



CABINET AGENDA

**TUESDAY 28 JUNE 2016 AT 7.30 PM
DBC BULBOURNE ROOM - CIVIC CENTRE**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

Councillor Williams (Leader)
Councillor Griffiths (Deputy Leader)
Councillor Elliot

Councillor Harden
Councillor Marshall
Councillor G Sutton

For further information, please contact Michelle Anderson or Member Support

AGENDA

1. MINUTES (Pages 4 - 11)

To confirm the minutes of the meeting held on 24 May 2016

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent
 - and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial
- (ii) may not participate in any discussion or vote on the matter (and must withdraw

to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct for Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements and ask questions in accordance with the rules as to Public Participation.

5. REFERRALS TO CABINET

There were no referrals to Cabinet

6. CABINET FORWARD PLAN (Pages 12 - 14)

7. AUTHORISATION OF VIREMENTS (Pages 15 - 19)

8. STATEMENT OF COMMUNITY INVOLVEMENT (Pages 20 - 88)

9. COMPLAINTS (Pages 89 - 100)

10. NATIONAL GRADUATE DEVELOPMENT PROGRAMME (Pages 101 - 103)

11. THE FORUM CAR PARKING

Report to follow

12. COUNCIL TAX SUPPORT TEAM REVIEW (Pages 104 - 109)

13. EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the items in Part 2 of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that, if members of the public were present during those items, there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party companies/organisations.

Local Government Act 1972, Schedule 12A, Part 1, paragraph 3.

Agenda Item 1

MINUTES

CABINET

24 MAY 2016

Present:

Members:

Councillors: Williams (Leader)
Griffiths (Deputy Leader)
Elliot
Harden
Marshall
G Sutton

Officers: Sally Marshall Chief Executive
Mark Gaynor Corporate Director - Housing & Regeneration
 James Deane Corporate Director - Finance and Operations
 Mark Brookes Group Manager - Legal Governance
 Richard Baker Group Manager - Financial Services

The meeting began at 7.30 pm

CA/45/15 MINUTES

The minutes of the meeting held on 26 April 2016 were agreed by the members present and signed by the Chairman.

CA/46/15 APOLOGIES FOR ABSENCE

None received

CA/47/15 DECLARATIONS OF INTEREST

None received

CA/48/15 PUBLIC PARTICIPATION

None received

CA/49/15 REFERRALS TO CABINET

None received

CA/50/15 CABINET FORWARD PLAN

That the Cabinet Forward Plan be noted, subject to the following amendments:

1. Hemel Hempstead Town Centre Parking Access & Movement Strategy – Move to September meeting
2. Add to September – Impact of Housing and Planning Act

CA/51/15 AUTHORISATION OF VIREMENTS**Decision**

That the Virements as detailed on the attached Form A to the Cabinet report be approved.

Reason for Decision

To seek Cabinet approval to proposed virements.

Implications**Financial**

The Scheme of Virements is part of the Council's financial management.

Risk Management

There are no risk implications.

Corporate Objectives

To standardise documentation and authorisation requirements for all virements.

Monitoring Officer/S.151 Officer Comments**Monitoring Officer:**

No further comments to add to the report.

Deputy S.151 Officer:

This is a Section 151 Officer report.

Advice

The Portfolio Holder for Finance and Resources noted that this was a self-explanatory report and there was nothing further to add.

Voting

None.

CA/52/15 PROVISIONAL OUTTURN

Decision

1. The provisional outturn position for each of the accounts detailed be approved
2. That the Audit committee be recommended to approve the reserve movements outlined in Section 9 of the Cabinet report.

Reason for Decision

To provide details of the provisional outturn position for the:

- General Fund
- Housing Revenue Account
- Capital Programme

To provide details of the proposed transfers to and from earmarked reserves.

Implications

Financial and Value for Money implications are included within the body of the report.

Risk Implications

Risk implications are included within the body of the report.

Equalities Implications

There are no equality implications.

Health & Safety Implications

There are no health and safety implications

Corporate Objectives

Delivering an efficient and modern council.

Monitoring Officer/S.151 Officer Comments

Monitoring Officer

No further comments to add.

S.151 Officer

This is a Section 151 Officer report.

Advice

The Portfolio Holder for Finance & Resources highlighted that recommendation two should be amended to recommend to the Audit Committee rather than Full Council. He added that he expected to have signed off the accounts by the year end.

The Portfolio Holder for Environmental, Sustainability & Regulatory Services referred to the HRA major variances and asked what the slippage was for line 198 which related to the scheme at London Road Apsley.

The Corporate Director for Housing & Regeneration explained that the design and build contract did require changes as the development takes shape. He added that it was common to have to alter the requirements and therefore causing delay.

The Portfolio Holder for Housing added that the redesign was required due to the height required in the living areas.

Voting

None.

CA/53/15 PROPOSALS FOR A DEVELOPMENT COMPANY

Decision

1. The procurement of specialist technical advice to progress work on the creation of a Development Company be approved;
2. The primary objectives of the Development Company, as detailed in paragraph 7 of the Cabinet report be approved and,
3. The development sites identified in paragraph 12 to form the initial pipeline for the Development Company be approved,

Resolved to Recommend:

4. **A draw down of £100k from the Invest to Save reserve, in order to fund the procurement of advice associated with the creation of a Development Company and further associated costs.**

Reason for Decision

To gain Cabinet approval for the overarching principles of a Council-owned Development Company, ahead of procuring specialist, technical advice.

Implications

Financial

The financial implications are included within the body of the report.

Value for Money

The procurement exercise will be governed by the Council's Procurement Standing Orders, deigned to ensure fair competition and maximise value for money.

Risk Implications

There are limited risks associated with the recommended procurement at this stage of the project. The risks inherent with the actual creation of a company will be reported back to Cabinet to consider later in the year, before the next steps are taken.

Health & Safety Implications

None.

Corporate Objectives

This project aligns with all of the Council's corporate objectives, as approved by Council in February 2016.

Monitoring Officer/S.151 Officer Comments

Monitoring Officer:

The Council has the power to establish a Development Company pursuant to provisions contained in the Local Government Act 1972, Local Government Act 2003 and the Localism Act 2011.

As highlighted in the report, detailed legal advice will be obtained in relation to the governance arrangements which will operate between the Council and the Development Company, the applicability of 'State Aid' rules (EU rules in place to prevent members states distorting cross boundary competition), and the Council's requirement to achieve 'best consideration' for any disposal/transfer of land to the Development Company.

Comprehensive advice on all of the above issues will be provided in future reports to Cabinet in due course.

S.151 Officer

This is a Section 151 Officer report.

Advice

The Portfolio Holder for Finance & Resources explained that the purpose of the report was to seek approval for a development company to provide and secure investment income for the future. The report had suggested a budget of £100k and this was to ensure no risks were taken with potentially having a short fall and having to return to Cabinet with a further budget request.

The Portfolio Holder for Residents & Corporate Services asked what the differences were between what the council currently did and how this would change.

The Corporate Director of Finance & Operations explained that currently this was affecting the Housing Revenue Account (HRA), however in the future the hope would be to maximise revenue income to support the provision of General Fund services.

Furthermore, currently developments were subject to right to buy and therefore not guaranteed long term income. The development company proposal would help ensure long term viable income. He highlighted the importance of needing clear objectives for the development company.

The Corporate Director for Housing and Regeneration said they must help to protect the council's position. He added that there wouldn't be many differences to the process.

The Portfolio Holder for Housing sought clarification that this duty would form part of the General Fund as opposed to the HRA.

The Corporate Director for Housing and Regeneration confirmed that they could charge rents to the General Fund in order to help support the council's objectives. The Chief Executive added that there were a number of council's already doing this.

The Portfolio Holder for Residents & Corporate Services asked how the figure of £100k being requested was calculated.

The Corporate Director of Finance & Operations explained that many other council's budgets had been in the region of £60-70k and he did not want to have to return to Cabinet requesting further funds due to there being a shortfall in the budget. He assured members of the Cabinet that they would be carrying out the required tendering process.

The Portfolio Holder for Housing recommended that recommendation (4) be broadened to read 'A draw down of £100k from the Invest to Save reserve, in order to fund the procurement of advice associated with the creation of a Development Company and further associated costs.'

The Portfolio Holder for Environmental, Sustainability & Regulatory Services asked if during the tendering process they would be looking for ideas for the use of a development company and would they be able to embrace many areas or would they be limited to just Housing.

The Corporate Director of Finance & Operations explained that the report listed the key objectives. They didn't want to create a complex process as it needed to get started.

The Corporate Director for Housing and Regeneration felt that it would be likely that a development company would be able to cover broader areas.

The Chief Executive said that this was explained in paragraph 8 of the report and by including some key objectives, meant that there would be a more focussed discussion.

The Corporate Director of Finance & Operations added that they did not want to prohibit the scope of the company and therefore a further report would be presented to Cabinet to look into these aspects.

The Portfolio Holder for Environmental, Sustainability & Regulatory Services asked which other council's did things this way.

The Chief Executive replied that virtually all the Eastern Region councils were looking to do it if they weren't already doing so.

The Portfolio Holder for Residents & Corporate Services asked if bidders through the tendering process will be asked to provide examples as a way of evidencing their experiences.

The Corporate Director for Housing and Regeneration confirmed this would be the case and said that many of those making a bid will have had experience with other council's.

Voting

None.

CA/54/15 CONSTITUTION UPDATE

Decision

Resolved to Recommend:

1. **the changes to the Constitution as set out in paragraphs 9, 10, 14, 16 and 21 of the Cabinet report**
2. **the changes to the Financial Regulations as set out in paragraphs 22 and 26 of the Cabinet report**

Reason for Decision

To seek approval to amend the Constitution and Financial Regulations to reflect changes to staffing structures, operational changes and new legislation.

Implications

Financial

There are no financial implications arising from this report

Value for Money

There are no implications arising from this report.

Failure to have an up to date and accurate Constitution could lead to legal challenge and operational, reputational and financial costs may follow if the challenge was successful.

Community Impact Assessment

There are no community impacts which require assessing resulting from this report.

Health & Safety Implications

There are no Health and Safety implications connected to this report.

Corporate Objectives

The Constitution and the Council's Financial Regulations support all of the Council's Corporate Objectives as they provide the governance framework for all decisions, strategic and operational.

Monitoring Officer/S.151 Officer Comments

Monitoring Officer:

This is a Monitoring Officer report.

S.151 Officer

No further comments to add to the report.

Advice

The leader of the Council explained that this was a simple report bringing everything together following the recent structure changes.

The Solicitor to the Council and Monitoring Officer explained that there would be regular reports to Cabinet in the future in order to reflect ongoing changes.

The Leader of the Council felt it would be good to see it regularly.

The Portfolio Holder for Environmental, Sustainability & Regulatory Services asked if Members would see the amendments before the Constitution is published.

The Solicitor to the Council and Monitoring Officer said there would be a thorough review of the Constitution and the amendments would be published in full. The report highlighted the key principles of the changes.

He noted that a copy of the changes could be circulated to the members of Cabinet before publication.

The existing version on the council's website and on Modern Gov will be replaced.

Voting

None.

The Meeting ended at 7.55 pm

Agenda Item 6

As at 20 June 2016

CABINET FORWARD PLAN

	DATE	MATTERS FOR CONSIDERATION	Decision Making Process	Reports to Monitoring Officer/S.15 1 Officer	CONTACT DETAILS	BACKGROUND INFORMATION
1.	26/07/16	Risk Management Q4		07/07/16	James Deane, Corporate Director Finance and Operations 01442 228278 james.deane@dacorum.gov.uk	To review the updated Strategic Risk Register.
2.	26/07/16	Housing Asset Management Strategy		07/07/16	Elliott Brooks, Assistant Director (Housing) 01442 228615 elliott.brooks@dacorum.gov.uk Fiona Williamson, Group Manager (Property & Place) 01442 228855 fiona.williamson@dacorum.gov.uk	To set out the strategic approach as to how the Council will maintain and invest in its housing stock
3.	26/07/16	Housing Acquisition Policy		07/07/16	Elliott Brooks, Assistant Director (Housing) 01442 228615 elliott.brooks@dacorum.gov.uk Simon Smith, Assets and Business Improvement Team Leader Property & Place, 01442 228464 simon.smith@dacorum.gov.uk	To set out the principles by which the Council's Housing Revenue Account will acquire assets including buying back properties previously sold under Right to Buy
4.	26/07/16	Medium Term Financial Strategy		07/07/16	James Deane, Corporate Director Finance and Operations 01442 228278 james.deane@dacorum.gov.uk	An updated review of the Council's financial position over the medium-term
5.	26/07/16	Berkhamsted Multi Storey Car Park		07/07/16	David Skinner, Assistant Director Finance & Resources, 01442 228662 david.skinner@dacorum.gov.uk	To be provided
6.	26/07/16	Ladbrokes Site, Jarman Park Part 2		07/07/16	David Skinner, Assistant Director Finance & Resources, 01442 228662 david.skinner@dacorum.gov.uk	To be provided
7.	26/07/16	Disposal of Assets		07/07/16	David Austin, Assistant Director Neighbourhood Delivery 01442 228355 david.austin@dacorum.gov.uk	To seek approval for the disposal of an asset (recycling equipment at Cupid Green Depot).
8.	26/07/16	Affordable Housing Supplementary Planning Document: Clarification Statement		07/07/16	James Doe, Assistant Director Planning, Development & Regeneration 01442 228583 James.doe@dacorum.gov.uk Laura Wood, Strategic Planning and Regeneration Team Leader 01442 228661 laura.wood@dacorum.gov.uk	To clarify the Council's policy on the requirement of affordable housing on smaller development sites following a recent Court decision in relation to Ministerial Statement reference HCWSS50
9.	20/09/16	Performance report Quarter 1		01/09/16	James Deane, Corporate Director Finance and Operations 01442 228278 james.deane@dacorum.gov.uk	Quarterly update on management of the Council's strategic risks
10.	20/09/16	Treasury Management Strategy		01/09/16	David Skinner, Assistant Director Finance & Resources, 01442 228662 david.skinner@dacorum.gov.uk	To be provided
11.	20/09/16	Town Centre Asset Management		01/09/16	James Doe, Assistant Director Planning, Development &	To agree operational

	DATE	MATTERS FOR CONSIDERATION	Decision Making Process	Reports to Monitoring Officer/S.15 1 Officer	CONTACT DETAILS	BACKGROUND INFORMATION
		Strategy			Regeneration 01442 228583 james.doe@dacorum.gov.uk Chris Taylor, Group Manager Strategic Planning and Regeneration 01442 228405 chris.taylor@dacorum.gov.uk	arrangements and responsibilities for the ongoing management of assets held by the Borough Council in Hemel Hempstead Town Centre
12.	20/09/16	Facilities Management Award of Contract		01/09/16	David Skinner, Assistant Director Finance & Resources, 01442 228662 david.skinner@dacorum.gov.uk Ben Hosier, Group Manager Commissioning, Procurement & Compliance 01442 228215 ben.hosier@dacorum.gov.uk	A recommendation will be presented to Cabinet to seek authorisation to award a contract for a new Facilities Management Service
13.	20/09/16	Hemel Hempstead Town Centre Parking Access and Movement Strategy		01/09/16	James Doe, Assistant Director Planning, Development & Regeneration 01442 228583 james.doe@dacorum.gov.uk Chris Taylor, Group Manager Strategic Planning and Regeneration 01442 228405 chris.taylor@dacorum.gov.uk Nathalie Bateman, Strategic Planning & Regeneration Team Leader 01442 228592 nathalie.batemen@dacorum.gov.uk	To consider arrangements for taking forward the next stages of the parking access and movement strategy for Hemel Hempstead Town Centre
14.	20/09/16	Enterprise Zone		01/09/16	James Doe, Assistant Director Planning, Development & Regeneration 01442 228583 james.doe@dacorum.gov.uk	To seek Council's agreement to sign off proposals
15.	20/09/16	Impact of Housing and Planning Act		01/09/16	Mark Gaynor, Corporate Director Housing & Regeneration, 01442 228575 mark.gaynor@dacorum.gov.uk	To outline the changes in legislation impacting on the Housing and Planning services resulting from the Housing and Planning Act 2016, including capacity and resource implications
16.	20/09/16	Dacorum Leisure Review		01/09/16	Robert Smyth, Assistant Director Performance & Projects 01442 228979 robert.smyth@dacorum.gov.uk	To be provided
17.	18/10/16	Homelessness Strategy Review		29/09/16	Elliott Brooks, Assistant Director Housing, 01442 228615 elliott.brooks@dacorum.gov.uk Natasha Brathwaite, Strategic Housing Group Manager, 01442 228840 natasha.brathwaite@dacorum.gov.uk	The Homelessness Strategy is a statutory requirement that all local authorities have. The document is required to set out our approach to Homelessness in the borough. This is a 2013-2018 document, which is having a formal review
18.	18/10/16	Quarter 1 Strategic Risk Report		29/09/16	David Skinner, Assistant Director Finance & Resources, 01442 228662	Quarterly update on management of the Council's

	DATE	MATTERS FOR CONSIDERATION	Decision Making Process	Reports to Monitoring Officer/S.15 1 Officer	CONTACT DETAILS	BACKGROUND INFORMATION
					david.skinner@dacorum.gov.uk	strategic risks
19.	18/10/16	HRA Business Plan Review		29/09/16	Elliott Brooks, Assistant Director Housing, 01442 228615 elliott.brooks@dacorum.gov.uk	To be provided
20.	29/11/16			10/11/16		

Future Cabinet Dates 2016: 13th December:

- Tax Base 2017/18 (D Skinner)
- Treasury Management mid-year performance (D Skinner)
- Q2 Strategic Risk Report (D Skinner)

Dates to be confirmed:

Agenda Item 7



Report for:	Cabinet
Date of meeting:	28 June 2016
PART:	1
If Part II, reason:	

Title of report:	AUTHORISATION OF VIREMENTS
Contact:	Councillor Graeme Elliot, Portfolio Holder for Finance & Resources James Deane, Corporate Director (Finance & Operations)
Purpose of report:	To seek Cabinet approval to proposed virements.
Recommendations	That the virements as detailed on the attached Form A be approved.
Corporate objectives:	Delivering an efficient and modern Council.
Implications: 'Value For Money Implications'	<u>Financial</u> The Scheme of Virements is part of the Council's financial management.
Risk Implications	There are no risk implications.
Monitoring Officer/S.151 Officer Comments	Monitoring Officer: No comments to add to the report Deputy S.151 Officer: This is a Section 151 Officer report.
Consultees:	
Background papers:	Form A

BACKGROUND

1. The Council is required to establish standard documentation and authorisation requirements for all virements.
2. The Council's Financial Regulations determine the scheme of virement and its application. The Financial Regulations state that the scheme covers-
“all transfers of budget, of any value and for any reason including for reason of organisational restructure”.

