wide consultation exercises although a more targeted approach has been taken for the preferred options stage. The following table summarises the consultation requirements for this phase of work and lists the consultation stages undertaken since 2007. A flow chart diagram of the stages can be found in Appendix 2.

<b>Consultation requirements before submission (Regulation 25)</b>
<b>2008 Regulations</b> Consultation with stakeholder organisations and also consider whether or not it is appropriate to invite representations from local residents and local businesses.
<b>SCI</b> a. Issues and Options consultation b. Preferred Options consultation
<b>Consultations undertaken 2007-2011</b>
Identifying the issues, May 2007
Key Issues Consultation , September – October 2007
Developing Options, June – August 2008
Place Shaping, January – March 2010
Preferred Options, July –November 2010
Revised Preferred Option; September – November 2011

19 Details of each of the consultations are set out below. Full details of each consultation stage including results are set out in the Background Papers to this report. The responses to the latest Revised Preferred Option stage are presently being analysed.

**Identifying the Issues (from May 2007)**

20 At the earliest stage in the plan making process and in order to identify the key issues the Council undertook an open-ended consultation from May 2007. A leaflet was prepared which highlighted the issues identified within the Community Strategy, invited comments upon these and requested additional issues be identified.

21 Publicity undertaken at this time was directed at increasing the awareness of this leaflet and generally raising knowledge of the Local Development Framework and Core Strategy commencement. This was in the form of:

- Presentations to existing stakeholder forums and informal meetings, for example: Herefordshire Partnership, Economic Development, Visit Herefordshire Group;
- Herefordshire Matters Article (May 2007);
- A letter was distributed to everyone on the Adopted Statement of Community Involvement database which introduced the Core Strategy. The letter also contained the Core Strategy leaflet and advised of a later consultation to be undertaken in September 2007;
- Early discussions were undertaken with Government Office for West Midlands, Highways Agency, West Midlands Regional Assembly and the Environment Agency and water companies.

### **The Key Issues Paper (17<sup>th</sup> September until 26<sup>th</sup> October 2007)**

- 22 The Herefordshire Core Strategy Issues Paper was published for consultation in September 2007. This paper outlined 14 key issues facing the county, asked for views on them and their importance, if any had been missed and what Herefordshire may look like in 2026. The issues had been identified from a range of sources including reflecting responses and issues raised during the earlier consultation undertaken in the summer 2007.
- 23 This issues consultation was undertaken for six weeks from 17<sup>th</sup> September until 26<sup>th</sup> October 2007 although there were additional workshops and meetings held during October and November. In order to reach a wide range of the community, a number of consultation methods were used including:
- *Issues Paper and Questionnaires* – Issues Papers and a questionnaire were produced and were sent, with an accompanying letter and Freepost return envelope, to everyone on the Local Development Framework database. Packs of leaflets and questionnaires were distributed to all the libraries within the county and the Council's Info Centres together with boxes for completed questionnaires to be deposited locally;
  - *Roadshows* – an exhibition highlighting the 14 key issues and giving some background information was produced. Eight roadshows to display the exhibition took place in the first two weeks of October. The first at the Courtyard, Hereford, one at each of the market towns and one in Peterchurch within the rural west. For the final roadshow a promotional trailer was used on a Saturday in the centre of High Town, Hereford. At each of the roadshows, Issues Papers and questionnaires were available together with copies of the Herefordshire Partnership's Community Strategy and the State of Herefordshire Report for reference and for background to the issues identified. Visitors also had the opportunity to complete comment cards, image cards and the comment wall;
  - *Comment cards* – for each of the identified issue, a set of coloured comment cards was produced to allow people to comment on an individual issue during the events rather than fill in the full questionnaire. White cards were also provided for people to highlight any extra issues which were not included.
  - *Images of Herefordshire Cards* - In order to help formulate a portrait and vision for the county, 20 photographs from around Herefordshire depicting a variety of views and images were displayed. Visitors were asked to choose the photographs which most represented Herefordshire today and which they would like to represent the Herefordshire of 2026;
  - *Comment wall* – a free-write comment wall was made available at the event for participants to write words and phrases which they felt most reflect Herefordshire in the response to the question 'What makes Herefordshire Herefordshire?'
  - *School Events* – Workshops were held at 3 high schools in the county during November 2007. Pupils who attended the workshops were asked to think about their

lives as young people today, about their future and how they see Herefordshire developing and what their needs might be in 2026;

