



LEDBURY TOWN COUNCIL

TOWN COUNCIL OFFICES, CHURCH STREET, LEDBURY

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22 December 2023

TO: Councillors Bradford, Chowns (Chair), Eakin, l'Anson, McAll, Newsham and Sinclair

Dear Member

You are invited to attend a meeting of the **Environment & Leisure Committee** on **Thursday, 4 January 2024 at 7.00pm** at the **Town Council Offices, Church Lane, Ledbury**, for the purpose of transacting the business set out below.

Yours faithfully

pp

Angela Price
Town Clerk

FILMING AND RECORDING OF COUNCIL MEETINGS

Members of the public are permitted to film or record meetings to which they are permitted access, in a non-disruptive manner. Whilst those attending meetings are deemed to have consented to the filming, recording, or broadcasting of meetings, those exercising the rights to film, record or broadcast must respect the rights of other people attending under the Data Protection Act (GDPR) 2018

A G E N D A

1 To receive apologies for absence

2 Declarations of Interest

To receive declarations of interest and written requests for dispensations

(Members are invited to declare disclosable pecuniary interests and other interests in items on the agenda as required by Ledbury Town Council's Code of Conduct for Members and by the Localism Act 2011)

(Note: Members seeking advice on this item are asked to contact the Monitoring Office at least 72 hours prior to the meeting)

3 The Nolan Principles

4 Public Participation

Members of the public are permitted to make representations, answer questions, and give evidence in respect of any item of business included in the agenda. The period of time, which is at the Chairman's discretion, for public participation shall not exceed 15 minutes. Each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than five minutes. Questions/comments shall be directed to the Chairman.

- 5 To receive and note the minutes of meetings of the Environment & Leisure Committee held on Thursday, 2 November 2023 (Pages 346 - 354)**
- 6 To review Action Sheets (Page 355)**
- 7 CCTV Contract with Herefordshire Council (Pages 357 - 388)**
- 8 CCTV Update (Pages 389 - 398)**
- 9 Walled Garden – Licence to Cultivate (Pages 399 - 402)**
- 10 Cemetery Fees – Comparisons (Pages 403 - 406)**
- 11 Plaque for Cemetery Chapel (Pages 407 - 412)**
- 12 Christmas Lights (Pages 413 - 414)**
- 13 EICR Testing (Pages 415 - 418)**
- 14 Committee Structure – Initial Data Report (Pages 419 - 424)**
- 15 Market House – Feasibility Study (Pages 425 - 426)**
- 16 Working Parties**
 - 16.1 To receive and note the minutes of the meeting of the Events Working Party held on 1 November 2023 and the draft minutes dated 7 December 2023. (Pages 427 - 438)**
 - 16.2 To receive and note the draft minutes of the meeting of the Climate Change Working Party held on 6 December 2023. (Pages 439 - 446)**
- 17 Malvern Hills National Landscape Consultation (Pages 447 - 491)**

18 Date of Next Meeting

The next meeting of the Environment and Leisure Committee is scheduled to take place on Thursday, 7 March 2024 in the Committee Room, Council Offices, Church Lane, Ledbury.

19 Exclusion of Press and Public

In accordance with Section 12(2) of the Public Bodies Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public are excluded from the remainder of the meeting.

20 Future Provision of Burial Grounds

Pages (492 - 496)

Distribution: Full agenda to: - Committee members (6)

Agenda excluding confidential papers to:

Plus: The Press
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LEDBURY TOWN COUNCIL

MINUTES OF A MEETING OF THE ENVIRONMENT AND LEISURE COMMITTEE HELD ON 2 NOVEMBER 2023

PRESENT: Councillors Bradford, Chowns (Chair), l'Anson, McAll and Newsham

ALSO PRESENT: Julia Lawrence – Deputy Town Clerk
Angela Price – Town Clerk
Charlotte Bartrop – Minute Taker

E51 APOLOGIES

Apologies for absence were received from Councillor Eakin.

E52 DECLARATIONS OF INTEREST

None received.

E53 THE NOLAN PRINCIPLES

RESOLVED

That the Nolan Principles be received and noted.

E54 PUBLIC PARTICIPATION

No members of the public were present at the meeting.

E55 TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE ENVIRONMENT & LEISURE COMMITTEE HELD ON 7 SEPTEMBER 2023

Members were advised that minute number E40 should read “To approve and sign the minutes....”