This will remain in force until such time as the regulations are reviewed. The regulations make clear that no virement can be carried out without the approval of the Corporate Director of Finance & Operations (or his/her nominated delegate), who will also be the final arbiter in any dispute. Additionally, the Director may override any authorisation and determine that approval is required by a higher level of authority.

Virement(s) requiring Cabinet authorisation

Virement for the purpose of removing savings identified from service budgets

Expenditure type	Service Area(s)	Submitted by	Date
Revenue	People & Performance / Revenues & Benefits / Regulatory Services / Chief Executive	Jackie Doyle	07/06/16

Account Code	Cost Centre	Account code description	Cost Centre description	TO (DEBIT AMOUNT) £	FROM (CREDIT AMOUNT) £	REASON
1010	UZ100	Salaries	Administration		25,000	Remove saving from service budgets
1010	UZ590	Salaries	Communication & Consultation		24,000	Remove saving from service budgets
1010	RD050	Salaries	Revenues & Benefits Support		23,000	Remove saving from service budgets
1010	ED105	Salaries	Regulatory Services Centralised Costs		34,000	Remove saving from service budgets
1010	UZ400	Salaries	Human Resources		37,000	Remove saving from service budgets
1010	UZ500	Salaries	Chief Executive and Strategic Management Team	143,000		Remove saving from service budgets
Total				143,000	143,000	

Finance Use Only

Ref. no	
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Virement(s) requiring Cabinet authorisation

Virement for the purpose of including a budget for the expenditure related to the EU Referendum

Expenditure type	Service Area(s)	Submitted by	Date
Revenue	Elections	Jackie Doyle	07/06/16

Account Code	Cost Centre	Account code description	Cost Centre description	TO (DEBIT AMOUNT) £	FROM (CREDIT AMOUNT) £	REASON
1010	RA180	Salaries	Referendum	124,910		Budget required for EU referendum expenditure
2460	RA180	Premises Rents / Leases	Referendum	18,000		Budget required for EU referendum expenditure
3000	RA180	Equipment - General	Referendum	8,470		Budget required for EU referendum expenditure
3350	RA180	Printing	Referendum	20,000		Budget required for EU referendum expenditure
3370	RA180	General Office Expenses	Referendum	2,000		Budget required for EU referendum expenditure
3510	RA180	Postage / Couriers	Referendum	30,000		Budget required for EU referendum expenditure
6290	RA180	Other Receipts and Contributions from Government Bodies	Referendum		203,380	Budget required for EU referendum reimbursement

Total

203,380

203,380

Finance Use Only

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Virement(s) requiring Cabinet authorisation

Virement for the purpose of amending the budget for the Public Health District Offer Project

Expenditure type	Service Area(s)	Submitted by	Date
Revenue	Community Partnerships	Jackie Doyle	07/06/16

Account Code	Cost Centre	Account code description	Cost Centre description	TO (DEBIT AMOUNT) £	FROM (CREDIT AMOUNT) £	REASON
3600	UZ577	Grants Paid	Public Health District Offer	66,666		Expenditure related to Public Health District Offer project
6400	UZ577	Grant Receipts	Public Health District Offer		66,666	Grant income related to Public Health District Offer project

Total

66,666	66,666
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Finance Use Only

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Agenda Item 8



Report for:	Cabinet
Date of meeting:	28 June 2016
PART:	1
If Part II, reason:	

Title of report:	ADOPTION OF NEW STATEMENT OF COMMUNITY INVOLVEMENT (SCI) TO GUIDE CONSULTATION ON PLANNING MATTERS.
Contact:	Graham Sutton, Portfolio Holder for Planning and Regeneration James Doe, Assistant Director - Planning, Development and Regeneration Fiona Bogle, Team Leader – Development Management Laura Wood, Team Leader – Strategic Planning and Regeneration
Purpose of report:	That Cabinet consider consultation responses received on a new Statement of Community Involvement (2016), agree responses to comments received and recommend to Council the formal adoption of the new document.
Recommendations:	Recommend that Council: 1. Agree the responses to comments received on the draft Statement of Community Involvement (2016); and 2. Adopt the new Statement of Community Involvement to guide future consultation on planning matters as annexed to this report.
Corporate objectives:	The SCI sets out how the Council will consult on its planning policy documents and on planning applications. It therefore directly supports the 'Community Capacity' and 'Dacorum Delivers,' and indirectly supports all other objectives via the plans and developments that arise through the planning process.
Implications:	<u>Financial</u> There are no direct financial implications relating to the preparation of a new SCI. However, there are implications for the consultation arrangements set out within it: and the need to balance public expectations regarding the types of consultation techniques with the costs involved. <u>Value for money</u> The SCI sets out the range of consultation techniques that will be used within the planning process and the need to ensure that these are fit for purpose and proportionate in terms of the scale

	<p>and nature of the planning issue(s) involved.</p> <p><u>Legal</u></p> <p>The production on an SCI is a legal requirement. Compliance with an up to date SCI assist the Council in defending objections and appeals against its planning decisions. Conversely, failure to comply with the standards and processes set out within the SCI could result in legal action against the Council.</p> <p><u>Staff</u></p> <p>No direct implications for staffing. However, all staff and elected Members need to be aware of the content of the SCI and follow processes and procedures within it.</p> <p><u>Land</u></p> <p>No direct implications, although the planning documents and proposals that will be subject to consultation will have implications for the future use of land.</p>
Risk implications:	Key challenges relating to consultation are set out within the SCI itself. Key risks relate to non-compliance with the SCI – resulting in legal challenges - and the need to balance public aspirations regarding consultation and involvement in planning decisions, with the limited budgets available.
Equalities implications:	Equalities issues are considered through the Sustainability Appraisal process that all planning policy documents are subject to. The SCI itself also considers the most appropriate consultation techniques to reach different types of consultees. There may also be indirect implications for the SCI i.e. relating to the choice of venues for public consultation events and the need to ensure these are DDA complaint.
Health and safety implications:	No direct implications. There may be indirect implications relating to different types of consultation techniques and the choice of event venues.
Sustainability implications:	Sustainability implications for planning policy document are considered through the statutory Sustainability Appraisal process, which incorporates Strategic Environmental Assessment. Where necessary, major planning applications are required to carry out an Environmental Impact Assessment (EIA).
Monitoring Officer/S.151 Officer comments:	<p><u>Monitoring Officer</u></p> <p>No comments to add to the report.</p> <p><u>Section 151 Officer</u></p> <p>There are no direct financial consequences of the proposed recommendation. Any resource requirements for delivering consultations in line with the proposed Statement of Community involvement will have to be met from approved existing budgets.</p>

Consultees:	<p>As agreed by Cabinet in December 2015, the draft revised SCI was circulated for comment to relevant external groups, including developers and agents, community groups and Town and Parish Councils (see main report for furthered detail).</p> <p>The responses received to this consultation, and any changes required to the draft document as a result, have been discussed internally by the following teams:</p> <ul style="list-style-type: none"> • Communications • Strategic Planning and Regeneration • Development Management • Legal 																						
Background papers:	<ul style="list-style-type: none"> • Statement of Community Involvement – Draft for Cabinet (December 2015) • Statement of Community Involvement (June 2006) • National Planning Policy Framework (March 2012) • Planning Practice Guidance (March 2014 and updated regularly online) • Town and Country Planning (Local Planning) (England) Regulations 2012 • Town and Country Planning (Development Management Procedure) (England) Order 2015 • Listed Buildings and Conservation Area Regulations 1990 																						
Glossary of acronyms and any other abbreviations used in this report:	<table> <tbody> <tr> <td>DPD</td><td>Development Plan Document</td></tr> <tr> <td>SCI</td><td>Statement of Community Involvement</td></tr> <tr> <td>LDS</td><td>Local Development Scheme</td></tr> <tr> <td>NPPF</td><td>National Planning Policy Framework</td></tr> <tr> <td>NPPG</td><td>National Planning Practice Guidance</td></tr> <tr> <td>SPD</td><td>Supplementary Planning Document</td></tr> <tr> <td>SPG</td><td>Supplementary Planning Guidance</td></tr> <tr> <td>LPF</td><td>Local Planning Framework (also referred to as Local Development Framework)</td></tr> <tr> <td>CIL</td><td>Community Infrastructure Levy</td></tr> <tr> <td>GPDO</td><td>General Permitted Development Order</td></tr> <tr> <td>PPA</td><td>Planning Performance Agreements</td></tr> </tbody> </table>	DPD	Development Plan Document	SCI	Statement of Community Involvement	LDS	Local Development Scheme	NPPF	National Planning Policy Framework	NPPG	National Planning Practice Guidance	SPD	Supplementary Planning Document	SPG	Supplementary Planning Guidance	LPF	Local Planning Framework (also referred to as Local Development Framework)	CIL	Community Infrastructure Levy	GPDO	General Permitted Development Order	PPA	Planning Performance Agreements
DPD	Development Plan Document																						
SCI	Statement of Community Involvement																						
LDS	Local Development Scheme																						
NPPF	National Planning Policy Framework																						
NPPG	National Planning Practice Guidance																						
SPD	Supplementary Planning Document																						
SPG	Supplementary Planning Guidance																						
LPF	Local Planning Framework (also referred to as Local Development Framework)																						
CIL	Community Infrastructure Levy																						
GPDO	General Permitted Development Order																						
PPA	Planning Performance Agreements																						

BACKGROUND

Introduction

Role of the SCI:

- 1.1 The purpose of the Statement of Community Involvement (SCI) is to outline the Council's standards for community involvement in the planning process and to identify ways we will achieve these standards.
- 1.2 It sets out the Council's approach to public consultation in two areas of planning:
 - **Planning Policies:** the preparation, alteration and continuing review of planning policy documents included within the Local Development Framework (LDF); and
 - **Planning Applications:** Consultation on planning applications.
- 1.3 In particular, it explains:

When we will consult the community in relation to planning applications, development plan documents and supplementary planning documents;

What publicity and consultation we will expect from applicants before they submit a planning application;

How we will engage with the community;

Who we will involve.

- 1.4 All local planning authorities are required to produce an SCI. The legal requirements for consultation, community involvement and planning applications are currently set out in the following legislation:
 1. **Plan-making:** Planning and Compulsory Purchase Act 2004; Town and Country Planning (Local Development) England Regulations 2012; Neighbourhood Planning (General) Regulations 2012; and
 2. **Planning applications:** Town and Country Planning (Development Management Procedure) (England) Order 2015; Listed Buildings and Conservation Area Regulations 1990.
- 1.5 Through the SCI the Council will seek to:
 - Give those who want to, the opportunity to constructively contribute and participate in the local planning process
 - Commence the consultation process to enable comments to be made in the early stages before policies are drawn up, i.e. at the issues and options stage
 - Actively encourage participation from any groups who have in the past been under-represented in the local planning process e.g. young people and people from ethnic minority groups

- Keep organisations and the public informed about the local planning process and provide feedback on how their comments have been considered
 - Raise awareness of the local planning process
 - Ensure corporate participation
 - Learn from the consultation process and to seek ways of improving it
 - Draw from the consultation process, views of other Council services and where possible outside organisations.
- 1.6 The purpose of consulting on planning policy issues and planning applications is to provide opportunities for constructive contributions and involvement. This should enhance the quality of decision-making by the Council, promote shared responsibility (where appropriate); and raise awareness of the issues and understanding of decisions taken.
- The need for an update
- 1.7 The Council adopted its first SCI in June 2006, following endorsement by an independent Planning Inspector. Since then there have been changes in government regulations, policies, guidance and ways of communication which have implications for the way the Council involves the community in planning. These changes in circumstances and the reason they require a revision to the SCI set out in Table 1 below. A distinction is made to the changes required in Part A of the SCI which relates to the Council's plan making function and Part B which relates to its planning decision-taking function (i.e. Development Management) and those that have more general implications.
- 1.8 It is particularly important that a new, revised SCI that fully reflects current Government planning regulations is in place when consultation begins on work on the Council's new single Local Plan. This is due to commence later in 2016, with the publication of an Issues and Options paper.

Content of updated document

- 1.9 Much of the text of the previous SCI (2006) has been retained, as it still remains relevant and appropriate. The format has been updated and the text simplified to make it easier to follow.

PART A: Plan Making:

- 1.10 The main changes relate to:
- Updated to reflect 2012 planning regulations, which simplified stages for plan preparation (i.e. removal of 'Preferred Options' stage);
 - Increased emphasis upon electronic means of communication and information sharing – to reflect 'Digital Dacorum' programme;
 - Inclusion of reference to the role of social media; and
 - New cross references to CIL and Neighbourhood Plans.

PART B: Development Management:

1.11 The main changes relate to:

- Updated to reflect the consultation requirements laid down in the 2015 Regulations;
- Additional section regarding Planning Performance Agreements (PPA);
- Inclusion of reference to the agents forum;
- Details of pre-application advice and charging and
- Electronic links provided for legislation and other guidance.

Consultation:

1.12 Planning regulations relating to SCIs have been considerably simplified since the last document was adopted in 2006, as a result of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009.

1.13 Whilst there remains a requirement to keep the SCI under review, there is no longer a requirement for Councils to undertake extensive consultation on the document. The only specification is that which relates to all Local Development Documents (LDDs), which is to consult with neighbouring local planning authorities.

1.14 However, Cabinet agreed in December 2015 that due to the SCI containing a set out procedures that will have a direct impact on a range of organisations with an interest in planning matters, it was appropriate to undertake targeted consultation before Council are asked to bring the revised document into effect.

1.15 Targeted consultation was therefore carried out with the following groups / organisations:

- ***Specific consultation bodies***, as defined in the Localism Act 2001. This includes adjoining local planning authorities, Hertfordshire County Council and other key bodies such as the Environment Agency, Natural England and Heritage England.
- ***Planning agents and developers***
- ***Town and Parish Councils***
- ***Residents groups and community associations***

1.16 This consultation was relatively informal in nature: asking for general feedback on the draft document, rather than requiring this feedback to be submitted on a prescribed form. Consultees were however be asked to be as specific as possible in terms of any changes they would like to see incorporated. The consultation document, together with information regarding how to respond, were also published on the Council's website.

1.17 The consultation ran for a 6 week period from 14 January and ending on 25 February. Comments received after this deadline have also been incorporated into this report.