- *Website* – The Council's website contains pages devoted to the Local Development Framework and the Core Strategy including background information, the Issues Paper, a copy of the questionnaire and links to the online 'Have your say' page to enable online completion of the questionnaire. Links to these pages were available from the Council's homepage, planning services homepage and Forward Planning homepage to enable maximum exposure. The web address was printed on all written material, in press releases and on pens and coasters;
- *Posters* – 250 posters were produced to advertise the roadshow events, the majority of these were distributed to each of the parish/ Town Councils for them to place them on their parish notice boards. The remainder were placed in public buildings, such as the Info centres, libraries and shops;
- *Advert* – The poster was reproduced as a press advert within the Hereford Times, which appeared in the 11<sup>th</sup> October 2007 edition;
- *Press Notices* – An official public notice appeared in all the local papers (Hereford Times, Hereford Journal, Ross Gazette, Malvern Gazette, Mid-Wales Journal) the week commencing 10<sup>th</sup> September 2007;
- *BBC Hereford and Worcester Radio Announcements* – A radio interview was broadcasted between 11<sup>th</sup> October and 16<sup>th</sup> October to publicise the roadshow events in the market towns and interviewed a local resident about the key issues facing them;
- *Herefordshire Matters* – An article was placed within the September Issue of Herefordshire Matters entitled 'Planning the Future of Herefordshire'. This reported the findings of the May consultation and highlighted the Key Issues Consultation and exhibition;
- *First Press* – An article appeared within the October issue of First Press entitled 'Shaping Herefordshire's Future' to publicise the Key Issues Consultation;
- *Herefordshire Partnership* – The Partnership assisted in the awareness raising of the Issues Consultation by including reference to the Core Strategy within their Partnership meetings and articles within their newsletters. An exhibition stand, leaflets and questionnaires were also made available at the Partnership's annual Funding Fair held 24<sup>th</sup> October 2007;
- *Stakeholder Meetings* – Officers from Forward Planning also attended a number of meetings to raise awareness of the Core Strategy and the Issues Consultation during the three months from September to November 2007. These included a meeting of the local environment and countryside group, a networking event for community groups exploring local response to climate change and the Higher Education management group.

#### **Developing Options (16<sup>th</sup> June until 8<sup>th</sup> August 2008)**

24 By the summer of 2008 a set of emerging options had been developed and consultation upon these "developing options" was undertaken from 16<sup>th</sup> June until 8<sup>th</sup> August 2008. A launch event was organised for invited stakeholders at Herefordshire Group Training Association, Holmer Road, Hereford on 16<sup>th</sup> June 2008. Stakeholders were invited to view the Developing Options exhibition, give initial views on the Options and ask Officers questions regarding the possible Options. In addition the following actions were undertaken as part of the consultation:

- *Questionnaire* –stakeholders, parish councils, interest groups and individuals contained within the LDF database were sent copies of the summary leaflet,

questionnaire and an accompanying letter which explained how to get the full documentation. Option Papers, summary leaflets and questionnaires were distributed to all the libraries within the county, the 2 mobile libraries and the Council's Info centres. The questionnaire could also be completed through the Council's online 'Have your say' consultation pages and was available to download from the LDF pages on Herefordshire Council's website;

