

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 26 MARCH 2009

CREATING STRONG, SAFE AND PROSPEROUS COMMUNITIES: DUTY TO INVOLVE

Report by: Lindsay Cornish, Chief Executive

Summary:

1. This report outlines the new 'duty to involve' representatives of local people in its work, explains what steps the Authority already takes which comply with that duty and seeks members views on whether they wish further action to be taken.

Recommendations

To:

- 1 **Note the requirements of the new duty to involve;**
- 2 **Consider the extent to which the Authority is already involving representatives of local people in its work;**
- 3 **Decide whether it would like to review its 'engagement' processes, after it has approved the National Park Plan, and if so, whether it would like to establish a small member/officer working group to take the work forward at the appropriate time?**

Paper:

NFNPA 293/09: Cover paper

Creating Strong, Safe and Prosperous Communities, Statutory Guidance, Department for Communities and Local Government, July 2008

www.communities.gov.uk

Contact:

Lindsay Cornish

Tel: 01590 646633

Email: Lindsay.cornish@newforestnpa.gov.uk

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 26 MARCH 2009

CREATING STRONG, SAFE AND PROSPEROUS COMMUNITIES: DUTY TO INVOLVE

Report by: Lindsay Cornish, Chief Executive

1 Background

The duty

- 1.1 The Local Government and Public Involvement in Health Act 2007 established a new duty ('the duty') on authorities, including national park authorities, **to take those steps they consider appropriate to involve representatives of local persons in the exercise of any of their functions, where they consider it appropriate to do so.** The duty comes into force on 1 April 2009. It does not replace existing requirements such as statutory requirements to inform, consult with or promote participation of users or citizens in relation to individual functions, such as planning. The Department for Communities and Local Government issued Statutory Guidance on the implementation of the duty in July 2008. This report outlines the new duty, explains what steps the Authority already takes which comply with the duty and seeks members' views on whether they wish further action to be taken.

The Statutory Guidance

- 1.2 The Statutory Guidance requires authorities to take the steps they consider appropriate to involve representatives of local persons in the exercise of any of an authority's functions. It envisages that, depending on local circumstances, such representatives should have opportunities such as:
- **influencing or directly participating in decision making** e.g. helping to shape local priorities via citizen panels, service advisory panels, participatory budgeting and citizen juries
 - **providing feedback on decisions, services, policies and outcomes** e.g. 'have your say' section on the Authority website, service user forms, petitions and feedback forms
 - **co-design/work with the Authority in designing policies and services** (e.g. being involved in the commissioning of services)

- **co-produce/carry out some aspects of services for themselves** e.g. responsibility for the maintenance of a community centre, transfer of the management of assets or environmental conservation work
- **work with the Authority in assessing services** e.g. citizens acting as mystery shoppers and co-opted members of scrutiny committees.

1.3 The guidance goes on to state that the term 'local persons' covers:

- children and young people as well as adults
- those who work or study in the area
- visitors
- service users
- local third sector groups
- businesses
- bodies such as parish councils
- anyone else likely to be affected by or interested in the function.

1.4 The guidance also defines '*representatives of local persons*' as a balanced selection of the individuals, groups, businesses or organisations the authority considers are likely to be affected or have an interest in the authority's activities. Diverse groups in the community who might be affected by or interested in a particular activity need to be considered, particularly hard to reach groups so that any consultation and involvement opportunities are not limited to those with the loudest voice.

1.5 The authority will be expected to gather evidence through the normal course of its business that:

- it understands the interests and requirements of the local community
- information, consultation and involvement opportunities are provided on the right issues, targeted at the right people and accessible to those it is trying to reach
- it has the appropriate corporate approach to providing information, consulting and involving that flows throughout the organisation from strategic policies to service delivery
- local people feel that the authority provides relevant and accessible engagement opportunities and will know how to get involved
- local people will recognise the authority's priorities and policies reflect this involvement and services are tailored to local needs, even though difficult choices have to be made.

2 Implications for the Authority: existing 'involvement arrangements

2.1 The Authority recognises the need to consult and involve local people in its activities and the following mechanisms and activities already exist or have taken place.

2.1.1 The **Statement of Community Involvement**, (NFNPA 173/07 Annex 2) sets out the framework under which the Authority will *consult* on the

development of its planning and other policies and in its decisions on planning; in other words the Authority does have an overarching strategy for consultation on its primary policy documents.