Feedback Received

- 1.18 Twenty one consultation responses were received. These were largely from community organisations (3), Town and Parish Councils (4), statutory consultees (8), and agents / developers working on behalf of local landowners and developers (4).
- 1.19 A summary of all comments received, together with a proposed response, is set out in Table 1 below.
- 1.20 The majority of respondents supported the document, or offered no specific comment. Others suggest how it could be improved, and it is recommended that some changes are made to the document to reflect this feedback. These changes include:
 - Adding reference to the new protocol relating to pre-application advice available of the Council's website;
 - Adding reference to relevant regulations relating to consideration areas and listed buildings;
 - Including reference to the Chilterns Conservation Board as a formal consultation body; and
 - Inserting reference to the fact that Officers will provide advice to applicants regarding appropriate local groups to contact with regard to specific planning applications through the pre-app process and how best to go about this.
- 1.21 A small number of respondents (BRAG, Turleys and Mr Peter Brown) considered that more fundamental changes were required to the document.
- 1.22 However, some of the changes suggested, such as notifying all groups / organisations / developers of all planning applications, decisions, approvals, appeals and consultations, are not possible due to time and resource issues, coupled with technical constraints. However, Officers will consider preparing an electronic newsletter covering planning policy matters, which can be sent to everyone on the planning policy database for who we have a current email address. It can also be posted on the website. It will enable residents and organisations to keep abreast of where the Council is in terms of preparing its new local Plan and any associated policy guidance. This is an approach used by a number of other Councils and it is understood to be an effective way of improving communication.
- 1.23 It is also suggested that groups who have advise the Council of their interest in planning issues are added to the 'weekly list' email circulation, which will provide information regarding Development Management applications and decisions. Whilst this covers the whole of the Borough, it will enable recipients to decide if there are any applications relevant to them, upon which they wish to respond.
- 1.24 Contact details for all of those who responded have been checked, and where appropriate updated, on the Local Plan database to ensure this contains the most current information.

Next Steps:

- 1.25 Officers consider that this new SCI (incorporating the changes set out in Table 1 recommended as a result of feedback received) will enable effective consultation within the context of the resources available. The approach set out is also compliant with relevant Government regulations.
- 1.26 However, it also includes sufficient flexibility to allow the Council to undertake additional consultation if sufficient staff and/or financial resources allow.
- 1.27 Following the close of consultation on the draft document, Officers will consider comments received, discuss any key issues with the Planning and Regeneration Portfolio Holder and/or Chair of Development Control Committee (as appropriate) and make any necessary changes to the SCI. Cabinet will then be asked to recommend adoption of this revised document to Council later in 2016.

Summary of responses received to SCI Consultation, with recommended response

Consultee	Summary of comments received	Recommended response	Change required?
Aylesbury Vale Council	No Comment	N/A	No
Bedford Borough Council	No Comment	N/A	
Bletsoes	No general comments. Note that any specific comments regarding site interest at LA3 will be made by Barratt Homes and Taylor Wimpey.	N/A	No
Bovingdon Parish Council	Consider the posting of orange site notices for all planning applications to be best practice, even though acknowledged not to be a statutory requirement. If it is not possible for DBC to continue to post these notices, the Parish Council would request sufficient notice to enable them to post their own signs to draw attention to applications they consider be of wider community interest.	Site notices are used in most instances. However, there are circumstances whereby neighbour notification is considered more appropriate i.e. householder proposals that do not fall into the categories requiring a statutory notice. Parish and Town Councils are notified of proposals as soon as applications are validated there should therefore be sufficient time for the Parish Council to carry out its own notification procedure.	No
Berkhamsted Residents Action Group (BRAG)	Document is clearly written and so far as the revised consultation processes are concerned, would not cause BRAG any additional problems. Consider that new SCI will not	The text of the document will be amended to clarify that the database referred to is the Local Plan / planning policy database. This holds contact details for everyone who has responded to a planning policy consultation since it was set up as part of the Dacorum Borough Local Plan 2001-2011. It is also updated with contact details for anyone who contacts the Council asking to be kept informed of planning	Yes

	<p>improve community engagement with consultations or the planning application process, as it fails to address the key issue of communication.</p> <p>It is unclear what the database referred to comprises, when BRAG can be expected to be contacted and on what topics.</p> <p>At present there is very limited contact with the Council and BRAG has to be the pro-active party. This is hard for a voluntary group.</p> <p>SCI needs to introduce a mechanism where community groups are automatically informed of consultations, applications, decisions, judgement etc via an automated email alert.</p> <p>Improving communication is seen as part of the minimum standards for consultation that should be achieved and is a worthwhile and realistic use of Council resources.</p>	<p>policy documents. Whilst email addresses are held for some contacts, they are not available for others. This means there is a physical cost (both in terms of staff resources, paper and postage) associated with every notification sent to those on the database.</p> <p>This planning policy database is separate from contact details held by Development Management (DM) relating to planning application matters. The two cannot be combined as the details for those on the DM database are held purely for the purpose of communicating with applicants, their agents, consultees and potential objectors regarding a submitted planning application, whilst the planning policy database is a list of people / organisations who wish to be consulted more widely on planning policy matters.</p> <p>The Council uses this database to notify contacts of consultation on relevant planning policy document. Due to the number of people and organisations on the database currently 2017 contacts), it is impossible for the Council to contact everyone on the database regarding every planning decision, judgement, application or consultation across the borough. This information is already available via the Council's website.</p> <p>Consideration is also being given to beginning a planning policy newsletter to help individuals, groups and organisations stay updated with regard to the development of planning policy documents, as it is recognised that as these take time to prepare, it can be difficult to keep abreast of what stage the process is at and when there are opportunities for engagement. This will help organisations</p>	
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		<p>decide what they wish to engage with in terms of consultation on planning matters – as this will differ from organisation to organisation and individual to individual.</p> <p>The weekly list of applications and decisions is sent to Town and Parish Councils, Councillors, internal consultees and other groups or individuals interested. Any local amenity group or individual can be added to the list by emailing the Planning Mailbox: planning@dacorum.gov.uk</p>	
Chilterns Conservation Board (CCB)	<p>CCB should be identified as a formal consultation body.</p> <p>Would like to continue to receive planning applications that fall within the following categories:</p> <ul style="list-style-type: none"> • considered by the LPA to be significant to the AONB; • if application is contrary to local or national policy; • likely to set a precedent for the future. 	<p>Add new paragraph after 2.11 to include reference to the Chilterns Conservation Board.</p> <p>The CCB will continue to be notified on relevant proposals as identified.</p>	Yes
Historic England	<p>Methods of communication all appear appropriate.</p> <p>Need to amend references to 'Heritage England' and 'English Heritage' to 'Historic England'.</p> <p>Historic England suggests that a link is made to the regulations in particular regulation 5A of listed</p>	<p>Support welcomed.</p> <p>The Local Plan database has been checked and it contains the correct contact details.</p> <p>It is agreed that the SCI should refer more explicitly to regulations relating to listed buildings and conservation areas. Reference should therefore be inserted to</p>	Yes

	buildings and conservation regs 1990 regarding the process for Listed Building consents	regulation 5A of listed buildings and conservation regs 1990 in para 9.5	
Harrow Estates (Comments made by Turley on behalf of Harrow Estates).	General Need to correct format and typographical errors in the document.	Agreed.	Yes
Harrow Estates (Comments made by Turley on behalf of Harrow Estates).	Section A: Planning Policy “Other” groups including Harrow Estates should be communicated with on all planning documents and at each stage in the process and not just when deemed appropriate by the Council. The Council must ensure electronic communication databases are up to date and action any emails that get bounced back. Advise not to only rely on electronic forms of communication. Comments relating to Stage 1. <ul style="list-style-type: none">• Make all plans readily available on the website• Contact persons and	The SCI already refers to the need to consult appropriate bodies – and in many (though not all) cases this will involve landowners and developers operating within the Borough. The Council’s planning consultation database is updated as and when new consultee requests are received or Officers are advised of a change in contact name and/or address. However, Officers are dependent upon the consultees themselves to provide updated information if a member of their staff leaves – or to provide a generic email address to use that is not linked to an individual person to overcome issues of staff-turnover. All documents are already made available on the Council’s website –via the planning news page and normally (depending on the nature of the consultation) on the homepage via the news ‘banner.’ No change required.	No

	<p>interested bodies via the consultation portal</p> <p>Comments relating to Stage 2.</p> <ul style="list-style-type: none"> • Clarity needs to be provided as to how DBC will demonstrate how responses will be taken into account and the weight given to the responses. <p>Comments relating to Stage 3.</p> <ul style="list-style-type: none"> • At stage 3 comments suggest that all consultees are consulted at this stage. • Issues regarding notification of “Relevant people and organisations”, clarification is required as to how DBC defines people and 	<p>Appropriate persons and interested bodies are already contacted either by letter or, when the Objective system is being used, via an email generated automatically by the consultation portal. No change required.</p> <p>The way that consultation responses are taken into account and the weight they are accorded is a matter for elected Members and will vary from consultation to consultation. When drafting responses to members, Officers always endeavour to highlight those that raise planning issues that need to be taken into account and to advise if any changes are required as a result of these comments. However, as both Turleys and Harrow Estates are aware, planning decisions are not made by way of a simple majority vote. In addition to consultation responses, Officers and members need to take account of guidance in the NPPF, PPG and other relevant document, together with technical evidence and local circumstances. All of these factors are covered in Cabinet Reports and accompanying reports of representations / reports of consultation. Some text to this effect can be added to the SCI to make this clearer.</p> <p>It will not always be necessary to contact all consultees on the planning database at this stage: it will depend upon the nature of what is being consulted upon. The SCI makes it clear that the requirements set out are the minimum and these will be exceeded if appropriate and if time and resources allow. No change required.</p> <p>It is not possible for the SCI to provide any definitive statement regarding whom it considers to be the ‘relevant</p>	
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	<p>organisations as relevant.</p> <p>Comments relating to Stage 4.</p> <ul style="list-style-type: none"> • Requests all consultees are aware of any adoption statement and where it can be viewed. <p>The SCI should set out a commitment to sharing evidence based documents at the earliest opportunity.</p> <p>DBC will need to provide clarity on how to keep consultees up to date with regard to the Duty-To Cooperate and work with neighbouring authorities in the preparation of the local plan. In line with the NPPG, details must be provided of how and</p>	<p>people and organisations' – and Government guidance and regulations do not require Councils to do this. This is because the definition will vary depending upon the nature of the document being consulted upon. No change required.</p> <p>Again, Government regulations only require Councils to notify people of adoption (via an adoption statement) if they have requested to receive this notification. This is normally through ticking the appropriate box on a previous representation form. However, in reality, the Council usually notifies everyone who has responded to consultation on a particular document when it has been adopted. If the adoption statement itself is not provided, there will always be a web link to direct people to where this can be found. No change required.</p> <p>Publication of evidence base documents is not a matter that needs to be covered within the SCI: which as its title makes clear is about consultation. However, the Council always endeavours to publish its evidence base documents as soon as appropriate, and if there is a delay, to explain the reasons for this. The Council does not consult as a matter of course on technical evidence. No change required.</p> <p>The Council is aware of its statutory obligations under the duty-to-cooperate and considers that the SCI reflects these obligations where they pertain to consultation activities. All DTC contacts are consulted at statutory stages of plan making. DTC activity more widely is reported annually via the Authority Monitoring Report (AMR) process. Publication drafts of Development Plan Documents are also</p>	
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	<p>who the authority has co-operated with and how they have influenced the local plan.</p>	<p>accompanied by a draft 'Duty to Co-operate Statement,' which is then finalised for submission. These documents contain all the information required to demonstrate compliance with the NPPG on this matter. No change required.</p>	
Harrow Estates (Comments made by Turley on behalf of Harrow Estates). Comments regarding Development Management Policies. (Section B)	<p>Within section 6, there seems to be a lack of advice for developers when formulating a strategy for Pre-Application consultation. They state that more definition is required in a number of areas to ensure applicants approach pre-application consultation in line with council expectations.</p> <p>Para 6.1 Clarification is needed regarding what the council suggests is a large scale development and provides clarity on what DBC refer to by local community?</p>	<p>The Council has produced (April 2016) a protocol for pre-applications and charging schedule. The protocol includes definitions for all scales of development including large scale development</p> <p>Insert a link to the documents within the DM planning page on the website.</p>	Yes
	<p>Para 6.2 States that generally the applicant's choice whether they consult with the community and how they go about this. There needs to be a better understanding of the local groups to be consulted at the pre-application relevant to the area.</p> <p>Harrow estates state that other</p>	<p>Officers provide advice to applicants regarding appropriate local groups to contact with regard to specific planning applications through the pre-app process and how best to go about this. A sentence can be added to the SCI to this effect.</p> <p>Developers can be encouraged to use social media and</p>	Yes

	<p>methods should be employed to contact hard to reach groups.</p> <p>Provide a definition of service providers that the council expect developers to work with.</p>	<p>other appropriate mechanisms such as posters in prominent locations to help reach hard to reach groups.</p> <p>It is not appropriate for the SCI to provide a definitive list of service provider – as this will vary both over time and depending upon the nature of the application in question. It is therefore more appropriate for Case Officers to provide this advice on an application by application basis at pre-app stage.</p>	
Flaunden Parish Council	<p>Improvements need to be made to the online consultation portal to allow more space for comments</p> <p>Decision notices should be electronically to Parish Councils at same time as applicants.</p> <p>No mention is made of consultation Parish councils on Listed Building Consent.</p>	<p><i>Note: The Parish Council has subsequently confirmed that the comments relate to the online consultation portal used by Development Management for planning applications, not the planning policy consultation portal. No further details regarding the nature of the problems of the improvement required have been provided.</i></p> <p>Parish Councils are notified of planning decisions via the weekly list. This is considered a more effective mechanism of ensuring decisions on applications are effectively disseminated and none are missed.</p> <p>Add reference to consultation with Town and Parish Councils within para 9.5.</p>	Yes

Herts and Middlesex Wildlife Trust	No comment regarding the SCI. Although the Herts and Middlesex Wildlife trust have offered assistance in formulating policies to conserve and enhance biodiversity in the forthcoming local plan.	Offer of support for policy formulation is noted and welcomed. No change required to the SCI itself.	No
Boxmoor Trust	<p>Consider the document to be easy to read and comprehensive.</p> <p>Are interested in which disability groups are on the consultation database.</p> <p>Is accessibility for people with disabilities covered in terms of document format?</p>	<p>Support welcomed.</p> <p>The current groups included on the planning consultation database are:</p> <ul style="list-style-type: none"> • Hertfordshire Action on Disability • Age Concern • Tring Access Committee • The Puffins • Hemel Hempstead Access Group • Dacorum Talking Newspaper • POHWER • Dacorum Dolphin Swimming Club • Mind in Dacorum <p>Further groups may come to light following an upcoming article in the Dacorum Digest asking for people to notify the</p>	No

		<p>Council if they or organisations they represent wish to be added to the database.</p> <p>In terms of document format, the Council can usually provide copies of document in other formats (i.e. large print, braille, audio) on request.</p>	
Leverstock Green Village Association	<p>Broadly support revised SCI and in particular DBC's desire to consult widely on both policies and applications.</p> <p>Approve of the use of digital means of communication and increasing the use of social media.</p> <p>Would welcome confirmation that Leverstock Village Association are recognised as a group in lieu of a Parish Council.</p>	<p>Support welcomed.</p> <p>Support welcomed.</p> <p>Leverstock Green Village Association are not currently included in the same consultation category as Town and Parish Councils. However, the database has been amended to ensure they are treated in the same way in terms of future notifications and consultations on planning policy matters.</p> <p>Village Associations are not formally consulted on planning applications. However, should the group wish to receive notifications of applications submitted, it can register to receive the weekly list by emailing the Planning Mailbox: planning@dacorum.gov.uk</p>	Yes
Crime Prevention Advisor (Herts Police)	Document is clearly written and complies with relevant regulations.	Support noted and welcomed.	Yes