RESOLVED

That the minutes of the meeting of the Environment & Leisure Committee held on 7 September 2023 be approved and signed as a correct record subject to the following amendment:

That minute number E40 be amended to read:

“To approve and sign the minutes.....”

E56 TO REVIEW ACTION SHEETS

Updates were provided regarding the following items:

- E13.4 Should end with the word “year”.
- E34.13 That the Clerk and CDO will be meeting with Community Day organisers regarding a possible joint venture in June 2024.
- E40.2 That the residents of the Alms Houses confirmed that they would welcome the Christmas lights to be installed on the Alms Houses.
- E41.1 Walkways in Deer Park – Officers are still waiting for further information on this item.
- E41.7 Scatter Garden - This has been included for consideration in the 2024/25 budget.
- E41.9 Officers advised that they had had a conversation with CDS regarding how they can assist Ledbury Town Council to identify land for burial purposes and with the process beyond this to the point of laying out the cemetery. It is anticipated that further information will be available at the next meeting.
- E41.11 That Councillors have requested that they have sight of the Licence to Cultivate for the Walled Garden.
- E41.12 Stairlift for the Market House - That this item is on the meeting’s agenda.

RESOLVED

That the Deputy Clerk obtain a copy of the Licence to Cultivate for the Walled Garden, as mentioned in item 41.11 and circulate to Councillors.

E57 MARKET HOUSE - UPDATE

Members were provided with an update in respect of the works to the Market House which included information received from Herefordshire Council’s Conservation Officer in respect of a stairlift being fitted to the Market House. The advice received was that a feasibility study and quantity surveyors report should be sought, and Caroe & Partners have advised that they could assist with this at a cost of circa £3,600 plus VAT.

There was also a discussion about the option of installing a lift. Members noted that this proposal had previously been discussed but local residents had rejected the idea. Members therefore agreed not to discuss this option further.

RECOMMENDATION

That a recommendation be submitted to the Finance, Policy, and General Purposes Committee that Caroe & Partners be appointed to provide a feasibility study and quantity surveyors report in respect of the proposal to install a stairlift at the Market House at a cost of circa £3,600 plus VAT.

E58 WAR MEMORIAL OWNERSHIP

Members discussed the works which have been carried out to the pavement surrounding the War Memorial and who held the insurance for the War Memorial.

Officers informed the Members that the War Memorial came under the Town Council Insurance, as was the case in other Parishes and that Ledbury Town Council are the Custodians of the War Memorial, which was originally erected using funds raised by Ledbury residents.

Members requested that this information be put into the public domain to ensure that residents are aware.

RESOLVED

That Officers make it widely known that the ownership of the War Memorial does not sit with the Town Council, rather that they are custodians for the people.

E59 CCTV AT RECREATION GROUND & CEMETERY – UPDATE

Recreation Ground – Members noted the update regarding CCTV at the Recreation Ground, noting that Ledbury Town Council will be required to provide a third of the costs to match fund, circa £8,000, towards the costs for new CCTV to be installed at the Recreation Ground by Herefordshire Council.

Cemetery – Members were informed that the CCTV had not been damaged during the break-in although the cameras had now been repositioned. They were also advised that it is anticipated that quotes will be provided to the meeting of Full Council on 23 November 2023 for a replacement CCTV system in the cemetery.

RESOLVED

That members received and noted the information provided within the report, noting that a sum of £8,000 had been included as match funding from Ledbury Town Council in respect of the recent funding application submitted by Herefordshire Council CCTV Compliance Manager for CCTV at the Recreation Ground.

E60 TREE SURVEY – CEMETERY

Members were advised that the last Tree Survey was carried out in October 2020 and needed to be undertaken now to ensure that the condition of trees were safe as well as being required for insurance purposes.

RESOLVED

- 1. That a new Tree Survey be carried out in respect of Ledbury Cemetery.**
- 2. That Company No. 1 be engaged to undertake the Tree Survey at the cemetery at a cost of £595.00 plus VAT.**
- 3. That the Deputy Clerk seek guidance on the frequency of Tree Surveys from the company which had been selected to undertake the Tree Survey.**

E61 TIMBER CLIMBER AND INCLUSIVE ROUNDABOUT – RECREATION GROUND

Members agreed that the Timber Climber should be replaced as a matter of urgency on safety grounds. It was agreed that Company No. 7 should be appointed to supply and install the new Timber Climber at a cost of £9,500.00 plus VAT.