- 2.1.2 The **New Forest Consultative Panel**, which has a membership of over 80 New Forest and other relevant organisations and individuals, and is supported by the Authority, has met every two months since the establishment of the Authority. The Panel's member groups represent a wide cross-section of interests in the New Forest, including all parish, town, district and county councils in the New Forest; amenity, conservation and voluntary groups; sporting and recreational organisations, land management interests; and statutory bodies with responsibilities in the New Forest. The groups on the Panel in turn represent a very large number of people both in the New Forest and wider area. Through its independent Chairman the Panel provides an invaluable opportunity for representatives of local people to debate issues arising from the Authority's work and to share its views with officers.
- 2.1.3 The Authority has established **other fora** for working with and seeking the views of local people and service providers on the services provided by and work of the Authority including :
- **the New Forest Local Access Forum**
 - **the (New Forest) Educators Forum**
 - **the annual meeting with Planning Consultants**
 - **Boundary Markers and Signage Advisory Group**
 - **Animal Accident Reduction Group.**
- 2.1.4 Representatives of local people and business interests are involved in some of the Authority's decisions making processes, e.g. in the allocation of funds through the **Sustainable Development Fund Panel**. Relevant interests are also involved in the **Commoners' Dwelling Scheme Panel**.
- 2.1.5 The Authority has procedures for **public speaking** at its Authority and Committee meetings - and keeps these under review. For example changes were made to its speaking arrangements at Planning Development Control Committee for a trial period in Summer 2008.
- 2.1.6 The Authority consulted over 100 organisations and individuals in December 2005 on its **priorities** for its first two years' of work, which were subsequently reflected in its Corporate Plans.
- 2.1.7 The Authority has carried out an extensive period of consultation in the development of its **National Park Plan** and **Recreation Management Strategy** including the 'New Forest, New Chapter' series of workshops and the formal consultation process. In recognition of public reaction to the consultation draft, it has, unusually for this stage in the process, embarked on a process of further engagement in the revision process of the Plan. The Plan will, as far as possible, be aligned with the Sustainable Community Strategies covering the National Park and the Authority engages with both

- the overarching New Forest Local Strategic Partnership as well as leading the Environment Community Action Network.
- 2.1.8 Where appropriate, the Authority has **worked with other authorities** to 'join up' consultations e.g. the 'Future Matters' consultation with New Forest District Council and working with Hampshire, Southampton and Portsmouth City Councils on the joint Minerals and Waste Core Strategy.
- 2.1.9 The Authority carries out **customer satisfaction surveys** for some of its services, including Member Services, Events and Education Services and will shortly be rolling out a customer satisfaction survey of its planning (development control) functions.
- 2.1.10 In the autumn the Authority will be developing a new **Corporate Plan** and aims to involve local people in establishing the priorities for the Plan.
- 2.2.11 The Authority's **website** is continuously updated and made more accessible and user friendly. All visitors to the site are encouraged to provide comments both on the site and on the Authority's activities in the 'Your Views' section. The website is also used as a means of formal consultation, and for providing information on complaints procedures.
- 2.2.12 In the Autumn the Authority will be working with the MOSAIC project to develop links with **black and minority ethnic groups** in places such as Southampton.

3 Implications for the Authority: options for the future

- 3.1 After some three years as an operational organisation, the Authority has already put in place and used a variety of mechanisms for involving representatives of local people in its work both directly and through consultation. It should not be complacent in what it has achieved so far, and, as indicated in section 2 above, already has plans to extend its reach in some areas. Engagement and involvement does, however, require resources to support it, and a balance has to be achieved between supporting involvement and achieving the programme of work the Authority has set itself.
- 3.2 At the end of the first phase of developing the National Park Plan, i.e. following Authority approval, it would nevertheless be appropriate for the Authority to **review** the strengths and weaknesses of the engagement process in the Plan's development. This could be widened to include any other evidence it has received on how well it has engaged local people in its work to date. This would then lead to either a 'refreshed' Statement of Community Involvement, or alternatively a new 'Engagement Strategy'. The review process itself would provide an opportunity for the Authority to seek the views of local people in how the Authority could enhance the work it already does to implement the 'duty', including possibly experimenting with new mechanisms e.g. establishing a Citizens Panel. A small group of members and officers could be established to oversee this work.

4 Recommendations

To:

- 1 Note the requirements of the new duty to involve;**
- 2 Consider the extent to which the Authority is already involving representatives of local people in its work;**
- 3 Decide whether it would like to review its 'engagement' processes, after it has approved the National Park Plan, and if so, whether it would like to establish a small member/officer working group to take the work forward at the appropriate time?**