	<p>Request addition of Crime Prevention Design Adviser at Hertfordshire Police to the list of consultation groups and ensure details are up-to-date.</p>	<p>The Crime Prevention Design Adviser is already listed in the planning policy database. However, the job title / contact details have now been updated.</p> <p>The Crime Prevention Design Adviser is already consulted on appropriate planning applications.</p>	
Nash Mills Parish Council	<p>Document comprehensively sets out DBC's consultation objectives regarding planning matters</p> <p>A greater emphasis on achieving good design standards is required. DBC could create a design forum to comment on design issues as part of the planning process.</p> <p>Further information would be helpful regarding the timescales for various stages of the plan-making process would be helpful.</p> <p>A statement regarding how to obtain pre-application consultation would be helpful.</p> <p>Requests advice re how the Parish Council can be involved in the agents/developer forum referred to in paragraph 11.1.</p>	<p>General support welcomed.</p> <p>The comments referring to the need for good design standards are noted, but are not matters for the SCI per se. Design quality is guided by the application of Polices CS10-13 of the Core Strategy. If the Case Officer for a particular scheme considers additional design advice is required, then the Council will consider how best this can be obtained. In some cases it will use an existing design forum – but this will not always be possible or appropriate. The Council does not have the resources to fund its own design forum.</p> <p>Advice regarding how to obtain pre-application advice is contained on the Council's website and it is not considered appropriate or necessary to repeat this information within the SCI. Pre-application advice is treated as a confidential matter between the applicant and Borough Council, so this advice is not currently publicly available.</p> <p>New protocol and charging schedule for Pre- app proposals has just been published. Insert link to page on website.</p> <p>As explained in paragraph 11.1, the forum referred to is a</p>	No

		mechanism whereby the Council can engage with local agents and developers to discuss pertinent planning issues. There are other more appropriate mechanisms for parishes to engage with the Council on planning matters i.e. the annual Town and Parish Conference, and through Planning Managers attending parish Council meetings to discuss issues of local interest and concern.	
Natural England	<p>Supportive of the principle of meaningful early engagement.</p> <p>Unable to comment on the content of individual SCIs.</p> <p>Request all consultations be sent to their general consultation email address.</p>	The Local Plan consultation database has been amended to include general consultation email address.	Yes
Network Rail	<p>Draws attention to the requirement to serve notice to Network Rail of any development within 10 metres of railway land.</p> <p>Requests all consultations be sent to the general planning email address.</p>	<p>The Council is aware of the need to serve notice on Network Rail in the circumstances referred to. As this is a statutory notification process, rather than a consultation process, it is not necessary to refer to this within the SCI.</p> <p>The Local Plan consultation database has been amended to include general consultation email address.</p>	Yes

Peter Brown	<p>Considers that revised document does little to guarantee that local residents will be any better consulted (or informed) of future planning activities.</p> <p>Misgivings are:</p> <ul style="list-style-type: none"> • Not any significant improvements on current processes; • Not sufficiently pro-active; • Little evidence that database is used or maintained effectively. <p>Dacorum Digest, website and adverts are all passive forms of communication. This does little to 'front load' the consultation process.</p> <p>Little thought given to who consultation groups are, how they can be identified and how they can become involved. For Berkhamsted such groups include Berkhamsted Residents Actions Group, Save Your Berkhamsted Residents Associations and Berkhamsted Citizens Association.</p> <p>Document doesn't make it clear who</p>	<p>The mechanisms outlined in the SCI accord with Government guidance with regard to how to consult on planning matters, and in many cases exceed these requirements.</p> <p>There have been a number of changes to the current document with regard to trying to make the process more proactive and able to reach as wide an audience as possible i.e. through improved use of social media.</p> <p>The Council cannot make its planning policy consultation database publicly available due to restrictions placed upon it by the Data Protection Act. It can however confirm that it contains the names and contact details for a wide range of different organisations (including BRAG, SYBRA and BCS), developers, agents and members of the public who have requested to be kept updated on planning matters. In other words it includes all of the types of groups and organisations referred to in the SCI, plus many more. The database is updated whenever Officers are told of changes in contact details.</p> <p>However, the suggestion of 'advertising' for people and groups to put their names forward to be added to the consultation database is sensible, and with the review of the current Core Strategy due to start later this year, would be timely. An article has therefore been included in the next edition of Dacorum Digest asking people to let the Council know if they wish to be added to the consultation list.</p> <p>Consideration is also being given to beginning a planning policy newsletter to help individuals, groups and</p>	Yes
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	<p>is on the database. How do you find out who is on there? Is it just the groups listed in SCI appendices, or is it wider than that?</p> <p>Council should make it easier for local groups to be involved. This is the best and most cost effective way to improve communications.</p> <p>First step is to identify relevant groups. Suggest they are invited to apply via Digest.</p> <p>Groups must be kept regularly updated re progress and invited to attend briefings and focus groups.</p>	<p>organisations stay updated with regard to the development of planning policy documents, as it is recognised that as they take time to prepare, it can be difficult to keep abreast of what stage the process is at and when there are opportunities for engagement.</p>	
Stimpsons	<p>Taylor Wimpey and Barratt Homes to comment.</p> <p>Requests being added to consultation database.</p>	<p>N/A.</p> <p>Stimpsons are already on the planning policy consultation database.</p>	No
Tring Town Council	<p>Welcome the document and suggest the three following points to help improve it further:</p> <ul style="list-style-type: none"> . The statement should include a clear explanation of the respective roles of Town/Parish Councils and the 	<p>Town and Parish Councils are consulted on planning applications as referred to in para. 8.3.</p> <p>It is not considered appropriate to refer to the opening times</p>	No

	<ul style="list-style-type: none"> . District Council in the decision making process . State the details of the legislation that requires the Borough Council to produce the document . The Deposit Point in Tring is the Victoria Hall. This is not open every day of the week. The opening times should be given (or advice on where to find the opening times). Plans can also be seen at the Town Council's Information Centre (99 Akeman Street, Tring HP23 6AA. Open Mon-Fri 9:30am – 3:00pm; Sat 10:00am – 1:00pm) . Stress how important it is to safeguard access to printed copies of planning documents for those without access to or are unable to access digital media. 	<p>of deposit points within the SCI, as these can potentially change over time and result in the information within the SCI being incorrect. Instead, the Council will ensure that the opening times and locations of all deposit points will be clearly listed in formal notices, adverts, notifications and press releases issues relating to planning consultations</p> <p>Hard copies of planning policy document will continue to be provided to specified Deposit Points for the foreseeable future. These Deposit Points and local libraries do however have facilities to enable those without access to their own computers to access material in a digital format.</p> <p>Hard copies of planning applications will continue to be sent out to Town and Parish councils for the foreseeable future.</p>	
Vincent and Gorbing – Planning Associates. (on	Only comment regarding to the committee report which gives	This comment refers to the Cabinet report on the SCI update and whether the changes referred to in the minutes	No

behalf of Barratt Homes and Taylor Wimpey)	delegated authority to the assistant director or planning and regeneration.	<p>of the meeting were made to the draft before it was consulted on.</p> <p>A number of changes were made to the draft SCI considered by Cabinet prior to the consultations to reflect discussions at the Cabinet meeting and advice from Members. These related to section B (Development Management) and included:</p> <ul style="list-style-type: none"> • Amend the table of consultation requirements to include site notices for majors. • Add in some text around where and how we will use site notices - notices to be placed in locations which will be seen by those likely to have an interest in or be affected by a development. • Set out the detail of neighbour notification policy and practice. 	
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Statement of Community Involvement



DRAFT FOR CABINET POST
CONSULTATION DRAFT

December June 2015
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Foreword

Introduction

The statement of community involvement (SCI) outlines Dacorum Borough Council's standards for involving the community in the planning process and identifies the ways it will achieve these standards. It sets out the Council's approach to public consultation in two areas of planning:

- 1) The preparation, alteration and continuing review of its planning policy documents; and
- 2) Consultation on planning applications

Consultation arrangements

~~This draft document has been published for targeted consultation, with feedback being sought from key groups and organisations who have a particular interest or involvement with planning and development issues. This includes:~~

~~**Specific consultation bodies**, as defined in the Localism Act 2011. This includes adjoining local planning authorities, Hertfordshire County Council and other key bodies such as the Environment Agency, Natural England and Heritage England.~~

~~**Planning agents and developers**~~

~~**Town and Parish Councils**~~

~~**Residents groups and community associations**~~

~~This consultation runs from 13 January until 25 February 2016.~~

~~Comments received before the 25 February deadline will be reported to the Council's Cabinet and full Council in early Spring 2016, alongside any changes recommended to reflect comments received. Once formally adopted by the Council, the revised SCI will come into force and be used to manage consultation arrangements for both the policy development and decision taking functions of the Council as the local planning authority.~~

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Glossary

Some of the key terms used within this document are explained below.

Authority Monitoring Report (AMR):	A report produced each year by local authorities, which assesses progress with, and the effectiveness of, its planning documents. Formerly known as the Annual Monitoring Report.
Community Infrastructure Levy (CIL):	A new charge which local authorities in England and Wales will be empowered, but not required, to charge on most types of new development in their area. CIL charges will be based on simple formulae which relate to the size of the charge to the size and character of the development paying it.
Deposit Point	Locations across the Borough where consultation documents can be viewed.
Local Development Scheme (LDS)	This public statement sets out the programme for the preparation of the Local Plan and Local Development Documents.
Local Enterprise Partnership (LEP)	A body, designated by the Secretary of State, established for the purpose of creating or improving the conditions for economic growth in an area.
Local Nature Partnership (LNP)	Partnership organisation with the main aim of improving the range of benefits and services obtained from a healthy natural environment. Also provide local leadership on environmental issues and to contribute to the green economy by linking with LEPs.
Local Plan	Formal plans for a geographical area which are key points of reference when deciding planning applications. May consist of a single document or a set of documents including a Core Strategy, Site Allocations, Development Management Policies and Area Action Plans.
Local Strategic Partnership (LSP)	The Dacorum LSP is a partnership comprising representatives from public and private organisations, business and the voluntary sector and community groups. One of its roles is to prepare and implement the Sustainable Community Strategy.
Minerals and Waste Local Plan	Produced by Hertfordshire County Council, these documents set out plans relating to mineral and waste developments in Hertfordshire.
National Planning Policy Framework (NPPF)	The National Planning Policy Framework sets out the Government's planning policies for England, and how these are expected to be applied. The guidance is to be used by local planning authorities in drawing up plans and determining planning applications.

Neighbourhood Plan	Neighbourhood plans deal with local land use and development issues, rather than strategic issues. They may relate to regeneration or growth. They may cover where new shops, offices or homes should go and what green space should be protected. Plans should be compatible with national policies and policies in the local authority's adopted development plan.
Planning Performance Agreements (PPAs)	Voluntary agreements that commit applicants, local planning authorities and partner organisations to an agreed timetable for determining proposals.
Planning Permission in Principle (PIP)	A new type of permission that is expected to be introduced via the Housing and Planning Bill. It is similar in practice to outline planning permission and is where 'in principle' consent is granted, subject to conditions that the development in question will not begin until certain matters (e.g. access, design, landscaping etc.) have been approved by the Planning Authority.
Programme Officer	Person appointed to assist with all administrative matters related to Examinations of Local Plan Documents.
Supplementary Planning Document (SPD)	SPDs provide more detailed planning guidance to supplement what is in the development plan. They are part of the local planning framework.
Sustainability Appraisal (SA)	An appraisal of local development documents against their environmental, social and economic impacts. This often incorporates Strategic Environmental Assessment (SEA), required for some plans and proposals under European law.

1. Introduction

Role of the SCI:

- 1.1 The purpose of the Statement of Community Involvement (SCI) is to outline the Council's standards for community involvement in the planning process and to identify ways these standards will be achieved.
- 1.2 The SCI sets out the Council's approach to public consultation in two areas of planning:
 - **Planning Policies:** the preparation, alteration and continuing review of planning policy documents included within the Local Development Framework (LDF); and
 - **Planning Applications:** Consultation on planning applications.
- 1.3 In particular, the SCI sets out the following:

When the community will be consulted in relation to planning applications, development plan documents and supplementary planning documents;

What publicity and consultation is expected from applicants before they submit a planning application;

How the community will be engaged; and

Who will be involved.

- 1.4 All local planning authorities are required to produce an SCI. The legal requirements for consultation, community involvement and planning applications are currently set out in the following legislation:
 1. **Plan-making:** Planning and Compulsory Purchase Act 2004; Town and Country Planning (Local Development) England Regulations 2012; Neighbourhood Planning (General) Regulations 2012; and
 2. **Planning applications:** Town and Country Planning (Development Management Procedure) (England) Order 2015 and Listed Buildings and Conservation Area Regulations 1990.
- 1.5 Dacorum's SCI demonstrates how these requirements are taken into account to ensure that, as far as possible, all parts of the community have the opportunity to engage in the process of preparing planning documents and making decisions on planning applications.

The role of consultation

- 1.6 Dacorum Borough Council encourages public involvement in planning matters, both in policy making and in deciding planning applications. Through the Statement of Community Involvement the Council will seek to:

- Give those who want to, the opportunity to constructively contribute and participate in the local planning process
 - Commence the consultation process to enable comments to be made in the early stages before policies are drawn up, i.e. at the issues and options stage
 - Actively encourage participation from any groups who have in the past been under-represented in the local planning process e.g. young people and people from ethnic minority groups
 - Keep organisations and the public informed about the local planning process and provide feedback on how their comments have been considered
 - Raise awareness of the local planning process
 - Ensure corporate participation
 - Learn from the consultation process and to seek ways of improving it
 - Draw from the consultation process, views of other Council services and where possible outside organisations.
- 1.7 The purpose of consulting on planning policy issues and planning applications is to provide opportunities for constructive contributions and involvement. This will:
- Enhance the quality of decision-making by the Council;
 - Promote shared responsibility (where appropriate); and
 - Raise awareness of the issues and understanding of decisions taken.

The need for an update

- 1.8 The Council adopted its first SCI in June 2006. Since then there have been changes in government regulations, policies, guidance and ways of communication which have implications for the way the Council involves the community in planning. These changes in circumstances include:
- **National Requirements:** Dacorum Borough Council has to adhere to and reflect the latest planning legislation and national policy. The National Planning Policy Framework (NPPF) promotes consultation before and after a planning application is submitted and at key stages when preparing the Local Plan and other planning policy documents.
 - **Resources:** Consultation is a resource intensive process, therefore practices must be revised due to increasing budget pressures and to ensure consult is carried out in the most efficient way.
 - **New technology:** The need to promote and utilise electronic communication techniques and as well as social media, as part of the 'Digital Dacorum' initiative.

Equalities Issues:

- 1.9 The content of the Statement of Community Involvement is compliant with the Equalities Act 2010. The purpose of the document is to show how we will engage in consultation with all sections of the community within Dacorum. Equality issues are considered through the sustainability appraisal process

whereby the economic, environmental and social effects of the plan making process of a Local Plan will be checked against a series of sustainability criteria. This work will be undertaken by an independent consultant.

Consultation on this SCI:

1.8 The Council's Communications team has confirmed that the arrangements for consultation set out in this SCI are in broad compliance with the Council's Corporate Communication Strategy. Advice on individual consultation events will be sought from Communication Officers as necessary.

1.9 Feedback on this draft SCI is being sought from the follow groups:

- Specific consultation bodies, as defined in the Localism Act 2011. This includes adjoining local planning authorities, Hertfordshire County Council and other key bodies such as the Environment Agency, Natural England and Heritage England.
- Planning agents and developers
- Town and Parish Councils
- Residents groups and community associations

1.10 Consultation responses will be considered and any necessary changes made to the document prior to its formal adoption by the Council.

Monitoring and Review

1.11 The Council considers that this SCI represents a realistic use of the resources available. However, there is some flexibility to undertake additional consultation if required and if sufficient staff and financial resources are available.

1.12 Consultation methods will be assessed for their effectiveness in reaching communities throughout Dacorum through ongoing monitoring and feedback. This will help ensure future consultation targets those groups that have not previously engaged with the consultation process. This will ensure that techniques for community involvement remain appropriate, and are achieving a representative level of involvement across all communities and groups.

1.13 The SCI will be kept under review and sections revised where necessary as part of the Authority Monitoring Report (AMR). This AMR is usually published on an annual basis in January.

1.14 A full review of the SCI will be triggered be carried out of the Government requires us to change who we consult or to use different types of engagement. This review process will involve the parties consulted on this SCI.

PART A

Planning Policies

2. Who We Consult

- 2.1 To guide the plan-making process, the Council has divided consultees into four sub-sections to reflect requirements in government regulations:
 - a) Specific Consultation Bodies
 - b) General Consultation Bodies
 - c) Other Consultation Bodies
 - d) Wider community
- 2.2 In addition, other Council departments and elected Members will also be consulted.
- 2.3 The role and composition of each of these categories is explained further below.
- 2.4 Specific consultation bodies and general consultation bodies are statutory consultees and if considered relevant to a particular issue or document they must be consulted at a prescribed stage of the document preparation. Equally, by law, businesses and residents in the area should be consulted if it is considered appropriate.
- 2.5 These lists are not exhaustive and may change over time as a result of organisational restructures and/or legislative change. The bodies consulted will be continually reviewed and updated as appropriate.