Members also discussed the repair to the inclusive roundabout and agreed that Company No. 1 should undertake this repair for £1,550.00 plus VAT. Members established from the information provided within the report that this was the same company being asked to install the new Timber Climber and it was therefore suggested that the Deputy Clerk should enquire whether there would be any chance of a discount.

RECOMMENDATIONS

- 1. That a recommendation be submitted to the Finance, Policy, and General Purposes Committee that the Timber Climber be replaced as a matter of urgency and that the funds be taken from the 2023/24 budget. (110/4235).**
- 2. That a recommendation be submitted to the Finance, Policy, and General Purposes Committee that Company No. 7 be engaged to undertake the replacement of the Timber Climber at a cost of £9,500 plus VAT.**
- 3. That a recommendation be submitted to the Finance, Policy, and General Purposes Committee to repair the inclusive roundabout using funds from the 2023/24 Play Equipment Budget (110/4236).**
- 4. That a recommendation be submitted to the Finance, Policy, and General Purposes Committee to appoint company to undertake the repairs to the inclusive roundabout at a cost of £1,550 plus VAT.**

E62 2024/25 BUDGET

Members discussed the proposed changes to the budget with particular emphasis on the following items:

- 1** Scatter Garden at the cemetery – currently there is no provision for this in the earmarked reserves. It has been listed as a special project over the past years, but no budget has been allocated specifically for its completion. It has been proposed that £2,000 should be allocated from the reserves when this is progressed. That this was agreed.
- 2** Refurbishment of the Chapel Pews and Lecterns – Cemetery Budget: Chapel and Mortuary – consider increasing by £1,000.
- 3** Plaque for past Mayors & Councillors who have passed away – question was asked as to whether this should be a single plaque or individual plaques. It was agreed that a single plaque with all the names should be installed in the Cemetery Chapel.

- 4 That contingency be considered as part of the earmarked reserves for the purchase and laying out of new cemetery land – Members agreed that this should be explored further and that a PWLB (Public Works Loan Bond) loan may be the appropriate way forward, although it should also be considered that once the Cemetery is full, there is no statutory requirement on Ledbury Town Council to provide burial facilities, and that provision would have to be sought for all future new plots at Herefordshire Council.
- 5 Request from Climate Change Working Party for a sum of £2,000 to be included in the budget.
- 6 There will potentially be increased tree works at the Cemetery required in 2024/25 consider increasing the budget for this work. Members suggested an increase to £1,500.
- 7 It has now been established that as the Burial Authority, the Council are responsible for testing the safety of memorials in the Closed Churchyard at St Michael & All Angels. Therefore, consideration should be given to a sum being placed in the 2024/25 budget for this work to be undertaken, as it is a safety matter that needs to be addressed. Proposed that £2,000 be included as a new line in the Closed Churchyard Expenditure.
- 8 Council Buildings – Painted Room - Cost centre 105/Nominal Codes 4000, 4018 and 4019 (Salaries, National Insurance and Pension) to be merged.
- 9 Council Buildings – Painted Room - Cost centre 105/Nominal Codes 4433 and 4435 (Card Machine Rental and Card Machine Transactions) to be merged.
- 10 Council Properties - Propose consideration of funds for new CCTV system in the offices.
- 11 Consider increase in the cemetery fees and charges, and other fees. Report to be provided advising possible 3%, 5% and 7% increase.

RECOMMENDATIONS:

That the following items be recommended to the Finance, Policy & General Purposes Committee for consideration in the 2024/25 budget:

- 1. That £2,000 be allocated from reserves for the provision of a scatter garden at the Cemetery.**
- 2. That line 10 on page 274 of the budget pages be increased to a sum of £2,100 to allow for the refurbishment of the Pews and Lecterns at the Cemetery Chapel.**
- 3. That a Memorial Plaque be erected to commemorate past Mayors and Councillors who have passed away.**
- 4. That contingency be considered as part of the earmarked reserves for the purchase and laying out of new cemetery land – that the members agreed**

that this should be explored further and that a PWLB loan may be the appropriate action.

