

Economic and Community Infrastructure Operations

CONSULTATION GUIDING PRINCIPLES - For Somerset County Council Major and Small Improvement Schemes

This paper is designed as a guide for project managers, scheme deliverers, members and local scheme champions and communities, to ensure there is a common understanding of the principles for consultation which will be followed in the delivering of Major and Small Improvement Schemes.

This guidance should be considered alongside the new and revised governance and delivery processes agreed for the delivery of the Major and Small Improvement Schemes.

DUTY TO CONSULT

We establish early on (when establishing the Programme or Project Board) whether there is a statutory or common law duty to consult on the proposed scheme or whether the need to consult is driven by the need to ensure the whole community understands the issues and the realistic and deliverable engineering options available within a scheme proposals. This will assist in establishing the extent of the duty to consult/ scope of the consultation process. A scoping exercise of the consultation process will take place before the commencement of the project, to identify key stakeholders and consultees* and the requirements of funding bodies. Consultation will be undertaken at a formative stage so as to avoid any suggestion of bias or pre-determination and to draw out issues which will help de-risk the implementation process. Further consultation on implementation implications (such as traffic management and road closures) will take place as appropriate. This is in line with Somerset County Council's Consultation Policy.

ALTERNATIVE OPTIONS

We will always, where the possibility exists, provide alternative solutions for consideration and consultation. It is important for all that the consultation process is not misleading and that it is not suggested that there are no

alternative options available, if there are (note there may be options which have been considered but due to engineering difficulties / safety concerns that we could not recommend). This will help to manage community expectations and as far as reasonably possible fulfill community ambitions.

TACKLE CONTROVERSIAL ISSUES HEAD ON

We will seek out the full range of options and opinions and will not shy away from highlighting the controversial and contentious issues. (The more these are discussed at the consultation stage (or even before) the easier it is to demonstrate to all parties that these have been considered and taken into account.)

ENSURE RELEVANT INFORMATION IS OBTAINED AND SHARED

We will ensure options are sufficiently developed for meaningful engagement and consultation to take place. We will ensure that consultees have enough information to fully understand the proposals being put forward and the extent of the risks, rewards and community benefits. We will ensure that it is very clear exactly what the nature of the proposal/ scheme is and why it is being put forward and by whom. We will also include a summary of the evidential basis and assumptions being made and if appropriate be clear about which parts of the scheme are up for consultation and which are not. We will seek to identify and engage with any relevant experts that can provide guiding or supporting information and make this information available to all consultees. The knowledge and expertise of local stakeholders and industry and subject experts will be fed into the consultation and decision-making processes. At the point of delivery we will ensure that affected communities are aware of the scheme and any highway implications which may ensue.

CLEAR CRITERIA

We will be clear and transparent about how options available will be assessed and on how consultation results will be fed into the process.

MEANINGFUL AND TIMELY. We will keep all interested parties informed of , timescales and progress, in terms of the consultation and decision making process and scheme delivery period, so there are no surprises or misunderstandings about what is being done, when and by whom. We will allow sufficient time for individuals to respond to the consultation. We will consider public holidays, the working day and the effect that this may have on the ability of consultees to respond. We will ensure that we provide information about the materials which will be used on a scheme, where options exist, or where sole options may be deemed controversial. This will be of critical importance where there are sensitive environmental, historic or heritage considerations to be taken into account.

CLEAR DECISION. We will be clear with consultees who is taking the decision and when it will be taken, if a decision is required. SCC's scheme of delegation and (therefore who can ultimately make decisions) needs explaining as part of the early consultation process. Where options have been rejected we will explain why this is so.

CONSCIENTIOUS CONSIDERATION AND TRANSPARENCY

It is critical that public bodies not only consider the consultation responses but can demonstrate that consideration through documentation. We will therefore produce a fair and balanced report on the output of any consultation and decision-making process. We will make available, where appropriate, copies of key responses. Where changes, however small, have been made to a scheme as a result of the consultation then these will be highlighted. Throughout any engagement and /or consultation process we will record and make publicly available key action points/points of principle agreed to minimise the opportunity for misunderstanding amongst parties.

PUBLIC SECTOR EQUALITY DUTY (PSED)

- We will make sure that we can clearly document considerations around the PSED throughout the consultation process.

- We will also take steps to make reasonable adjustments so that all relevant communities can take part in the consultation.
- Whilst it is not lawfully required, Somerset County Council is committed to producing a properly considered Equality Impact Assessment as a good way of evidencing that due regard has been given.
- Through this and other documentation the final decision maker will have robust information before them in order to effectively discharge the duty.

LISTENING, LEARNING, CHANGING

We will ensure that we continuously monitor and improve our consultation process and will welcome feedback from all participants in the consultation process. We therefore reserve the right to amend the process in the future if improvements have been identified.

*These may include but are not limited to:

- Statutory Consultees
- Local Planning and Highway Authorities
- Parish Councils
- Local Community
- Special Interest Groups and Local Working parties
- Heritage and Natural England
- Heritage Trust
- Funders (eg. LEP/LTP)