(a) Specific Consultation Bodies

- 2.6 The Localism Act (2011) has introduced the Duty to Co-operate which requires planning authorities and other public bodies to actively engage and work jointly on strategic matters.
- 2.7 Section 110 of the Localism Act and guidance in the National Planning Policy Framework (NPPF) set out the duty to cooperate. This duty requires Dacorum Borough Council to work with neighbouring authorities and other public bodies involved in planning when it comes to tackling issues at a larger than local scale. The bodies that we are bound to work together with by the duty to co-operate are referred to as 'Specific Consultation Bodies.' They comprise:
 - Local planning authorities that adjoin the Borough;
 - Hertfordshire County Council and any other County Councils that adjoin the Borough;
 - Town and Parish Councils within and adjoining the Borough;
 - A local policing body;
 - The Coal Authority¹;
 - The Environment Agency;
 - The Historic Buildings and Monument Commission for England (English Heritage);
 - Natural England;
 - The Marine Management Organisation¹;

¹ These bodies are considered to be of limited relevance to Dacorum due to the nature of the Borough

- Network Rail Infrastructure Limited;
- Highways Agency;
- Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3) (a) of the Communication Act 2003, and any person who owns or control electronic communications apparatus situated in any part of the area;
- Primary Care Trust²;
- Utilities and service providers; and
- Homes and Communities Agency.

- 2.8 In addition, the NPPF requires local planning authorities to work collaboratively with Local Nature Partnership (LNP) and Local Enterprise Partnership (LEP).
- 2.9 The Hertfordshire Local Enterprise Partnership (LEP) is a business-led partnership which aims to accelerate economic growth in the county and create jobs. It has an important role to play in encouraging inward investment, facilitating growth of the local economy and engaging with local businesses. The Council will work in partnership with the LEP in its efforts to consult with the local business community and potential inward investors.
- 2.10 The Hertfordshire Local Nature Partnership (LNP) is one of a number of LNPs across the country. Their main aims are to improve the range of benefits and services we get from a healthy natural environment, provide local leadership on environmental issues and to contribute to the green economy by linking with LEPs. They will also contribute to local authority planning and co-operate with other partnerships where this results in more efficient use of resources. Partnerships will be fully inclusive with representation from local authorities, community forums, government arms-length bodies, civil society organisations and environmental charities, existing biodiversity and green infrastructure partnerships, land owners, businesses, LEPs, health and wellbeing reps and education establishments.
- 2.11 Town and Parish Council-s are an important set of consultees, as they have a key role to play in voicing community needs and issues. Meetings and information exchanges with Town and Parish Councils are an effective use of resources and assist in developing understanding between the Council and local communities on planning and development matters.
- 2.12 Although not formally classified as a Specific Consultation Bodies, the Chilterns Conservation Board will also be notified with regard to consultations that could affect their areas of interest.**

(b) General Consultation Bodies

- 2.12 The Council must also ensure it consults the following groups:

- Voluntary bodies, some or all of whose activities benefits any part of the area;

² Now replaced by the GP Clinical Commissioning Groups (CCGs)

- Bodies which represent the interest of:
 - different ethnic or national groups in the area;
 - different religious groups in the area;
 - disabled people in the area
- Persons carrying on businesses in the area.

(c) Other Consultation Bodies

2.13 Whilst not a requirement of Government regulations, the Council will also consult the following groups and organisations who may have an interest in planning policy matters:

- Environmental groups;
- Groups representing users, and the providers, of leisure, sport and recreation
- Health, education, social service and community based service providers;
- Cultural, historical and archaeological groups or bodies;
- Tenants panels;
- Local residents and community associations;
- Registered social landlords;
- House builders and developers;
- Landowners and land agents;
- Public transport users and providers;
- Groups representing retired and elderly persons;
- Groups representing young people; and
- The Local Strategic Partnership (LSP).

(d) Wider Community

2.14 It is very important that the wider community- people who live, work, run businesses and study in the borough – are consulted.

2.15 The Strategic Planning team maintain an electronic database of consultees to involve at various stages of the plan making process. Members of the public who would like to be notified about planning consultations and the progress of documents can add their details to this database. This is referred to as the Local Plan consultation database. Those wishing to be added to, or deleted from this list should contact the Council at:

Email: strategic.planning@dacorum.gov.uk

Phone: 01442 228660 / 01442 228471

Write to: Strategic Planning
 Dacorum Borough Council
 Civic Centre
 Marlowes
 Hemel Hempstead

(e) Other Council Departments and Councillors

- 2.16 Relevant Council departments and key elected Members will be consulted through the preparation of new planning policies and guidance. Borough Councillors represent their constituents and therefore understand the communities they represent. A Member steering group (known as a Task and Finish Group) may be used to consider detailed issues and provide informal advice to Officers.

3. How We Will consult

Efficient Use of Resources

- 3.1 Consultation and the appropriate methods used at any particular stage will depend on:
- Geographic coverage of the document
 - Stage of the planning process reached
 - Nature of topic/area being considered
 - The appropriateness of the method for that particular consultation
 - Availability of resources
- 3.2 When preparing planning policy document, the Council needs to balance the extent of community engagement with the available staffing and financial resources. Staff within the planning policy team will primarily be responsible for carrying out the consultation processes for the Local Plan.
- 3.3 In order to avoid consultation fatigue we will maximise opportunities for joint consultation within the Council and with our partners or rely on consultations carried out by other parts of the Council if appropriate for the topic.
- 3.4 Resources will be targeted to where they will be used most effectively. Workshops and focus groups are resource intensive and will therefore be used where a more considered response is required or where there is an opportunity to consider a topic in more depth to encourage greater participation from particular sections of the community.

Methods of Communication

- 3.5 Since the first Statement of Community was adopted in 2006, methods of interaction and communication with the Council have significantly changed. Internet access has increased with a shift towards online services. Dacorum Borough Council will make best use of www.dacorum.gov.uk for planning consultations.
- 3.6 However, the Council recognises not all residents will have access to the internet. Therefore documents will also be made available in a variety of formats to enable widest possible audience to provide feedback on planning consultations. Particular efforts will be focused towards reaching 'hard to reach groups' such as young people, elderly people and those from ethnic minorities who do not often take part in planning consultations. Table 1 below explains the types of communications methods that will be used.

Table 1: Methods of Communication During Consultation

Method	Explanation
PAPER	
Documents made available for inspection	<p>Making documents available for inspection at specified 'Deposit Points' within the Borough is a minimum requirement set by planning regulations. Deposit points are the Borough Council Offices in Hemel Hempstead, Berkhamsted and Tring. All three locations are accessible to people with disabilities.</p> <p>Copies of documents are also sent to local libraries within the area and are usually held within the reference section.</p> <p>The availability of documents and opening times of the Deposit Points will be advertised in a number of ways, including letter / email, via the Council's website, through statutory notices within the local press and, where possible, through Dacorum Digest (see below).</p> <p>The Regulations allow for a reasonable charge to be made for copies of documents requested by individuals or organisations.</p>
Summary documents and questionnaires	<p>Summary documents and questionnaires may be provided and posted out where necessary. Where these are not posted out, information regarding how to access such documents will be made available at drop off points and the Council's website during the course of a consultation.</p>
Mail Shots (letters and emails)	<p>Mail shots are used to notify relevant bodies of consultation events depending on the issues raised, and are mainly used for statutory notification or to communicate with a specific group of bodies.</p> <p>The Council maintains a consultee database with those who wish to be informed of various stages of the Local Plan process.</p> <p>Email is an increasingly preferred means of communication on planning policy consultations. Email is a resource saving, quick and accurate way of communication with the public and various stakeholders</p> <p>The Council will not send notifications by post where a valid email address is held. Where possible the Council will use email as opposed to posting hard copy documents and letters in order to support its move towards being a paperless authority.</p>

Newspapers	<p>It is no longer a statutory requirement for local authorities to advertise consultation on planning policy documents in the local press. However, where appropriate the Council may decide to place an advert in the statutory notices page of The Gazette and St Albans Review. These notices will include information about where information can be found and consultation deadlines. Press releases will also usually be issued: although it will be a matter for the newspapers to decide if they wish to provide coverage of the story.</p> <p>Information will also be included in the Council newspaper – Dacorum Digest – which is delivered to every household in the Borough on a quarterly basis. Articles will inform the community of the issues under discussion, how to access information and how they can become involved. This provides a useful method of alerting the community to any forthcoming publications as well as providing updates on the results of previous consultation.</p>
Newsletters	Town and Parish Councils and Ward Councillors in non-parished areas, will be encouraged to help raise the profile of consultation via their newsletters – both paper and online. Officers will provide assistance in writing articles and providing web links as required.
Online Panel	The Council's informal online residents panel may be invited to consider particular planning issues, usually via completion of a questionnaire, or attendance at a focus group (see below).
DIGITAL	
Dacorum website and interactive online consultation portal	<p>Digital communication is becoming an increasingly important method of interaction, and is being promoted through the 'Digital Dacorum' initiative.</p> <p>The Council publicises information on forthcoming consultations, including start and finish times on the Planning Policies web page of its website:</p> <p>http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning</p> <p>All Planning policy documents, consultation documents and supporting information will be made available, together with a direct link to an interactive online consultation portal.</p> <p>The consultation portal lists all planning policy consultations in one place, making it accessible and easy for people to comment online. By registering their details individuals and organisations will also be directly notified of all forthcoming consultations they may be interested in. The feedback received on each consultation can also be read via the portal. The link to the online portal is:</p>

	<u>http://consult.dacorum.gov.uk/portal</u> Where appropriate links will be provided to this information from the Council's homepage, Planning News page, and consultation page.
Social Media	With an increasing number of residents and businesses using various forms of social media, consultation notifications will be posted on the Council's social media pages (e.g. Facebook and Twitter). This will be used to inform people of upcoming consultation events, where they can view particular documents, how they can submit comments and where any exhibitions and workshops will be held.
FACE TO FACE	
Meetings with selected stakeholders and key interest groups	This provides a useful way of identifying key issues, getting key bodies involved and achieving alignment with other strategies and initiatives. The Council hosts an annual Town and Parish Conference which provides a useful forum to raise and discuss planning and development matters.
Focus Groups / Workshops /	Workshops and focus groups enable a range of stakeholders, including local residents, to influence and shape proposals in a way that helps meet their aspirations and concerns. These events are usually more helpful when held early on in the plan-making process.
Exhibitions	Whilst not suitable or necessary for all consultations, exhibitions provide a useful way of conveying key pieces of information and providing a mechanism for stakeholders to understand the role and content of the consultation and discuss issues with Officers.
'Task and Finish' Groups	Informal meetings arranged with Member representatives, to discuss key policy issues and designations. Membership of this group will be politically balanced, and whilst having no decision-making powers, will provide a useful discussion forum before policy documents are formally considered by Cabinet and/or Full Council.

Consultation Challenges

- 3.7 Dacorum Borough Council recognises that the planning system can seem complex and confusing, so will try to make consultation documents as accessible as it can. Table 3 sets out some of the potential challenges facing the Council and the solutions that will be put in place to help maximise consultation participation.

Table 2: Methods to Overcome Consultation Challenges

Nature of Challenge	Solution
Language barriers may affect the community's ability to understand oral and written communications.	Translations and interpretation will be available if required.
Low uptake of online services due to low incomes or lack of IT skills.	Documents will be made available in paper form as well as online. Arrangements will be made for the community to access online services e.g. visiting public computers at council offices and local libraries.
Young people are less responsive to traditional forms of consultation.	Innovative and interactive consultation methods will need to be employed to engage this section of the community, including increasing use of social media.
Varied working hours and other commitments.	Use of the Council's website and online consultation portal will help ensure people with work and other commitments can be involved in consultations. Where possible, exhibitions will run from daytime into evenings.
Some areas may be dominated by business and some by residents.	Ensure a mix of consultation to be undertaken to ensure maximum consultation coverage and encourage feedback from both communities
Lack of public understanding of the planning system	Unnecessary technical jargon will be avoided. Where appropriate, summary documents will be published.

4. When We Will Consult

Introduction

- 4.1 As a local planning authority, Dacorum Borough Council is required to produce plans about new development in the area over a 15-20 year period. These plans need to assesses the type and quantity of new housing, ensure there is sufficient land for employment needs, decide where to locate new development and enable delivery of other facilities that will be required by the development (shops, open space, community infrastructure, utilities etc.) and. Whilst delivering such plans it is essential that Borough's character and environment is conserved and where possible enhanced, ensuring that Dacorum remains a place where people wish to continue to live and work in the future. Involving the local community and other interest groups in these plans is very important.
- 4.2 A number of different types of planning documents will be prepared (see Figure 1).

Figure 1: Types of Plan Making Document



- 4.3 As illustrated above, Government classifies some documents as Local Development Documents (LDD), whilst others are called Development Plan Documents (DPD). The Local Plan is both a Local Development Documents and Development Plan Documents.
- 4.4 DPDs are the main documents the Council will use when determining planning applications. LDDs play a supporting role: providing additional planning advice or information relating the preparation and performance of the Local Plan. Further information on the different documents is set out below.

Minerals and Waste Local Plan

- 4.5 These plans are produced by Hertfordshire County Council and set out policies and proposals relating to mineral and waste developments in Hertfordshire. Dacorum Borough Council is not directly involved in writing these plans but is a statutory consultee. The County Council has produced its own SCI for matters it is responsible for and will carrying out consultation in accordance with this:
<http://www.hertsdirect.org/services/envplan/plan/hccdevplan/sci1/>

Neighbourhood Plans

- 4.6 The Localism Act 2011 made provision for the preparation of Neighbourhood Plans directly by local communities. These plans let people set out their vision for their local area and general planning policies to guide development in their neighbourhood. Neighbourhood Plans can only be prepared by Town and Parish Councils or by a designated Neighbourhood Forum. There is further information about Neighbourhood Plans on the Council's website:
<https://www.dacorum.gov.uk/home%5Cregeneration/grovehill-future-project/neighbourhood-planning>

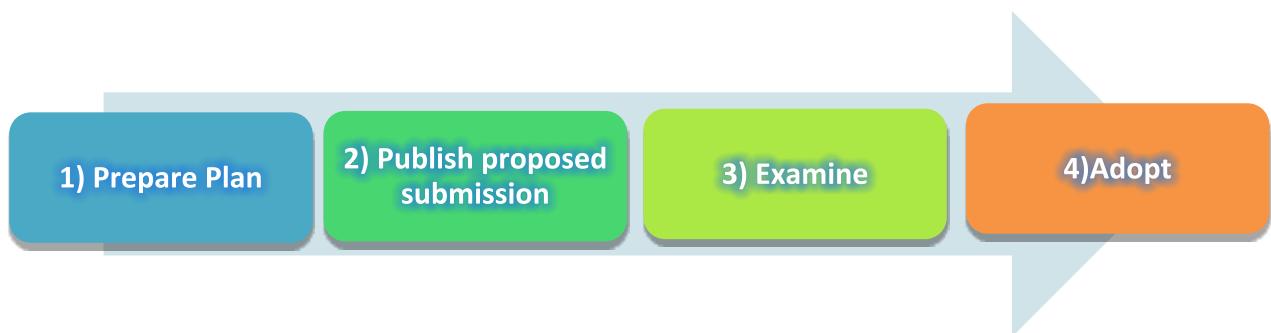
Local Plan

- 4.7 Dacorum Borough Council has begun work on a new Local Plan. This will incorporate the early partial review of the Core Strategy adopted in September 2013. This new Local Plan will be pivotal to delivering Dacorum Borough Council's vision for the next 15-20 years. It is expected that the plan will comprise a single written document, with an associated Policies Map, rather than a series of separate documents. It will be supported by appropriate Supplementary Planning Documents (see below).
- 4.8 The Local Plan will contain planning policies, site allocations and other designations, all of which will be taken into account when deciding planning applications.
- 4.9 It will be subject to rigorous procedures including public consultation with the community and examination by an independent Inspector. It must be found 'sound' by the Inspector before it can be adopted by the Council.
- 4.10 The Local Plan also requires a Sustainable Appraisal (incorporating Strategic Environmental Assessment) where the economic, social and environmental

impacts of a plan are considered. This Sustainability Appraisal must also be made available as part of the consultation.

4.11 Arrangements for consultation will depend on which stage the plan has reached (see Figure 2). These arrangements are summarised below. References to regulations relate to the Town and Country Planning (Local Planning) (England) Regulations 2012.