5. That £2,000 be allocated to a budget specifically for the use of the Climate Change Working Party.
6. That Memorial testing be added to the Closed Churchyard Expenditure in the sum of £2,000.
7. Council Buildings – Painted Room - Cost centre 105/Nominal Codes 4000, 4018 and 4019 (Salaries, National Insurance and Pension) to be merged.
8. Council Buildings – Painted Room - Cost centre 105/Nominal Codes 4433 and 4435 (Card Machine Rental and Card Machine Transactions) to be merged.
9. Members agreed to the other changes as detailed in Item Nos. 6, 7 and 10 above:

Item 6 – Tree works at the Cemetery – increase budget to £1,500.
Item 7 – Closed Churchyard Expenditure – new line entry budget £2,000
Item 10 – CCTV system for LTC Offices.
10. That the Clerk provide a report regarding the Cemetery Fees and Charges, outlining how the fees have increased since her appointment and what an increase of either 3%, 5% or 7% would look like in real terms.

E63 CLOSED CHURCHYARDS

RESOLVED

That members received and noted the information provided in the report on managing closed churchyards.

E64 WORKING PARTIES

E64.1 TO RECEIVE AND NOTE THE MINUTES OF THE MEETING OF THE EVENTS WORKING PARTY HELD ON 6 SEPTEMBER 2023 AND THE DRAFT MINUTES DATED 4 OCTOBER 2023.

Members discussed the recommendations within the minutes which had been received.

RESOLVED

1. That the minutes of the meeting of the Events Working Party held on 6 September 2023 and the draft minutes dated 4 October 2023 be received and noted.
2. That officers be authorised to book Petr Horacek and/or Andy Seed for Ledbury World Book Day 2024 at a cost of £860 plus travel fees and VAT.

3. That Catherine Barr be booked for the Great Big Green Week at a cost of £505 plus travel and VAT, which would be funded from the Climate Change Working Party budget.
4. That Ledbury Town Council do not enter a float at Ledbury Carnival 2024, due to lack of resources.
5. That the Clerk and CDO meet with the organisers of Community Day in order to discuss the possibility of amalgamating the proposed Bank Holiday Event into the Community Day event.
6. That a full breakdown of the costs for the 2024 HODs event be provided prior to discussing the proposed budget of £3,500.
7. That training be provided for volunteers at the HODs event prior to the 2024 event.
8. That the Events Working Party be reminded that it is not within their remit to instruct staff to carry out a project such as the costings for 50,000 leaflets for HODs.
9. That a request for the funding in minute no. 7a, has already been considered for inclusion in the 2024/25 budget in a previous agenda item.

E65 SUSPENSION OF STANDING ORDER 3(x)

RESOLVED:

To suspend Standing Order 3(x) for a period of 30 minutes and that Members give consideration to priority items within the agenda for consideration, with the remaining business to be considered at a reconvened meeting.

E66 TO RECEIVE AND NOTE THE MINUTES OF THE MEETING OF THE CLIMATE CHANGE WORKING PARTY HELD ON 4 OCTOBER 2023.

RESOLVED:

1. That the minutes of the meeting of the Climate Change Working Party held on 4 October 2023 be received and noted.
2. That the recommendation at 7a is being considered as part of the Traffic Management Working Party.
3. That the request for an update on the progress of delivering actions relating to Climate Change within the Corporate Plan is currently being worked through by the Committee Structure Changes group.
4. That the request to ask NMite to carry out a survey be declined due to a survey having been completed in 2022.

E67 FUNFAIR SERVICE LEVEL AGREEMENT

Due to the complexities of the Service Level Agreement, Members agreed that it would be sensible if a Task & Finish Group was set up to discuss the SLA in more detail.

RESOLVED

That members requested that this item be taken to a Task and Finish Group for an in-depth review.

E68 DATE OF NEXT MEETING

RESOLVED

That the next meeting of the Environment and Leisure Committee will be held on 4 January 2024 in the Committee Room, Council Offices, Church Lane, Ledbury.

The meeting was ended at 9.07pm.