- *Herefordshire Voice Survey* – Around 1100 summary leaflets and questionnaires were distributed to Herefordshire Voice. This is a citizen's panel which is a sample in terms of gender, age, economic status and ward of Herefordshire's residents which can provide a reliable cross-section of local views;
- *Roadshows* – Seven 'Shaping our Place' roadshows took place between 1<sup>st</sup> July and 23<sup>rd</sup> July 2008 in High Town, Hereford, all five market towns and Ewyas Harold in the rural west. People were able to view the exhibition, pick up copies of the Developing options paper, summary leaflet and questionnaire. Officers were also available to explain the Options further or answer any queries arising;
- *Exhibitions* – Two 'Shaping our Place' exhibitions were held at offices and canteens of large local employers in order to reach people who would usually be unavailable or unable to attend daytime roadshows and meetings. Planning Officers also attended the Edgar Street Grid Masterplan launch event on 8<sup>th</sup> July 2008 to answer any queries regarding the links between the Core Strategy and the Masterplan and to publicise the Core Strategy consultation to all the delegates who attended the launch;
- *School events* – In order to gain the views of younger people, workshops were undertaken in two local high schools, Whitecross High school (7<sup>th</sup> July 2008) and John Kyrle High school in Ross-on-Wye (17<sup>th</sup> June 2008);
- *Parish Council events* – Officers from the Forward Planning team gave a presentation to the Herefordshire Association of Local Councils (HALC). Presentations were also given during June to September to individual or groups of parish / town councils as requested. A number of presentations were also given at stakeholder and interest group meetings;
- *Posters* – As for the previous consultation, 250 posters were produced to advertise the roadshow events, the majority of these were distributed to each of the parish/ Town Councils for them to place them on their parish notice boards. The remainder were placed in public buildings, such as the Info centres, libraries and shops;
- *Advert* – As with the Issues consultation a poster advert was produced for the Hereford Times, which appeared in the 26<sup>th</sup> June 2008 edition, this helped to advertise the roadshows. A similar advert appeared in the summer edition of Primary Times, which is a free 'What's on guide' distributed through primary schools to 16,000 Herefordshire families;
- *Press Notices* – An official public notice appeared in all local papers (Hereford Times, Hereford Journal, Ross Gazette, Malvern Gazette, Mid-Wales Journal) the week commencing 9<sup>th</sup> June 2008;
- *Radio interview and announcements* – Radio Wyvern broadcast a radio interview with the Forward Planning Strategic Team Leader during the week commencing 30<sup>th</sup> June 2008 to publicise the Developing Options consultation. Announcements also appeared on Radio Wyvern during the two weeks of the roadshow exhibition to publicise the events;
- *Herefordshire Matters* – The January to March 2008 edition included an article entitled 'Who's Shaping your Place 2026'. This reported on the issues consultation and how to find the initial findings. A middle page spread featuring the Core Strategy and the

forthcoming consultation entitled 'Shaping our Place 2026' was included in the June – September 2008 edition of the magazine;

- *First Press / service update* – The July edition included an article entitled 'Shaping our Place 2026' to raise awareness of the Developing Options paper, the consultation and how to find additional information. Herefordshire Council's service update (march – May 2008) also included an update on the progress of the Core Strategy;
- *Press Releases* – a number of press releases were produced and sent to the local press to publicise the Developing Options consultation and the roadshow events. A press release was also provided to all parish / town councils to use it as an article within their parish magazines or publications.