Figure 2: Stages in preparing the Local Plan



Stage 1: Prepare Plan (Regulation 18)

This stage covers the ‘Issues and Options’ stage and also any draft plans published for comment.

Whilst the plan is being prepared, it is important that the local community have the opportunity to identify local issues and influence options for future development and examine the evidence.

What will Dacorum Borough Council do?

- Maintain and update our [Local Plan](#) consultation database.
- Advertise any consultation and clearly identify how and where material can be viewed and accessed.
- Ensure compliance with current planning regulations, consulting more widely where it is relevant to do so.
- Make the plan and supporting documents available online and printed if necessary.
- Make summary documents, maps and diagrams explaining key issues publically available online and printed if necessary.
- Take comments received into account alongside technical evidence and national policies and guidance.

Who will Dacorum Borough Council Consult?

- Consult specific, general and other consultation bodies where appropriate (full list in Section Two).
- Consult the wider community at least once during this stage in the production of the document.

How will Dacorum Borough Council Consult?

A wide range of types of consultation will be used during this stage in order to understand key issues and views. Methods will include one or more of the following:

- Contact persons registered on the Council’s [Local Plan](#) consultation database (by letter or email) and via the online consultation portal.
- Events, displays, exhibitions, surveys and meetings as appropriate.
- Surveys and questionnaires.
- Workshops or focus groups.
- Drop-in events, displays or exhibitions.
- Make plans available on our website and at deposit points.
- Targeted measures for hard to reach groups.
- Raise awareness of consultation via social media.

Stage 2: Publish Proposed Submission (Regulations 19, 20 and 22)

This stage is often referred to as 'Pre-Submission.'

Dacorum Borough Council will prepare and consult on the final draft of the plan prior to submission to the Secretary of State for Examination. Representations submitted at this stage will be forwarded to the Planning Inspector.

What will Dacorum Borough Council do?

- Consult on the plan for at least 6 weeks.
- Publicise where and when the documents can be inspected through what is called a 'Statement of Representations Procedure.'
- Make the plan and supporting documents available online and printed if necessary.
- When appropriate, publish summary documents, maps and diagrams explaining key issues.
- Raise awareness of consultation via social media.
- Take into account all comments made within the consultation period and if necessary, make changes to the plan before it is submitted to the Secretary of State.
- Notify consultees of the submission by letter or email.

Who will Dacorum Borough Council consult?

- All consultees listed in Section Two, including all who submitted comments at earlier stages.

How will Dacorum Borough Council consult?

- Contact persons registered on the Council's consultation database (by letter or email) and via the online consultation portal.
- Make plans available on our website and at deposit points.
- Raise awareness of consultation via social media.

Stage 3: Examination (Regulations 23 and 24)

Dacorum Borough Council is required to submit a plan and supporting information to the Secretary of State for a public examination. The appointed Inspector will take into account written comments on the plan and if invited by the Inspector, those who commented can also appear at the examination to speak in support of, or against the plan.

What will Dacorum Borough Council do?

- Make a copy of the full Examination library available online and at the Council offices in Hemel Hempstead.
- Appoint a Programme Officer who will publish full details of the Examination of Plan on the Council's website.
- Ensure everyone who commented on the plan at Proposed Submission stage is aware of the Examination at least 6 weeks in advance.

Who will Dacorum Borough Council consult?

- Specific, general and other consultation bodies who previously were invited to make representations on the plan, and those who requested to be notified, about the submission of the plan to the Secretary of State.
- The Programme Officer will notify all those who commented on the plan at stage 2 with details of the Examination.

How will Dacorum Borough Council Consult?

- Notify relevant people and organisations on the Council's Local Plan consultation database (by letter or email).

Stage 4: Adoption (Regulations 25 and 26)

The Council will consider the Inspector's Report issued following the examination. Changes will be made where appropriate and then the document will be formally adopted.

What will Dacorum Borough Council do?

- Publish the Inspector's Report and notify bodies who requested to be notified.
- Make the adopted Plan, Sustainability Appraisal Report, Adoption Statement and other relevant information available for inspection at the Council's Hemel Hempstead office and on the Council's website.
- Publish the adopted document and place an Adoption Statement on the website.

Who will Dacorum Borough Council notify?

- The Adoption Statement will be sent to all individual and organisations who asked to be notified, and to the Secretary of State.

Supplementary Planning Documents

- 4.12 Supplementary Planning Documents (SPDs) provide additional guidance on adopted policies in the Local Plan. They include issue-based documents, design guidance and site master plans and briefs. Their role is to provide more detail about how policies in the Local Plan should be used. SPDs will also be prepared with the involvement of relevant consultees. They are not subject to examination by an independent Inspector but do need to be formally adopted by the Council.
- 4.13 Figure 3 below identifies the stages used in the preparation of Supplementary Planning Documents. References to regulations relate to the Town and Country Planning (Local Planning) (England) Regulations 2012.

Figure 3: Stages in Supplementary Planning Documents



Stage 1: Prepare Draft Supplementary Planning Document

The scoping stage helps gather ideas and look at alternative approaches before preparing the document.

What will Dacorum Borough Council do and who will we consult?

- Consult organisations and individuals who are relevant to the successful implementation of Supplementary Planning Documents.
- Consider wider consultation, depending on scope and content of document.

How will Dacorum Borough Council consult?

Consultation will vary depending on the type of SPD and a variety of methods will be considered, including:

- Contact persons and bodies registered on the Council's [Local Plan consultation planning](#) database.
- Make documents available on our website and at deposit points.

We will also consider:

- Workshops or focus groups.
- Meetings.
- Drop in events.
- Exhibitions.

Stage 2: Publish Draft Supplementary Planning Document (Regulations 12 and 13)

Dacorum Borough Council is required to consult on the Supplementary Planning Documents. Publishing draft copies of the document provides an opportunity to consider comments on the document and make any necessary changes prior to the document being finalised.

What will Dacorum Borough Council do and who will we consult?

- Consult on the document for at least 4 weeks.
- Publicise where and when the document can be inspected.
- Consult specific, general and other bodies to whom the Supplementary Planning Document may be relevant.
- Consult residents and businesses in the area, depending on nature of document.
- Consider and report all comments received.
- Prepare a Consultation Report setting out the consultation processes, summarising the main issues raised and the Council's response.

How will Dacorum Borough Council consult?

The way Dacorum Borough Council will consult will vary due to the nature of the Supplementary Planning Document being consulted. Ways we will consult include:

- Contact persons and bodies registered on the Council's [Local Plan consultation planning](#) database.
- Make plans available on our website and at deposit points.

We will also consider:

- Workshops or focus groups.
- Meetings.
- Drop in events.

Stage 3: Adoption (Regulation 14)

Once Dacorum Borough Council has taken into account comments and made any changes, it will be adopted by the Council's Cabinet. Independent examinations for Supplementary Planning Documents are not required.

What will Dacorum Borough Council do?

- Adopt the Supplementary Planning Document.
- Publish the adopted document and place an Adoption Statement on the website.
- Make documents available for inspection at the deposit points.

Who will Dacorum Borough Council Notify?

- Send copy of the Adoption Statement to anyone who has asked to be notified.

Local Development Schemes (LDS)

- 4.14 The Local Development Scheme sets out the programme for the preparation of the Local Plan. A copy is available on the Council's website:
<https://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning>

4.15 Due to the factual nature of its content, it is not subject to public consultation.

Authority Monitoring Report (AMR)

- 4.16 Previously referred to as the 'Annual Monitoring Report', this document is produced by local authorities to assess progress with, and the effectiveness of, plan-making documents. These are also available to view on the Council's website:
<https://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/local-planning-framework/monitoring-reports-land-position-statements>

4.17 Due to the factual nature of its contents, it is not subject to public consultation.

Other documents

Informal Masterplans and Planning Statements

- 4.18 Sometimes the Council will prepare a masterplan or planning statement relating to a site or area that does not require the formal status of a Supplementary Planning Document (SPD). These documents will usually involve some consultation, but this will be more limited and targeted than required by the regulations governing formal SPDs.

Community Infrastructure Levy (CIL)

- 4.19 The Community Infrastructure Levy (CIL) is a new way of collecting contributions from developments towards the provision of infrastructure required to support growth within Dacorum. It is a tariff that will be applied per square meter of new development which may vary by scale, use and geography. Dacorum Borough Council is responsible for setting a CIL charge, collecting CIL money and allocating money for infrastructure projects. The CIL charge is applicable to developments that received planning permission on or after 1 July 2015.

Advice Notes / Clarification Notes

- 4.20 From time to time the Council may prepare documents that provide additional advice or clarification about how it will apply policies or processes. Consultation will not usually be required on these documents, as their role is to explain the application of existing policies or processes which will have already been subject to consultation.

Reviewing responses and opinions from consultation

- 4.21 All consultation responses received within the allocated timescale will be acknowledged and taken into account to inform the decisions the Council makes. All comments received will be made publically available via the consultation portal and hard copies made available for public inspection at the Council offices.
- 4.22 For all Local Development Documents (LDDs), a consultation statement will be published. This will provide information about:
- Who was consulted;
 - Consultation techniques used;
 - Dates of consultation period(s); and
 - The main issues raised and Council's response to these.
- 4.23 These consultation reports will assist elected Members in deciding what changes may need to be made to a document before it is adopted.
- 4.24 Any decisions made by the Council following consultation will also take into account a number of external factors including government policies, guidance, technical evidence and the Sustainability Appraisal.

PART B

Planning Applications

5. Introduction

- 5.1 For many people, the submission of a planning application, on a neighbouring or nearby site or premises, is the first, and possibly, the only time that they will become directly involved in the planning system. It is important that anyone who feels that they may be affected by a development proposal or has an opinion that they wish to be taken into account before a decision is made, is able to take part in and respond to consultation.
- 5.2 This section sets out the consultation requirements for applicants before a planning application is submitted, how the rest of the community will be informed about applications and how they can be involved in influencing decisions.

6. Pre-application Consultation and Advice

- 6.1 Before submitting a planning application, we encourage prospective applicants to seek advice at the pre-application stage. This allows for the identification of issues and constraints at an early stage in the design process; it enables concerns to be raised early; and can improve the quality of the scheme. This pre-application advice is treated as private and confidential on behalf of the applicant. However where proposals are large scale and likely to have an impact on an area, the Council would encourage the applicant to engage directly with the local community. (See link to website below which includes protocol for pre-applications and charging schedule (April 2016). The protocol includes definitions for all scales of development.)
- 6.2 This would usually be through the use of public meetings, meetings with local residents groups, amenity groups or parish/town councils, exhibitions and press releases. ~~However, it should be noted that it~~ It is the applicant's choice whether they consult with the community and how they go about this. However, Officers provide advice to applicants regarding appropriate local groups to contact with regard to specific planning applications through the pre-application process and how best to go about this.
- 6.3 At an early stage, developers should discuss with service providers the implications of development on, and contribution towards, provision of infrastructure. Consultation with statutory consultees may take place as part of the pre-application service. However, some of the consultees may charge for advice and this will need to be paid for separately by the applicant.
- 6.4 Further details of the service can be found on the Council's website below including details of charges which have been updated from 1st April 2016.
<https://www.dacorum.gov.uk/home%5Cplanning-development/planning-applications/pre-application-advice>

7. Planning Performance Agreements

- 7.1 Planning Performance Agreements (PPAs) are primarily aimed at complex development proposals. They are voluntary agreements that commit applicants, local planning authorities and partner organisations to an agreed timetable and fee for pre-application discussions and determining planning applications. Essentially they are a collaborative project management process, which aim to improve the quality of development and decision making by taking away national targets for determining an application (13 or 16 weeks) and setting out the key topics and milestones of the pre-application.
- 7.2 When a PPA is proposed, an inception meeting will be held with all the relevant parties. At this meeting a project team, with named persons from each party, will be agreed and a framework will be established setting out the process, timing and fees applicable. The framework will include the pre-application procedure, number and nature of meetings to be held, timing of submission of application through to decision and discharge of conditions and an implementation programme for the development. The fee will be dependent on the scale and complexity of the development, the number of parties involved and number and length of meetings, time involved in research and information gathering.

8. Community Involvement in Planning Application Decisions

- 8.1 Development should be in accordance with the policies and proposals set out in the development plan unless other material considerations indicate otherwise. The previous sections of this SCI have dealt with how stakeholders can influence the drafting of these policies and proposals. However, there will continue to be the opportunity for individuals, groups and organisations to become involved in the decision making process for planning applications.
- 8.2 The Government has set minimum standards for consultation on planning and other related applications. Local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. This is prescribed in [Article 15 of the Development Management Procedure Order](#). There are separate arrangements for listed buildings which are set out in [Regulation 5](#) and [Regulation 5A](#) of the Listed Buildings and Conservation Area Regulations 1990 (as amended).
- 8.3 The Council currently goes further in trying to engage the community in the determination of applications. For example the Council currently sends out individual letters to any neighbouring properties telling owners/occupiers about planning applications rather than simply relying on a site notice. [When a notice is to be used these will be placed in locations which will be seen by those likely to have an interest in or be affected by a development](#). This is considered to be the most effective way of letting people know about planning proposals that may affect them. In addition we consult the relevant Town or Parish Council

where applicable Table 3 below sets out the current practices for statutory consultation which is the minimum that the Council will do.³⁹

Table 3 – Statutory Dacorum Borough Council Publicity Requirements for Planning and Heritage Applications

Type of development	Site notice	Site notice or neighbour notification letter	Newspaper advert	Website
Applications for major development as defined in Article 2 of the Development Management Procedure Order	✓	✓	✓	✓
Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement	✓		✓	✓
Applications which do not accord with the development plan in force in the area	✓		✓	✓
Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies	✓		✓	✓
Applications for planning permission not covered in the entries above e.g. non-major development		✓		✓
Applications for listed building consent where works to the exterior of the building are proposed	✓		✓	✓
Applications to vary or discharge conditions attached to a listed building consent or conservation area consent, or involving exterior works to a listed building.	✓		✓	✓

Note: the [Environment Impact Assessment guidance](#) sets out further publicity and consultation requirements for applicants where this is relevant.

- 8.4 No system for publicising planning applications can be infallible, however extensive. There needs to be a balance between consideration of cost, speed of decision making and providing a reasonable opportunity for public comment. The current procedures do balance these conflicting priorities.

9. Consultation Procedures for Planning Applications

Trees

- 9.1 For applications for approval of works to trees that are subject to a Tree Preservation Order (TPO) or Tress in a Conservation Area (TCA) will be sent to the Town or Parish Councils.

Prior Approval

- 9.2 We consult as required by the Regulations (in most cases the Town and Country Planning (General Permitted Development Order) 2015) e.g. by serving a notice on adjoining owners or occupiers immediately adjoining the site

Lawful Development Certificates

- 9.3 Applications for Lawful Development Certificates require a technical assessment of whether planning permission is required. Comments on the planning merits of the proposal cannot be taken into account. Where a certificate is seeking to confirm that a development or use has been in existence for 4 or 10 years some consultation with residents/Town or Parish Councils may be carried out to verify information submitted by the applicant. This will be determined by the Planning Case Officer on a case by case basis.

Advertisement Consent

- 9.4 We consult as required by the Regulations, e.g. in relevant cases with the Secretary of State for Transport, neighbouring boroughs, and bodies responsible for railways and waterways.

Listed building consent

- 9.5 These applications are advertised in the local newspaper and by site notice, except where the works are only internal and where the building is listed Grade II. Where demolition is involved, we consult the National Amenity Societies. [The Town and Parish councils are consulted and we consult Historic England in accordance with government guidance \(Regulation 5A of Listed Buildings and Conservation Regulations 1990\).](#) Other consultation is carried out as appropriate for the individual application – e.g. with the local amenity society.

Consultation periods

- 9.6 Our letters / notifications / advertisements make clear the deadline by which comments should be submitted. We normally allow 21 days but there may be occasions when a 14 day period is set, for example in cases of special urgency. Consultees can only be certain that their views will be taken into account if they meet our deadline. However, in practice, further time may be available before the decision is made. If a consultee is having difficulty meeting the deadline; they should contact the planning case officer to see whether a late comment will be acceptable. Statutory consultees may be allowed a longer period of time to comment on applications where this is prescribe in legislation.
- 9.7 Representations on any planning or other application should ideally be made via our Dacorum website where all plans and associated documents can be viewed before making comments. We will also accept comments by letter or email. Representations should refer only to material planning considerations.
- 9.8 A weekly list of applications received is sent out to the Town and Parish Councils, Councillors, internal consultees and other groups or individuals interested. Any local amenity group or individual can be added to the list by emailing the Planning Mailbox: planning@dacorum.gov.uk.