Signed **Dated**
(Chair)

ENVIRONMENT AND LEISURE COMMITTEE

02 November 2023

Minute No.	Action	To be Actioned by	Date Actioned	Updates	Status
E56	That the Deputy Clerk obtain a copy of the Licence to Cultivate for the Walled Garden, as mentioned in item 41.11 and circulate to Councillors	DTC	21.12.23		Complete
E57	That a recommendation be submitted to the Finance, Policy, and General Purposes Committee that Caroe & Partners be appointed to provide a feasibility study and quantity surveyors report in respect of the proposal to install a stairlift at the Market House at a cost of circa £3,600 plus VAT.	TC/DTC	21.12.23	Caroe & Partners has now submitted a formal fee proposal for these works which will be reported at the meeting on 4 January 2024 to approve.	Complete
E60.1	That a new Tree Survey be carried out in respect of Ledbury Cemetery	DTC	21.12.23	The Tree Survey has been commissioned and the work will take place on Thursday, 4 January 2024	Complete
E60.2	That Company No. 1 be engaged to undertake the Tree Survey at the cemetery at a cost of £595.00 plus VAT	DTC	21.12.23	Please see above.	Complete
E60.3	That the Deputy Clerk seek guidance on the frequency of Tree Surveys from the company which had been selected to undertake the Tree Survey	DTC	21.12.23	The company undertaking the tree survey have responded as follows: "A timescale for the next survey can be given when the report is submitted to you. As the trees are being inspected in the Winter, it is possible that individual trees may need to be re-inspected once they come into leaf in Spring 2024 (there would not be an extra cost for this). If this is not found to be necessary, a recommendation will be given for the next full survey timescale".	Complete
E61.1	That a recommendation be submitted to the Finance, Policy, and General Purposes Committee that the Timber Climber be replaced as a matter of urgency and that the funds be taken from the 2023/24 budget. (110/4235).	TC	21.12.23	The Deputy Clerk has instructed a contractor and the timber climber is scheduled to be installed at the Recreation Ground on 3/4 January 2024 subject to weather conditions.	Complete
E61.2	That a recommendation be submitted to the Finance, Policy, and General Purposes Committee that Company No. 7 be engaged to undertake the replacement of the Timber Climber at a cost of £9,500 plus VAT	TC	21.12.23	Please see above.	Complete
E61.3	That a recommendation be submitted to the Finance, Policy, and General Purposes Committee to repair the inclusive roundabout using funds from the 2023/24 Play Equipment Budget (110/4236)	TC	21.12.23	The repairs to the inclusive roundabout were completed on Friday, 8 December 2023.	Complete
E61.4	That a recommendation be submitted to the Finance, Policy, and General Purposes Committee to appoint company to undertake the repairs to the inclusive roundabout at a cost of £1,550 plus VAT	TC	21.12.23	Please see above.	Complete
E62.1	That £2,000 be allocated from reserves for the provision of a scatter garden at the Cemetery	TC			Complete
E62.2	That line 10 on page 274 of the budget pages be increased to a sum of £2,100 to allow for the refurbishment of the Pews and Lecterns at the Cemetery Chapel	TC			Complete
E62.3	That a Memorial Plaque be erected to commemorate past Mayors and Councillors who have passed away	TC	21.12.23	A report is being presented at the Committee Meeting on 4 January 2024 to consider 2 options.	Ongoing
E62.4	That contingency be considered as part of the earmarked reserves for the purchase and laying out of new cemetery land – that the members agreed that this should be explored further and that a PWLB loan may be the appropriate action	TC	21.12.23		Ongoing
E62.5	That £2,000 be allocated to a budget specifically for the use of the Climate Change Working Party	TC	21.12.23	Discussed as part of 2024/25 budget and agreed	Complete
E62.6	That Memorial testing be added to the Closed Churchyard Expenditure in the sum of £2,000	TC	21.12.23	Discussed as part of 2024/25 budget and agreed	Complete
E62.7	Council Buildings – Painted Room - Cost centre 105/Nominal Codes 4000, 4018 and 4019 (Salaries, National Insurance and Pension) to be merged	TC	21.12.23	Agreed and completed by Accounts Clerk and RFO	Complete
E62.8	Council Buildings – Painted Room - Cost centre 105/Nominal Codes 4433 and 4435 (Card Machine Rental and Card Machine Transactions) to be merged	TC	21.12.23	Agreed and completed by Accounts Clerk and RFO	Complete
E62.9	Members agreed to the other changes as detailed in Item Nos. 6, 7 and 10 above: Item 6 - Tree works at the Cemetery Item Closed Churchyard Expenditure Item 10 - CCTV system for LTC Offices	TC	21.12.23	Discussed as part of 2024/25 budget and agreed.	Complete
E62.10	That the Clerk provide a report regarding the Cemetery Fees and Charges, outlining how the fees have increased since her appointment and what an increase of either 3%, 5% or 7% would look like in real terms	TC	21.12.23	The Deputy Clerk has presented a report to the Committee meeting on 4 January 2024 for further consideration.	Complete
E64.1.2.	That officers be authorised to book Petr Horacek and/or Andy Seed for Ledbury World Book Day 2024 at a cost of £860 plus travel fees and VAT	CDO	21.12.23	Clerk and CDO to meet in January to finalise project.	In progress
E64.1.3.	That Catherine Barr be booked for the Great Big Green Week at a cost of £505 plus travel and VAT, which would be funded from the Climate Change Working Party budget	CDO	21.12.23	To be confirmed.	In progress
E64.1.5.	That the Clerk and CDO meet with the organisers of Community Day in order to discuss the possibility of amalgamating the proposed Bank Holiday Event into the Community Day event	CDO	21.12.23	Meeting held - report to be presented to a future meeting.	Complete
E64.1.6.	That a full breakdown of the costs for the 2024 HODs event be provided prior to discussing the proposed budget of £3,500	CDO	21.12.23	To be confirmed.	In progress
E64.1.7.	That training be provided for volunteers at the HODs event prior to the 2024 event	DTC	21.12.23	To be confirmed.	In progress
E64.1.8.	That the Events Working Party be reminded that it is not within their remit to instruct staff to carry out a project such as the costings for 50,000 leaflets for HODs	DTC	21.12.23	To be included in the next meeting	Complete
E67	October Funfair Service Level Agreement - That members requested that this item be taken to a Task and Finish Group for an in-depth review	DTC	21.12.23	Meeting to be arranged for early in the New Year	In progress