### **Place Shaping Paper (18<sup>th</sup> January to 12<sup>th</sup> March 2010)**

- 25 The options set out in the Developing Options paper were refined as a result of the consultation results, the continuing development of the evidence base and the emerging West Midlands Regional Spatial Strategy Revisions. The resulting document was the Place Shaping Paper and consultation upon this was undertaken from 18<sup>th</sup> January to 12<sup>th</sup> March 2010. In addition to a refined set of options the Place Shaping paper contained a vision for Herefordshire 2026, 12 Strategic Objectives and the preferred Spatial Strategy for the county.
- 26 To assist in the development of the paper, a number of working groups and meetings were arranged to involve both internal and external expertise in specific policy areas. To update Herefordshire Council Members on the Place Shaping Paper, a Member seminar took place on 15<sup>th</sup> January. A launch event was organised for invited stakeholders at The Kindle Centre, Hereford on the 18<sup>th</sup> January 2010. In addition, the following methods were used during the consultation:
- *Questionnaire* –stakeholders, parish councils, interest groups and individuals contained within the LDF database were sent copies of the summary leaflet, questionnaire, CD and an accompanying letter which explained how to get the full documentation. Packs of the Place Shaping Papers, summary leaflet, questionnaire, Sustainability Appraisal and Habitats Regulations Assessment were distributed to all the libraries within the county, the 2 mobile libraries and the Council's Info centres. The questionnaire could also be completed through the Council's online 'Have your say' consultation pages and was available to download from the LDF pages on Herefordshire Council's website;
  - *Short Questionnaire* – A questionnaire of 6 questions was used to help engage more members of the public into the consultation process. The short questionnaire had two questions similar to those found in the main questionnaire; the Hereford options and the direction of the relief road, the remainder of the questions were seeking opinions on how to improve and develop the county up to 2026. This short questionnaire was available at all of the public events and roadshows, and it was included as part of the 'wrap-around' newspaper features.
  - *Roadshows* – Seven 'Shaping our Place' roadshows took place between 2<sup>nd</sup> February and 24<sup>th</sup> February 2010 in High Town, Hereford, all five market towns and Ewyas Harold in the rural west. People were able to view the exhibition, pick up copies of the Place Shaping Paper, summary leaflet and questionnaire. Officers were also available to explain the Options further or answer any queries arising. At the Hereford Roadshow, in addition voting slips were used to allow the public the opportunity to comment on two questions specifically related to the relief road, in a simple and easy way, and submit them directly into a ballot box;
  - *Public Event* – An event was held in the Town Hall, Hereford on the 26<sup>th</sup> January which focussed specifically on the issues and options within Hereford. Also an evening public event was held at Aylestone Business and Enterprise College on 23<sup>rd</sup> February

2010 which followed the same structure as the launch event, the voting slips were also used at this evening event;

- *Business exhibition and breakfast meetings* – A business exhibition was held at Evans Easyspace, Rotherwas on 4<sup>th</sup> February 2010, and a stand was manned at the Herefordshire Business Expo at Hereford Leisure Centre on 3<sup>rd</sup> March 2010. Business Breakfast meetings were held in Bromyard on 9<sup>th</sup> February 2010 and at Belmont Lodge on 26<sup>th</sup> February to brief members of the business community. A presentation was also made to the Herefordshire Business Partnership meeting on 14<sup>th</sup> January in advance of the main consultation event;
- *School events* – In order to gain the views of younger people, workshops were undertaken in three local high schools, Bishop of Bluecoat school, Hereford (24<sup>th</sup> February 2010), Kingstone High school (2<sup>nd</sup> March 2010) and Queen Elizabeth Humanities College (3<sup>rd</sup> March 2010) Students from Holme Lacy college were also consulted on 11<sup>th</sup> February 2010;
- *Parish Council Events and stakeholder / interest group meetings* – Officers from the Forward Planning Team attended 24 meetings held in the rural areas, largely at the Parish Council venues. These were evening meetings targeted at Parish Councillors and rural residents generally and organised on a ward-by-ward rather than individual parish council basis. A number of presentations were also given to stakeholder and interest group meetings such as the Hereford Civic Society, Country Landowners and Business Association; Herefordshire Environmental Partnership, National Farmers Union and Green Alliance / Transition;
- *Youth Project* – In order to engage with the 16-25 year olds across the county, Herefordshire Council Voluntary Youth Service organised various meetings and events at 11 locations across the county specifically targeted to this age group. The consultation process took the form of conversations with individuals and groups, with some participants being facilitated to work through a questionnaire, others filling in the questionnaire after open discussion around the questions and some taking the questionnaires away to fill out in their own time.
- *Posters* – 500 posters were produced to advertise the roadshow events, the majority of these were distributed to each of the parish/ Town Councils for them to place them on their parish notice boards. The remainder were placed in public buildings, such as the Info centres, libraries and shops;
- *Advert* – As with the Issues and Developing Options consultation a poster advert was produced for the Hereford Times, this helped to advertise the roadshows. A similar advert appeared in the Primary Times, which is a free 'What's on guide' distributed through primary schools to 16,000 Herefordshire families. Furthermore a 'wrap around' front page advertisement was produced for the Hereford Journal and the Admag. This contained a two-sided, front and back page cover which detailed the consultation, highlighted the options, advertised the roadshows and contained a short questionnaire that could be returned either via the free post address or to the info centres or libraries;
- *Press Notices* – An official public notice appeared in the local papers (Hereford Times, Hereford Journal, Ross Gazette, Malvern Gazette, Mid-Wales Journal) the week commencing 11<sup>th</sup> January 2010;
- *Radio interview and announcements* – During the eight week consultation there was extensive radio coverage with local radio stations Radio Wyvern, BBC Hereford and Worcester and Sunshine radio; advertising the roadshows and other public events as well as giving details as to where to see the documents;