10. How a Decision Is Made

- 10.1 Once the application has been registered and the consultation letters sent out the application is passed to the Planning Case Officer. When the Case Officer has visited the site and received all comments he/she will write a report recommending that planning permission is either refused or granted.
- 10.2 Not all of our planning applications are reported to the Council's Development Control Committee. If the application is not contentious and falls within the Council's Scheme of Delegation the application will be decided by the Group Manager or other delegated officers. In other cases the application will be reported to the Development Control Committee who sit on a three-weekly cycle. The Committee will then decide on the application.

Development Control Committee

- 10.3 The Committee is made up of 14 of the Council's elected Members.
- 10.4 Meetings of the Development Control Committee meeting are open to the public. You can address Councillors at the meeting. There are some rules to make sure that as many people as practicable can be heard fairly. You need to register in advance of the meeting with the Council's Member Support Section. Speakers are given 3 minutes to address the Committee. Where more than 1 person wishes to speak, on a single item, a total time of 5 minutes is shared between speakers.

10.5 Further information on the process and how to register to speak can be found on the following link:

—<https://www.dacorum.gov.uk/home%5Ccouncil-democracy/meetings-minutes-and-agendas/speak-at-a-committee-meeting/speak-at-a-development-control-committee-meeting>

Post decision

10.6 Decision notices are sent to applicants electronically and can be viewed on the Council's website.

10.7 A weekly list provides a list of all applications determined in a particular week. This is available on the website:
<http://site.dacorum.gov.uk/planonline/acolnetcgi.gov>

10.8 The weekly list of applications received and determined is also sent to Town/Parish Councils for information purposes. Any group or individual can be added to the list by emailing the Planning Mailbox: planning@dacorum.gov.uk.

Appeals

10.9 After the council has reached a decision on a planning or a related application, and has refused it or permitted it with conditions attached, the applicant has a right of appeal against that decision.

10.10 The requirements for notification with regard to appeals are set down in government regulations and the council will comply with these. Those who have commented on an application that is subject to an appeal may be invited to submit further comments to the Planning Inspectorate (often dependant on the type of appeal). If an appeal is to be considered at an informal hearing or public inquiry, we also notify interested parties of the venue and time of the hearing in line with the Planning Inspectorate's requirements.

10.10 The council produces information on its website about the appeal process which gives further details of the appeal procedures and the potential for third parties to be involved.

11. Review

11.1 Members of the Development Management team attend a monthly agent/developers' forum to discuss relevant issues regarding the planning process and to provide information to agents, for example regarding new government policy. These meetings are organised and arranged by a group who regularly submit applications in the Borough. This provides an opportunity for the Council to promote the key principles of this Statement of Community Involvement.

Agenda Item 9



Report for:	Cabinet
Date of meeting:	28 June 2016
Part:	1
If Part II, reason:	

Title of report:	New Complaints Policy And Procedure
Contact:	Cllr Neil Harden, Portfolio Holder for Resident and Corporate Services Author/Responsible Officers; Robert Smyth, Assistant Director (Performance, People & Innovation) Matt Rawdon, Group Manager (People & Performance)
Purpose of report:	For Cabinet to review and approve the implementation of a new ' <i>Compliments, Comments and Complaints Policy and Procedure</i> '.
Recommendations	That Cabinet approve the implementation of a new ' <i>Compliments, Comments and Complaints Policy and Procedure</i> '
Corporate Objectives:	Modern and Efficient Council – The effective management of complaints is vital to ensure that we deliver services which respond to the needs of residents.
Implications: Value For Money Implications'	<u>Financial</u> Managing complaints ensures that we improve the quality of services and target our resources in the most effective way.. <u>Operational</u> The failure to properly address issues raised in complaints (and to learn lessons) could lead to operational service issues. <u>Value for Money</u> Effective management of complaints supports the achievement of value for money in the pursuit of the Council's objectives

Risk Implications	A robust Asset Management Strategy (AMS) mitigates the risk of the Council not being able to deliver the benefits described above.
Community Impact	Community Impact Assessment carried out
Health And Safety Implications	None
Monitoring Officer/S.151 Officer Comments	<p>Monitoring Officer:</p> <p>This policy will ensure that residents have a right to request that decisions, actions or omissions of the Council are reviewed at an appropriately level of management within the Council. The policy balances that right with the need to manage complaints in an efficient manner.</p> <p>S.151 Officer</p> <p>There are no direct financial implications of this decision.</p>
Consultees:	Corporate Management Team Officers Finance & Resources Committee
Background papers:	<i>'Compliments, Comments and Complaints Policy and Procedure'.</i>
Glossary of acronyms and any other abbreviations used in this report:	LGO AD CIMS

1. Introduction

- 1.1 Having an approach that enables the Council to manage and learn from complaints is vital if it is going to deliver high quality services that offer real value for money.
- 1.2 The Improvement and Innovation team recently completed a review of the existing complaints policy and in doing so, it identified a number of issues and areas of concern.
- 1.3 The following report (and new *Compliments, Comments and Complaints Policy and Procedure*) therefore proposes a number of changes and improvements to the way we manage complaints.

2. Key Changes

- 2.1 The key changes fall into three categories; policy, process and system.

2.1.1 Policy

Change 1 (P3, sec. 3.3)

We have introduced a time-limit of 90 days for a complaint to be lodged in response to an incident or issue. Previously we had no time-limit.

This will ensure that the evidence is still available and that we are not subject to spurious or false claims for historical incidents that cannot be properly assessed.

Change 2 (P6, sec 5)

We have introduced a clear policy for dealing with inappropriate, unreasonable or vexatious complainers. We currently have no formal policy on this issue.

This will ensure that we have the tools and approach to deal with unwanted behaviour, including restricting people's contact. This is necessary because vexatious complainers take time away from genuine complainants.

2.1.2 Process

Change 3 (P4, sec 4 Stage 1)

We have reduced the number of complaints steps from three to two. This is in line with LGO guidance and it streamlines our approach in line with many other local authorities.

As we have reduced the process we have also revised down the amount of time allowed for Stage 1 from 20 days to 15 days. This is in line with good practice in other areas. However for channel shift purposes we have only committed to this for

individuals who complaint via our online form. For off-line contact we note that a response could still take up to 20 days.

Change 4 (P4, sec 4 Stage 2)

At present if anyone is unhappy, for any reason, they can ask for progression to Stage 2 and Stage 3. This is not an effective use of resources and it means we are likely to spend disproportionate amounts of time dealing with unreasonable demands and expectations.

We have introduced a new test that means a complainant has to evidence why the Stage 1 investigation was incorrect or unfair.

If a complainant cannot provide that evidence, we will not progress their complaint to Stage 2. An AD will write to the complainant explaining why the case was closed (and that if they are still unhappy they can go to the Ombudsman having exhausted our process).

Change 5 (P4, sec 4.6)

We can often receive the same complaint from a resident and an MP, if they have chosen to send details of their issue to multiple parties. This makes it time consuming and difficult to manage, because in effect we are handling (and responding to) the same complaint twice. It can also delay the process.

We have introduced a new policy that if we receive a duplicate complaint, we will close down the resident complaint and treat it as a single complaint, dealing directly with the MP.

This will ensure we are not double handling issues and that we can focus our attention on the problems identified.

2.1.3 System

If these changes are accepted we will need to undertake some re-development work with our existing system.

In the medium term we are planning to introduce a new complaints system as part of the re-development of MS Dynamics, however in the meantime we will make some improvements to CIMS.



Compliments, Comments and Complaints: Policy & Procedure

1. Introduction

- 1.1 Our aim and commitment is to always provide high quality services that meet the needs of our residents. That's why we want to make it as easy as possible for people to let us know what they think.
- 1.2 Through listening and learning we seek to improve the quality of the services we provide to our customers and encourage good practice by our staff.

1.2.1 Compliments –

- 1.2.2 This may be something we've done well or when you've liked a service delivered by Dacorum Borough Council or one of our partners.

1.2.3 Comments –

- 1.2.4 This may be a suggestion or view on how we might improve our services or a request for information or guidance.

1.2.5 Complaints -

- 1.2.6 We recognise that sometimes things go wrong; a complaint is an expression of dissatisfaction about something we've done. Full details of what can be dealt with as a complaint can be found below.

2. Getting in Touch

- 2.1 The easiest way for people to get in touch is through our online form:

****Complete the easy to use form online at
<http://www.dacorum.gov.uk/home/do-it-online/make-a-complaint>****

- 2.2 If they can't go online, they can also telephone us (01442 228000), come into the Customer Service Centre or write to us:

- 2.2.1 *Compliments, feedback and complaints, Dacorum Borough Council, Civic Centre, Hemel Hempstead, Hertfordshire, HP1 1HH*

3. Our Approach to Complaints (Policy)

Defining Complaints...

- 3.1 A complaint occurs when someone is unhappy with the standard of service or with something that the council or a member of its workforce may or may not have done.
- 3.2 Examples of complaints...
 - *we have done something we should not have done*
 - *we have failed to do something we should have done*
 - *our service has not been delivered to the expected quality, frequency or cost*
 - *an employee of the council (or any of our contractors or agents) has behaved inappropriately*
 - *a decision-making process has been flawed*

Circumstances in which this complaints process does not apply...

- 3.3 There are a number of circumstances in which it is not appropriate or possible to manage a complaint using this process:
 - A complaint is received more than **90 calendar days after the incident (s) specified in the complaint**. This is because it is very difficult to effectively investigate after a long period of time.
 - Someone is **requesting a service** or **reporting a problem for the first time**
 - Someone has an **issue with their Councillor**. You can find more information about how to contact them on their web pages (<http://www.dacorum.gov.uk/consultation-feedback/complaints-about-councillors>).
 - Someone is asking us to deal with a **complaint about another resident or organisation**. This includes neighbour noise, fly tipping, or environmental health (<http://www.dacorum.gov.uk/home/environment-street-care>).
 - Someone has a **complaint about benefit appeals or planning enforcement**. This is dealt with using other rules (<http://www.dacorum.gov.uk/home/benefits/housing-council-tax-benefits/appeal-against-a-benefits-decision> or <http://www.dacorum.gov.uk/home/planning-development/planning-enforcement>).
 - Someone has a **complaint about a service provided by someone else**, for example Hertfordshire County Council (<http://www.hertsdirect.org/>).
 - Someone **disagrees with local or national policy**. We can record this but it's not a complaint.

4. Managing the Complaints (Process)

Introduction...

- 4.1 Our complaints process has two clear stages, each of which is designed to provide a robust, thorough and independent response to the issues raised.
- 4.2 If a complaint is not made through our online form, we can take up to 5 working days extra to investigate and respond.

Stage 1 - (Initial Investigation)...

- The complaint will be logged and the complainant will receive an acknowledgement within **5 working days**.
- An investigation will be carried out by the Group Manager for the service area against which the complaint has been made. The complainant will receive a formal response within **15 working days**¹.
- However the time period can be extended if the case is complex or it requires more investigation. In these circumstances we will write to the complainant to explain the delay and provide a new date for receipt of our response.
- If the complaint includes or involves the Group Manager, then another Group Manager will be nominated to sign-off the complaint. If a complaint involves a serious risk, either for the resident or the organisation, we may ask an Assistant Director to investigate, however this decision is at our discretion.
- Details of complaints will be recorded on our complaints management system and regular monitoring and scrutiny of complaints performance will be undertaken by senior management and Councillors.
- If a complainant is dissatisfied with the process or outcome they can request a review by contacting us within **28 calendar days from receipt of our response**.

¹ This is the expected time for a complaint reported online. If it is reported in a different way we can take up to 20 days.

Stage 2 - (Independent Review)...

- To progress to Stage 2 the complainant must demonstrate why the process or outcome was unfair or incorrect.
- If the complainant is not able to demonstrate why the process or outcome was unfair or incorrect, we can take the decision to not progress the case to Stage 2. In these circumstances we will consider the case closed and the Assistant Director will write to the complainant explaining our decision**.
- If the complaint is accepted, an independent review will be carried out by an Assistant Director (or Monitoring Officer where appropriate) from a different service area to the one associated with the complaint. The complainant will receive a formal response within **20 working days***, at which point we will consider the case closed.
- However the time period can be extended if the case is complex or it requires more investigation. In these circumstances we will write to the complainant to explain the delay and provide a new date for receipt of our response.

If they are still unhappy...

- 4.3 If the complainant is still dissatisfied after the Independent Review (Stage 2) they can contact the Local Government Ombudsman's office.
- 4.4 The Ombudsmen will not normally consider a complaint until it has already been through both stages of our internal complaints process.
- 4.5 More information about the Ombudsman can be found at www.lgo.org.uk or you can contact;

Receiving the same complaint from a resident and an MP, Councillor or other agency...

- 4.6 Dealing with the same complaint from two different people is time consuming, costly and it can mean that it takes longer to investigate and respond to the issues raised.
- 4.7 ****Please Note -** If we receive a duplicate complaint from a resident and an MP, Councillor or other agency, will we close the original complaint and manage this as a single complaint directly with the MP, Councillor or other agency**.
- 4.8 The MP, Councillor or other agency can then pass our response onto the complainant who raised the issue with them.

5. Dealing with Inappropriate or Unreasonable Behaviour (Process)

Introduction...

- 5.1 While we are committed to ensuring the best possible resolution to any complaint, the nature of some complaints or the manner in which they are pursued can make it difficult to respond in a fair and timely manner.
- 5.2 It can also impact negatively on the experience of other residents as well as the staff themselves.
- 5.3 Some examples of unreasonable or inappropriate behaviour are:
 - *The person repeatedly makes the same complaint with minor differences and does not accept the outcome.*
 - *The person changes aspects of the complaint or continues to add to the complaint, hindering the investigation.*
 - *The person regularly breaks appointments or will not allow appointments with staff which would progress the complaints process.*
 - *The person makes repeated contact with staff in different departments through different routes, letters, faxes, phone calls, MP, councillor and media enquiries.*
 - *Contact is frequent, lengthy, complicated and stressful for staff and repeats the same themes.*
 - *The person will not allow the complaint to progress to the next stage, but continues to express dissatisfaction.*
 - *The person is abusive, makes inappropriate or personal comments, makes threats, or uses aggressive behaviour including shouting or swearing at staff.*

Possible responses to unreasonable behaviour...

- 5.4 If a complainant behaves in an unreasonable or inappropriate manner, we will ask them to stop immediately. We will also look at what support can be put in place.
- 5.5 However...if they do not stop the behaviour there are a number of steps we can take:
 - *We can warn the complainant that, if the behaviour continues, we will take action to restrict their contact with the Council. The types of restrictions imposed could include:*
 - *requiring the complainant to enter into an agreement about future behaviour before their case proceeds;*
 - *blocking an email address*
 - *requiring contact to take place with one named officer;*
 - *limiting contacts to one form only (for example, a maximum of one letter a week);*
 - *restricting telephone calls to specified days and/or specified times*
 - *refusing to discuss the complaint in the future*
 - *If the behaviour threatens the safety and wellbeing of staff or other residents we may consider involving the Police or taking legal action ourselves without prior warning to the complainant.*
 - *If the behaviour falls within the scope of our Zero Tolerance Policy it could result in the complainant being registered on our Cautionary Database.*
 - *A decision to restrict contact with the Council will be reviewed automatically after six months. There is no further right of appeal under the policy. Complainants are advised to contact the Local Government Ombudsman if they remain unhappy with the decision to restrict contact.*

6. Monitoring, Training and Data Protection

Monitoring...

- 6.1 The council will monitor the effectiveness of this policy and procedures by collating and analysing details of complaints to identify areas for improvement and learning.
- 6.2 We will produce regular monitoring reports for scrutiny and assessment by Councillors and senior staff.

Training...

- 6.3 All staff receive specialist training and support to ensure that they are able to respond to complaints in way that is considerate, understanding and deals with the issues raised.

Data protection...

- 6.4 When you make a complaint, we will log information about your complaint and your name and contact details. Information will only be collected and stored for the purposes of dealing with your complaint and improving our services. Your complaint and details will be treated confidentially.