LEDBURY TOWN COUNCIL

ENVIRONMENT & LEISURE COMMITTEE	4 JANUARY 2024	AGENDA ITEM: 7
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Report prepared by Julia Lawrence – Deputy Town Clerk

CCTV CONTRACT – SERVICE LEVEL AGREEMENT (“SLA”) AND COSTS RECEIVED FROM HEREFORDSHIRE COUNCIL

Purpose of Report

The purpose of this report is to bring to the attention of Members of the Environment & Leisure Committee future costs for the CCTV monitoring in Ledbury Town Centre.

Detailed Information

At a recent Finance, Policy and General Purposes Committee meeting held on 6 December 2023, Members were presented with a copy of a letter received from Herefordshire Council's CCTV Monitoring Manager, dated 19 October 2023, confirming what Ledbury Town Council's contribution would be £10,274.20 for 2024/25.

A copy of the letter is attached at Appendix A.

Members of the Environment & Leisure Committee have debated on many occasions the costs presented by Herefordshire Council to monitor the CCTV coverage in Ledbury town centre and whilst a copy of the CCTV Service Level Agreement (“SLA”) was circulated at the last Environment and Leisure Committee Meeting (2 November 2023, Item No. 9), which at that time was noted.

A further copy of the CCTV Service Level Agreement is attached at Appendix B. The SLA came into force on 1 April 2020 and terminates on 31 March 2025.

Members have frequently asked for updates from the CCTV Monitoring Office and therefore please find attached at Appendix C, “Herefordshire CCTV News & Annual Report, 1 April 2022 to 31 March 2023” for information.

Members are asked to review the CCTV SLA, as recommended at the Finance, Policy and General Purposes Committee, and to consider whether the services offered by Herefordshire Council are value for money appreciating that this SLA runs until 31 March 2025.

Recommendation

That Members of the Environment and Leisure Committee receive and note this report, the SLA in conjunction with the costs now presented for 2024/25 from Herefordshire Council and the Annual Report.

Angie Price
Town Clerk
Ledbury Town Council
Ledbury Town Council Offices
Church Street
Ledbury
Herefordshire
HR8 1DH

Economy and Environment
Corporate Director Ross Cook

Your Ref:
Our Ref: DJT/CCTV/LETTERS
Please ask for: Debbie Turner
Direct line / Extension: 01432 261713
Fax:
E-mail: Debbie.turner@herefordshire.gov.uk

19 October 2023

Dear Angie

CCTV REVENUE FUNDING 2024 - 2025

The requested contribution from Ledbury Town Council towards CCTV in Ledbury for next year, 2024-25, is £10,274.20.