- *Herefordshire Matters* – The November 2009 edition included an article which advertised the forthcoming ‘Place Shaping’ consultation. The February – April 2010 edition of the Herefordshire Matters included a four-page article entitled ‘Let’s create a New Land of Opportunity Right Here in Herefordshire’. This reported on the current ‘Place Shaping’ consultation and how to provide comments. There was also a short questionnaire available to cut out and send to the Freepost address.
- *First Press/Service update* – The 26<sup>th</sup> January edition included an article entitled ‘take a few moments to Shape the Future of Herefordshire’ to raise awareness of the Place shaping paper.
- *Press Releases* – A number of press releases were produced and sent to the local press to publicise the Place Shaping consultation and roadshow events. A press release was also provided to all parish / town councils to use it as an article within their parish magazines or publications.

### **Preferred Options (July to November 2010)**

- 27 In the second half of 2010 the options which had been consulted upon during the Place Shaping stage were further developed into a single set of preferred options for each place and policy topic area of the Core Strategy. These place and topic specific Preferred Options were the subject of targeted consultations, in line with the advice set out in PPS12 and the recommendations of the Critical Friend review for the LDF which had suggested that as the Place Shaping Paper had not identified all preferred options that the Council should “plan for further focussed consultation on the important decisions which still have to be made and on the final form of policy”.
- 28 The series of targeted consultations took place from July to November 2010. The first papers that were consulted upon include the preferred options for the rural areas, market towns – Bromyard, Ledbury and Ross-on-Wye, and a first tranche of general policies which included: Natural and built heritage assets; green infrastructure; movement; waste; minerals; employment; affordable housing; Gypsy and traveller sites; open space; sport and recreation and social and community infrastructure. This consultation period took place from 27<sup>th</sup> July – 29<sup>th</sup> August 2010. However, to allow for parish councils to meet and provide comments, responses were accepted until 20<sup>th</sup> September 2010. There was no preferred option paper for Kington and Leominster as the preferred option for these places had already been identified and consulted on with the publication of the Place Shaping paper.
- 29 The second round of targeted consultation incorporated the Hereford Preferred Option (27<sup>th</sup> September until 5<sup>th</sup> November 2010), however due to high level of local interest, comments were accepted until 19<sup>th</sup> November 2010. A second tranche of General policies including policies on: the economy; sustainable Strategic Design; tourism; sustainable water management; renewable energy and infrastructure contributions were consulted upon from 11<sup>th</sup> October until 5<sup>th</sup> November 2010.
- 30 For each of the targeted consultations letters were sent out, along with a copy of the relevant preferred option document, to everybody who had responded and shown an interest to a particular section within the Place Shaping consultation. Copies of each of the Preferred Options document, summary leaflet and questionnaire were also distributed to each Info shops and libraries within the county. For each of the Preferred Option papers the question was asked ‘Do you agree with this preferred option? If not, please explain which elements of the policy you do not agree with and why.’ In addition, the following also took place throughout the targeted consultations:
- *Adverts* – Poster adverts detailing the consultation dates and advertising various public events were published within the Hereford Times, Hereford Journal and the Primary Times

- *Herefordshire Matters* – There was an article published in the November 2010 issue, entitled ‘Your views on shaping Hereford’;
- *Public meetings / Parish Council events* – There were 22 drop in / public meetings or Parish Council events organised over the consultation periods, in order to allow Parish Councillors and members of the public the opportunity to view and discuss through the Preferred Options with a member of the Forward Planning team. 19 of these meetings were concerned with the Hereford Preferred Option.