Agenda Item 10



Report for:	Cabinet
Date of meeting:	28 June 2016
PART:	1
If Part II, reason:	

Title of report:	NATIONAL GRADUATE DEVELOPMENT PROGRAMME
Contact:	Cllr Neil Harden, Portfolio Holder for Residents and Corporate Services Author/Responsible Officer Matthew Rawdon - Group Manager (People) Bill Haylock (Organisational Development & Training Team Leader)
Purpose of report:	To recommend to Cabinet that the Council participate in the National Graduate Development Programme (NGDP) for 2016 (Cohort 18).
Recommendations	<ol style="list-style-type: none"> That Cabinet approve the recruitment of a graduate in 2016 from the National Graduate Development Programme. That Cabinet recommend to Council approval for drawing down £72,800 from the Management of Change reserve.
Corporate objectives:	<p>Dacorum Delivers:</p> <p>Building an efficient, effective modern Council means having the right workforce in place, which includes employing 'young people' with fresh and current ideas.</p> <p>This programme also supports succession planning by assisting the Council in growing leaders for the future.</p>
Implications:	<p><u>Financial</u></p> <p>Overall costs = £72,800 for the entire programme, funded by the management of change reserve.</p>

'Value For Money Implications'	<u>Value for Money</u> No implications due to the scheme being nationally recognised and is the only one of its type.
Risk Implications	Any associated risks will be covered by staff inductions and training, as per any other member of staff.
Equalities Implications	Community Impact Assessment carried out in February 2016, which did not highlight any implications.
Health And Safety Implications	The Council's Health and Safety policies would apply to this post.
Monitoring Officer/S.151 Officer Comments	Monitoring Officer: No comments to add to the report S.151 Officer Following approval by Council the required amount (£72,800 in total) can be met from the Management of Change reserve to be drawn down over 2016/17 and 2017/18.
Consultees:	Cllr Neil Harden, Portfolio Holder for Residents and Corporate Services Chief Officer Group
Background papers:	http://www.local.gov.uk/ngdp
Glossary of acronyms and any other abbreviations used in this report:	NGDP – National Graduate Development Programme HRA – Housing Revenue Account SCP – Spinal Column Point. LGA – Local Government Association

1 Background

- 1.1 The NGDP is a two-year graduate management development programme, run by the Local Government Association. The programme is set up to provide local government with potential leaders for the future.
- 1.2 Since 2002 over 700 graduates have completed the programme and many graduates now occupy senior positions in local government and the wider public sector.
- 1.3 Since 2010 the Council has employed eight graduates and all were successful in securing a permanent senior position after the programme. The feedback from managers and graduates has been very positive; it appears to have struck a balance between benefiting the organisation and providing a great development opportunity for young people.
- 1.4 This programme supports the Council succession planning process, so that we can retain trained and gifted staff to become managers of the future.
- 1.5 The programme provides graduates with the unique opportunity to experience different service areas across the Council, equipping them with a vast amount of knowledge in our business. This experience provides them with a solid understanding of local government which will help them secure senior positions in the future.

2. National Graduate Development Programme:

- 2.1 The scheme is being offered to us again and it is proposed that the Council applies to the NGDP for one graduate place to support Cohort 18 (October 2016-October 2018). These skills will be used to increase capacity to deliver the Council's critical and priority projects, working across various directorates.
- 2.2 Breakdown of Costs:
 - The graduate would be appointed on a two-year fixed term contract at a pay rate of £24,638 per annum. In addition to this there will be on-costs for pension and national Insurance contributions of approximately 30% per annum. The total salary cost is £70,500 over two years.
 - There is also a one off £2,300 fee to the LGA for attraction, recruitment and mentoring for each graduate.

3. Recommendation

That Cabinet agree the recommendation set out in this report to enable the recruitment of a graduate from the NGDP for 2016-18.

Agenda Item 12



Report for:	Cabinet
Date of meeting:	28 June 2016
Part:	1
If Part II, reason:	

Title of report:	COUNCIL TAX SUPPORT SCHEME 2017/18
Contact:	Graeme Elliot, Portfolio Holder for Finance & Resources James Deane Corporate Director (Finance & Operations) David Skinner Assistant Director (Finance & Resources) Author/Responsible Officer Chris Baker, Group Manager (Revenues, Benefits & Fraud)
Purpose of report:	To consider whether to revise or replace the existing Council Tax Support scheme for the 2017/18 billing year, and if so, to approve options for consultation. To note the requirement to consider revision or replacement of the Council Tax Support scheme for 2017/18. To consider the recommendation to uprate the calculation amounts for working age people within the scheme and to adjust the scheme to introduce a rule to automatically do this in future years. To consider the recommendation to make an adjustment to the rule defining disability for the purpose of classing a taxpayer as vulnerable within the scheme.
Recommendations	It is recommended that Cabinet recommends that Council: <ol style="list-style-type: none">1. Agrees not to revise or replace the current Council Tax Support scheme for 2017/18.2. Agrees the proposed minor technical changes to the 2017/18 Council Tax Support scheme as laid out in paragraphs 22 and 23 of the report.
Corporate Objectives:	Effective management of the Council's finances supports the Council's vision and all five of its corporate objectives.
Implications: 'Value For Money Implications'	<u>Financial</u> There are no direct financial implications arising if Cabinet agree with the recommendations made by this report, as the assumptions in the MTFS about council tax income are based on the continuation of the current scheme. The potential impacts of other choices are explained in the body of this report.

Risk Implications	<p>If revision or replacement of the scheme is recommended, the LGFA 1992 specifies the consultative steps which must be taken. If changes are made without the required process being followed, there is a risk of the scheme being challenged by Judicial Review.</p> <p>There are also financial risks in relation to the impact of applications for support exceeding the anticipated level of payments within the financial year. This is being addressed by ongoing monitoring of the amount of support as part of the collection fund monitoring process.</p>
Community Impact Assessment	<p>An Equality Impact Assessment (EIA) was undertaken on the 2013 Council Tax Support scheme. There have been no changes since that date which have required an update to that assessment. If revision or replacement of the scheme is being considered, then an updated Community Impact Assessment will be developed in order to form part of the consultation process.</p>
Health And Safety Implications	<p>There are no health and safety implications arising from this report.</p>
Monitoring Officer/S.151 Officer Comments	<p>Monitoring Officer:</p> <p>Schedule 1A of the Local Governance Finance Act 1992 (as amended) requires that a billing authority (this Council) considers each financial year whether to revise or replace its Council Tax Support Scheme.</p> <p>This report satisfies that requirement and recommends no revision or replacement to the current scheme other than the minor technical changes noted. If Cabinet or Council does require revision or replacement of the scheme following consideration of this report further consultation will be required.</p> <p>S.151 Officer</p> <p>This is a S151 Officer report.</p>
Consultees:	
Background papers:	
Glossary of acronyms and any other abbreviations used in this report:	<p>CTB – Council Tax Benefit CTS - Council Tax Support DBC - Dacorum Borough Council DCLG – Department for Communities and Local Government EIA – Equalities Impact Assessment HB – Housing Benefit LGFA – Local Government Finance Act 1992 MTFS – Medium term financial strategy SFA – Settlement funding assessment UC - Universal Credit</p>

BACKGROUND

1. In April 2013, the national Council Tax Benefit (CTB) scheme was abolished and replaced by a requirement for each local authority to devise a localised Council Tax Support (CTS) scheme to help people on low incomes pay their Council Tax. Within certain parameters (including reduced government funding) each authority had to devise their own scheme based on local priorities for working age customers. Pensioners were protected from any changes because the Department for Communities and Local Government (DCLG) continued to set national rules covering the level of support for them.
2. The LGFA includes a requirement that every year each council must consider whether to revise or replace its CTS scheme for the following year. If it chooses to do this it must carry out a consultation on the proposed changes following rules set out in the LGFA. In summary this requires an initial consultation with the major preceptors (Herts County Council and the Police & Crime Commissioner), followed by a public consultation with local taxpayers. Caselaw requires that this consultation also include wider budgetary information (for example the option to reduce other service provision in order for the CTS scheme to be more generous).
3. Government funding for CTS is included within the overall Settlement Funding Assessment (SFA), but the amount provided has not been specified since 2013. Government have stated that the funding level for CTS has not reduced since then, although the overall SFA has been reducing year on year.

Dacorum Borough Council's (DBC's) current CTS scheme

4. DBC's current scheme was agreed by Council in January 2012 following the required consultation. It was developed based on the principles that:
 - a. Everyone of working age should pay something towards their Council Tax (except for the most vulnerable)
 - b. The scheme should provide protection for the most vulnerable in the community
5. As a result, the DBC scheme has two main parts:
 - a. Vulnerable: where the taxpayer is disabled, has a child under 5, or receives a war widow's or war disablement pension, CTS is assessed on 100% of their Council Tax liability
 - b. Other: all other working age taxpayers have their CTS assessed on 75% of their Council Tax liability. This means that they are expected to be paying at least 25% of their Council Tax.

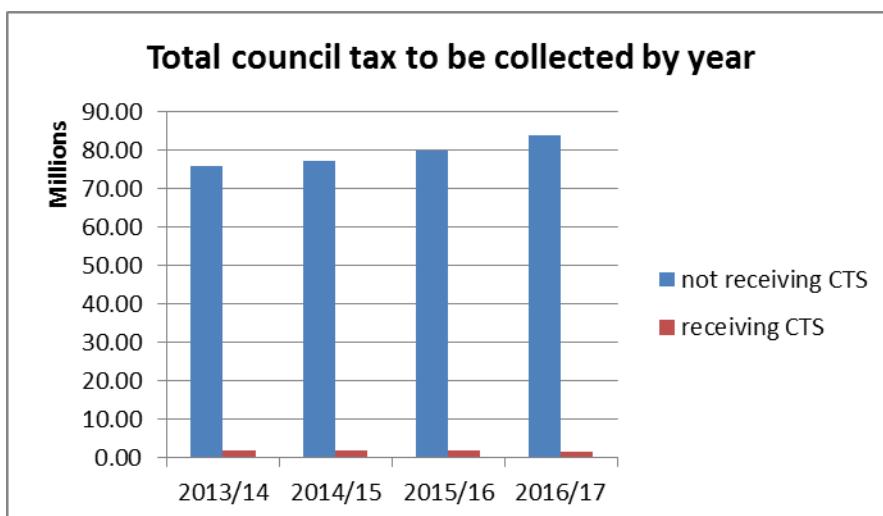
Once a customer has been allocated to one of these groups, their entitlement to CTS is means tested.

6. We are now in the fourth year of the CTS scheme. During this time DBC has not chosen to revise or replace the original scheme. The only changes made have been minor, uprating the means testing calculation factors so that they remain

- aligned with those used in Housing Benefit (HB). None of these calculation factors changed last year.
7. The consultation required for any proposed revision or replacement of the scheme means that it cannot be considered within the rest of the normal budget setting process. If a consultation process is required, it will need to take place over the summer, in order to meet the timetable for scrutiny before returning to Cabinet and then to Council for a decision before the end of January 2017.
 8. Replacement of the scheme would involve the introduction of a fundamentally different way of assessing the level of CTS awarded to a taxpayer. This may be something which would enable administrative savings to be made in the future, when most working age housing costs are being met by Universal Credit (UC) rather than HB. However, at present the majority of working age taxpayers receiving CTS also receive HB, and so it is more efficient to calculate both awards in a similar way.
 9. Revision of the existing scheme would leave the basis of the scheme the same, but with changes to significant elements, for example an expansion or restriction of the groups protected due to vulnerability, or a change to the minimum payment level from 25%.
 10. Officers have carried out modelling of the impact of some revisions which Cabinet may want to consider.

Cost of current scheme

11. As noted in paragraph 1 above³ above, the amount of funding provided by Government towards the cost of providing CTS is not separately identified, and so it is not easy to judge the affordability of the current DBC scheme on those terms.
12. When CTS was introduced, the DBC scheme was designed to fit within the new funding model (10% less funding than for the last year of CTB). For 2013/14 DBC received £1.04m of identified funding, and the CTS scheme ended up costing £0.98m.
13. There are currently around 8,600 households receiving CTS, of whom around 5,000 are of working age. The following chart shows the breakdown between the collectible council tax split by whether or not the resident receives CTS.



14. Over the whole period since CTB ended, the caseload of taxpayers receiving support from CTS has dropped by around 10%. During the same period the level of council tax charged has increased, and this means the cost of CTS to DBC has remained fairly consistent since the scheme has been in place.

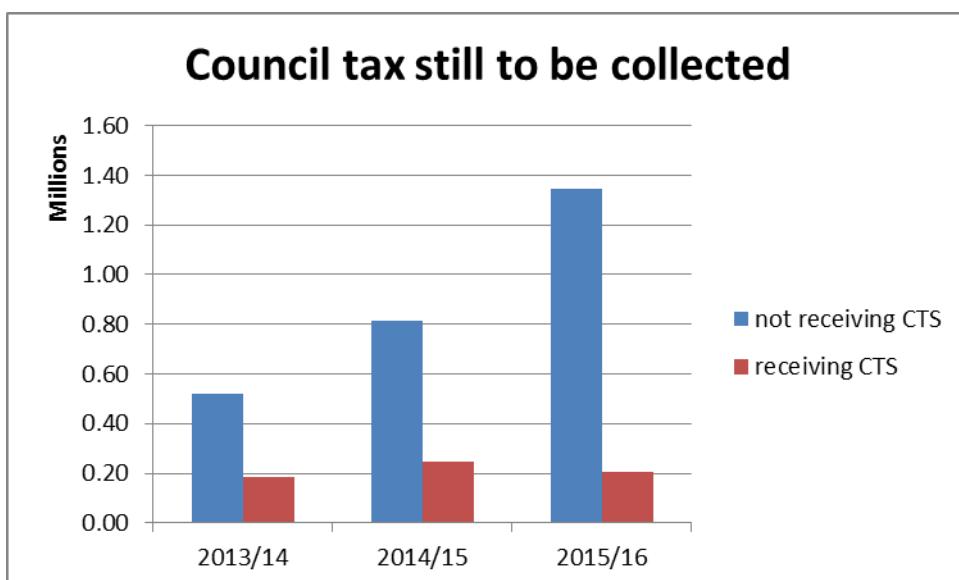
Tax year	Cost of CTS to DBC / £m
2013/14	0.98
2014/15	0.93
2015/16	0.93
2016/17	0.96 (estimated)

Options for change

15. Changes to the CTS scheme will have an effect on the council tax base. A more generous scheme will reduce the base, and a less generous one will increase it. However, it is worth noting that although an increased tax base will lead to a higher level of collectible council tax, this will not necessarily mean increased income for the Council, as the tax itself still needs to be collected.
16. Our current collection level from CTS recipients is shown in the table below.

Tax year	Collection rate overall	Collection rate from CTS recipients	Collection rate from working age CTS recipients with minimum payment due
2013/14	99.1%	91.0%	87.1%
2014/15	98.7%	87.9%	81.6%
2015/16	98.1%	89.5%	76.3%

17. The amount of council tax that this means is still to be collected from CTS recipients is shown below.



18. Some options for revision to the scheme are shown in the table below. A change in tax base of 0.1% is roughly equivalent to £10k in collectible council tax for DBC.

Summary of option	Projected change to tax base
Revert to match rules of old CTB (i.e. no minimum payment)	-0.6%
Reduce minimum payment to 20%	-0.1%
Increase minimum payment to 40%	+0.3%

19. If any of these (or other revisions to the scheme) are considered, then we must carry out a formal consultation exercise in line with LGFA. This requires us to consult with all taxpayers, both those receiving CTS and those who do not, as they will all be affected by any changes. The consultation which took place in 2012 prior to the introduction of the current scheme cost approximately £15k.
20. At present there is only one billing authority which has moved towards a “banded discount” scheme, as a replacement for the current type of scheme which is based on CTB. They have stated that they are not yet seeing any administrative savings from doing this, because they still need to carry out the full means test for the same customers in order to calculate their Housing Benefit. It is therefore suggested that this option is put to one side for the medium term, until the extended rollout of UC has made a significant reduction to the HB caseload.

Technical changes

21. Minor technical changes will not require a formal consultation exercise; however the scheme will still need to be formally agreed by full Council. This report recommends that Cabinet recommends that Council approves two technical changes to the 2017/18 scheme.
22. Technical change 1: update the definition of “disabled” within the CTS scheme to include those found to have “limited capability for work” within a Universal Credit or Employment & Support Allowance award. This will ensure that the scheme continues to protect disabled people in the same way as envisaged when the scheme was first introduced, by keeping the definition in line with other welfare benefits.
23. Technical change 2: uprate the working age means testing calculation factors in line with changes made to HB by the Department for Work and Pensions, and introduce a rule to the scheme which will automatically do this in future years. There is currently a four-year freeze in place by Government for most of these factors, of which 2017/18 will be the second year. However, those factors which relate to disability are not part of the freeze, so we anticipate that there will be a few amounts which will be subject to uprating.