

## **16. Consultation Protocol Between Isle of Wight Town and Parish Councils and Isle of Wight Council**

The aim of this consultation protocol is to improve the joint working relationship between the Isle of Wight Council (IWC) and town and parish councils (local councils). Island electors expect local government to work together for the benefit of local communities. There is a common desire to foster a better professional working relationship between IWC and local councils. Better knowledge and understanding of each other's roles and responsibilities, together with a willingness to work together, will help to build trust and mutual respect.

This protocol will be reviewed by IWC in collaboration with the Isle of Wight Association of Local Councils (IWALC), the Hampshire Association of Local Councils (HALC), the Society of Local Council Clerks, and Island Town and Parish Councils. The aim is to make decisions on services that are more responsive to the needs of local communities, providing best value and quality.

Local councils need coordinated, considered consultations from IWC which are focused and relevant. This must be balanced with the legal duties that require IWC to consult on proposals at a formative stage, in a meaningful and balanced way and in some instances within a statutory timescale. Effective and meaningful consultation is essential in facilitating a good relationship between IWC and local councils.

### **Role of the Isle of Wight Council**

IWC will endeavour to:

- (a) Ensure that communication and liaison with local councils is effective, meaningful and timely.
- (b) Promote good communications between IWC councillors and local councils in their electoral divisions.
- (c) Recognise IWALC as the collective voice of its member councils.
- (d) Where it is cost effective members take account of the diversity of local councils in information and consultation provision and ensure the timely distribution of communication materials.
- (e) Engage local councils at a sufficiently early stage so they can help shape strategic partnership thinking.
- (f) Ensure that any local councils likely to be affected by any proposals or amendments of services or functions are informed in advance of any decision being made (it is recognised that there will always be cases of urgency or other reason, e.g. statutory requirements, that may mean that this is not possible; where it is not, local councils shall be informed as soon as practicable).
- (g) Provide a period of consultation of not less than six weeks for planned consultation on changes to services (excluding any statutory consultation process, e.g. on planning applications), avoiding the month of August where possible; if this is not possible, then a longer period may be provided. However, this period may be reduced by reasons of urgency and/or where statute sets a shorter period. This consultation will provide sufficient information (usually in an electronic format) for the relevant local council to respond properly.
- (h) Provide information electronically, where appropriate.
- (i) Contact local councils through their clerk or other nominated representative.

- (j) Where practicable, consult local councils again if, following consultation, IWC changes substantially the substance of a proposal.
- (k) Where resources and time allow, meet with local councils to discuss or clarify information regarding a consultation, to enable local councils to give an appropriate informed response. This may be done by attending an IWALC meeting rather than attending each parish/town council meeting.
- (l) Ensure that consultation outcomes are fully considered.
- (m) Explore possible parish/cluster/county liaison functions, linked to broader community engagement.
- (n) Where policies and proposals affect several local councils, also consult with IWALC as a means of securing the collective views of its member councils. Equally, if several local councils believe that they are affected, then they may also ask IWALC to consider the matter.

Information regarding meetings of the IWC Cabinet and committees, together with agendas, minutes and supporting documentation, will be available on IWC's website.

### **Role of Island Local Councils**

Local councils will endeavour to:

- (a) Provide IWC with accurate and current details of the names, addresses, emails and contact numbers of their clerks and to provide this information in a timely manner on their websites (if they have one).
- (b) Support and develop good communication and liaison with IWC through the appropriate Cabinet member, local IWC members and officers.
- (c) Maintain ongoing active engagement with local communities, reflecting their diversity, including relevant local business, voluntary and community sector organisations which might be affected by the subject of the consultation.
- (d) Ensure that parish and town councils' comments in response to a consultation exercise are meaningful and constructive.
- (e) Ensure communications to IWC are sent electronically and to the appropriate officer identified as part of the consultation process.
- (f) Respond to consultations within the stated time limit.
- (g) Ensure that if a local council does not wish to respond to a consultation it will inform IWC to that effect within the stated time limit.
- (h) Ensure that if they are unable to respond within the time limit, they request a short extension from the designated IWC officer as soon as possible; in any event, before the time limit has expired (it may not always be possible to grant such an extension in time). If the reason they are unable to respond is that there is no scheduled meeting, consideration be given to the local council submitting a draft response pending final consideration by them.
- (i) Recognise the role of IWALC as the agreed mechanism for engagement between IWC and member local councils.

Where appropriate, IWALC will co-ordinate the consultation activity for local councils.

Any issues arising from the operation of this protocol will be raised in the first instance with IWC's Monitoring Officer, who will attempt to resolve the matter and/or discuss the issue with the Cabinet member responsible for parish liaison. Such issues will be acknowledged by IWC within 20 working days.

## **Planning Applications**

IWC will send to all local council clerks the weekly planning application press list (via email) together with a copy of all planning applications and plans within the individual local council's area.

The agreed consultation period is 21 days from the date of notification. Where a local council comments on an application outside the consultation period, such comments will be taken into account, if reasonably practicable.

All applications and plans are sent to local councils before there has been any evaluation by the planning officers. This is because any comments received from the local council forms part of the evaluation and will help determine if the application can be decided within the delegated powers of the officers. Therefore, it is important that local councils observe the 21 day deadline or notify the relevant officer if they require more time. Failure to follow this procedure may mean that the application is determined without the benefit of the comments of the local council.

Where a local council comments on an application and they are contrary to the views of the case officer, this is drawn to the attention of the IWC local councillor, who can request that the application be considered by the Planning Committee. Such requests must be supported by relevant material considerations.

Local councils will be emailed a weekly list of decisions made. Copies of the decision notices, along with officer justifications or copies of the reports going to the Planning Committee, will be available on the IWC website.

Policy documents are available on the IWC website. Standard conditions and reasons for refusal books will be made available to local councils upon request to assist in their formulation of comments.

Planning histories are available on the IWC website.

Planning officers' reports cannot be made available within the 21 day timescale for comments has expired; they are unlikely to be prepared by the case officer until the views of consultees are received.

IWC will keep a copy of all local councils' comments received on planning applications in accordance with the IWC document retention policy.

IWC officers will be available to assist local councils in assessing technical details of major application proposals.

IWC will endeavour to consult with a local council where there is a significant change of condition to a planning consent to be made after consent has been granted.

## **Other matters**

IWC will endeavor to consult local councils on any proposals for any changes to any facilities, services or regulatory functions it operates or is responsible for (not specifically mentioned above), which will affect a local council or all or any of the inhabitants of its area.

IWC will endeavor to consult with local councils via IWALC on all major economic issues as and when the occasion arises.