### **Revised Preferred Option (26<sup>th</sup> September 2011 and 28<sup>th</sup> November 2011)**

- 31 Subsequently, as a result of the responses to the Preferred Option consultation, additional information commissioned for the evidence base and due to changes being made to the national planning system a number of revisions have been proposed to the Preferred Options. These revisions are proposed in relation to revising the plan period, reducing overall housing numbers in the county, to the strategy for Hereford, housing numbers in Leominster, Ross and the rural areas and employment provision for Leominster. As a result of these changes it was considered appropriate to undertake a further consultation focussing upon the proposed changes.
- 32 The revised preferred option consultation took place between 26<sup>th</sup> September 2011 and 28<sup>th</sup> November 2011. Letters and a summary leaflet detailing the Revised Preferred Options were sent out to everyone on the LDF database, (2,008 contacts) on 23<sup>rd</sup> September 2011, including Parish and Town Councils, key stakeholders, interested parties and all those who have responded to previous consultations. Copies of the summary leaflet and letter were also distributed to all the Info centres and libraries. In addition to this:
- *Adverts* – Poster adverts detailing the consultation dates and advertising were published within the Hereford Times, Hereford Journal, Ross Gazette, Ledbury Reporter, Malvern Gazette and the Mid-Wales journal on the week commencing 19<sup>th</sup> September 2011;
  - *Ward / public meetings and drop in events* – 33 evening events were held across the county during September, October and November 2011 largely based upon Herefordshire Council wards. These events were arranged with the support and help of local Ward members who encouraged all of their Parish Councils to attend the meetings. The meetings consisted of a presentation to identify the overall changes to the Core Strategy and also a localised Ward presentation. Similar presentations were given to Hereford City and Town Councils. In addition, separate public meetings were held in Hereford (Whitecross School) and Ledbury, and a day-time drop in event held in Clehonger.
  - *Leaflets* – Around 900 leaflets were distributed to the Federation of Small Business for distribution with one of their newsletters and a number of Councillors requested copies of the leaflet to distribute locally;
  - *Herefordshire Matters* – An article was published in the August 2011 edition of Herefordshire Matters to advertise the forthcoming consultation and details of the Revised Preferred Option were incorporated in the November edition of Herefordshire Matters;
  - *Stakeholders / interest group meetings* – In addition to the public and Ward based meetings further meetings were arranged with a number of stakeholder groups including Hereford City Forum, Hereford Futures and Registered Social Landlords through October 2011. A Stakeholder event was also held on the 5<sup>th</sup> October at the Kindle Centre, Hereford to inform the Stakeholders of the content of the Revised Preferred option and to allow for comments and discussion.

### **External Scrutiny**

- 33 In January 2010 in order to provide an independent review of the processes undertaken up to that point in preparing the Core Strategy the Council commissioned a consultant from the Planning Officer's Society to undertake a critical friend report. One of the strengths of the process identified in the report is that the "authority has clearly gone to considerable lengths to engage communities in the development of the core strategy, and should have no difficulty in demonstrating as much at examination".
- 34 In March of 2010 a Planning Inspectorate Frontloading visit was arranged in order to consider what had been done in the preparation of the Core Strategy. The Inspector reported that she had read the report from POS Enterprises and fully endorsed its conclusions and recommendations.

## **Community Impact**

- 35 The principal aim of the Local Development Framework, and in particular the Core Strategy, is to set out the vision and objectives for the county and establish a policy framework necessary to deliver them over the 20 year plan period, from 2011 to 2031. This will ensure that there will be sufficient homes provided for all members of the community, improved employment opportunities and growth, sufficient retail provision, improved infrastructure across the county and protection of the open countryside and open spaces and provision of green infrastructure.

## **Equality and Human Rights**

- 36 In order to fulfil the requirements of S149 of the Equality Act 2010; an Equality Impact Assessment was completed in October 2010. This report showed that a number of consultations will be conducted across the county taking equality issues into consideration. The Equality Impact Assessment demonstrates that there is no potential for discrimination and that all appropriate opportunities will be undertaken to advance equality and foster good relations.

## **Financial Implications**

- 37 As this report provides a retrospective review and summary of previous consultations rather than setting out a programme of future consultations, there are not considered to be specific financial implications resulting from its content.

## **Legal Implications**

- 38 The consultation provisions of the 2004 Regulations as amended by the 2008 Regulations are mandatory and must be complied with. Section 20 of the Planning and Compulsory Purchase Act 2004 stipulates that before a DPD is adopted by a local authority it must be submitted to the Secretary of State for independent examination. A DPD would not be approved if the relevant provisions of the Regulations were not complied with.

## **Risk Management**

- 39 The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, and Planning Policy Statement 12: Local Spatial Planning, highlight the need for public consultation and to ensure that process within the Local Authorities' Statement of Community Involvement is followed. If the detailed consultation process is not followed then the Core Strategy could be found unsound.

## **Consultees**

40 As detailed in the Statement for Community Involvement and the Consultation Statements 1 -  
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## **Appendices**

Appendix 1 – Regulations 25 and 27

Appendix 2 – Flow chart showing SCI consultation requirements and what was been undertaken during the process.

## **Background Papers**

The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008

Herefordshire Council, Statement of Community Involvement, March 2007;

Shaping Our Place 2026 Core Strategy: Consultation Statement Part 1, September 2007;

Shaping Our Place 2026 Core Strategy: Consultation Statement Part 2, January 2008;

Shaping Our Place 2026 Core Strategy: Consultation Statement Part 3, October 2008;

Shaping Our Place 2026 Core Strategy: Developing Options results report, January 2009;

Shaping Our Place 2026 Core Strategy: Developing Options Analysis Schedules, March 2009;

Shaping Our Place 2026 Core Strategy: Consultation Statement Part 4, version 2, July 2010;

Shaping Our Place 2026 Core Strategy: Place Shaping Paper results report, July 2010;

Shaping Our Place 2026 Core Strategy: Place Shaping Paper results report for voting slips & Short questionnaires, July 2010;

Shaping Our Place 2026 Core Strategy: Place Shaping Paper free write analysis schedule - update, October 2010;

Shaping Our Place 2026 Core Strategy: Consultation Statement Part 4, Addendum – Preferred Options, December 2010

Shaping Our Place 2026 Core Strategy: Preferred Options results report, December 2010;

Shaping Our Place 2026 Core Strategy: Free write analysis schedules for market towns, rural areas and general policies; December 2010;

Shaping Our Place 2026 Core Strategy: Preferred Option: Hereford consultation report, June 2011.

Critical Friend Report for the LDF, POS Enterprises January 2010.

## **Public participation in the preparation of a development plan document**

**25.**—(1) A local planning authority must—

(a) notify each of the bodies specified in paragraph (2) of the subject of a DPD which they propose to prepare; and

(b) invite each of those bodies to make representations to them about what a DPD with that subject ought to contain.

(2) The bodies referred to in paragraph (1) are—

(a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed DPD; and

(b) such of the general consultation bodies as the local planning authority consider appropriate.

(3) If a local planning authority propose to prepare a DPD, they must also consider whether it is appropriate to invite representations from persons who are resident or carrying on business in their area.

(4) If a local planning authority decide that it is appropriate to invite representations under paragraph (3) they must make arrangements for the purposes of inviting representation from such persons of the descriptions in paragraph (3) as they think appropriate.

(5) In preparing the DPD, the local planning authority must take into account any representations made to them in response to invitations under paragraph (1) or (4).

## **Publication of a development plan document**

**27.** Before submitting a DPD to the Secretary of State under section 20, the local planning authority must—

(a) make a copy of each of the proposed submission documents and a statement of the representations procedure available for inspection during normal office hours—

(i) at their principal office, and

(ii) at such other places within their area as they consider appropriate;

(b) publish on their website—

(i) the proposed submission documents,

(ii) a statement of the representations procedure, and

(iii) a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected;

(c) send to each of the specific consultation bodies invited to make representations under regulation 25(1) or 26(1) for the purposes of the DPD—

(i) a copy of each of the proposed submission documents, and

(ii) a statement of the representations procedure;

(d) send to each of the general consultation bodies invited to make representations under regulation 25(1) or regulation 26(1) for the purposes of the DPD—

- (i) a statement of the representations procedure, and
- (ii) a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected; and

(e) give by local advertisement notice which sets out—

- (i) a statement of the representations procedure, and
- (ii) a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected.