This amount has been calculated using this year's figure with a percentage increase of 8.9% being the RPI rate announced for September 2023.

As always, I would like to extend an invitation to you and your council to visit the CCTV control room, based in Hereford so that I can show you how we operate. The visit can be accommodated as a group or individually.

If you require any further information please do not hesitate to contact me.

Yours sincerely



DEBBIE TURNER
CCTV COMPLIANCE MANAGER

SERVICE LEVEL AGREEMENT

CCTV

1.0 Date of Agreement

THIS AGREEMENT is made on the 4 June 2020

2.0 Parties to Agreement

BETWEEN

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL of Council Offices, Plough Lane, Hereford, HR4 OLE ("the Council") of the first part and LEDBURY TOWN COUNCIL of the second part ('the Service Recipient).

3.0 Duration of Agreement

3.1 This Agreement shall come into force on the 1 April 2020 ("the Commencement Date") and shall terminate on the 31 March 2025 ("the Termination Date") (the "Initial Term"); unless extended in accordance with paragraph 9 for a further maximum period of 4 (four) years or shall continue unless determined on notice as hereinafter provided.

4.0 Service Level

4.1 The service being provided under this Agreement is a CCTV monitoring system in and around LEDBURY in accordance with the established CCTV Code of Practice ("the Service").

4.2 This Agreement establishes the level of service in providing CCTV equipment ("the CCTV/ Equipment") and monitoring to LEDBURY areas ("the Service Level") and the annual financial contribution payable by the Service Recipient towards the Service ("the Annual Contribution").

4.3 The Service Level is set out in Appendix 1 and the Annual Contribution is set out in Appendix 2.

5.0 Services Aims and Objectives

5.1 The Council shall provide a CCTV monitoring service for LEDBURY, to the Service Level.

6.0 Payment Arrangements

6.1 The Service Recipient shall pay to the Council the Annual Contribution as set out in Appendix 2.

7.0 Administrations and Technical Support

The Council's CCTV Compliance Manager shall provide the administrative and technical support necessary to operate the CCTV system at LEDBURY to the Service Level and the Service Recipient acknowledges that the CCTV Equipment will remain in the ownership of The Council at all times.

8.0 Increase/Decrease in Service and Termination

8.1 Where the Council and the Service Recipient deems increases or decreases to either the level of service or the areas covered necessary, then these changes shall be negotiated and accommodated at the earliest opportunity and recorded in writing and signed by both parties as an addendum to this Agreement.

8.2 Each party shall give the other not less than 6 (six) months written notice of its intention to terminate this Agreement.

9.0 Extension of Term

9.1 If the Service Recipient wishes to extend this agreement beyond the expiry of the Initial Term, it shall give the Council at least three (3) months' written notice of such request prior to the expiry of the Initial Term setting out the length of extension required provided always that the Customer shall not be entitled to extend the Initial Term by more than 4 (four) years. If the Customer gives such notice then this agreement shall continue on the same terms as set out herein.

10.0 Councils Additional Responsibilities

10.1 To provide a response to all complaints/enquiries within 10 working days.

10.2 To advise the Service Recipient of foreseeable difficulties in service delivery.

10.3 To routinely liaise with the Service Recipient to assess the financial and operational position of the service.

11.0 Service Recipients Additional Responsibilities

11.1 To liaise with the Council to assess the operational position of the service.

11.2 To fund the level of service requested by the Service Recipient ensuring adequate provision for any agreed service improvements, or increases in areas requiring CCTV in accordance with paragraph 6.

11.3 To consider reports provided by the Council on the need for additional or complimentary CCTV and make clear decisions on the finance for such work.

12.0 Liability

12.1 Save for liability for death or personal injury arising from their negligence, the Council will not be liable to the Service Recipient in respect of any loss or damages incurred by the Service Recipient as a result of a failure by the Council to provide the services.

12.2 Copyright of all images and tapes of all images will remain the property of the Council.
However, as the nominated responsible officer for the day to day operation of the CCTV system, the CCTV Compliance Manager has a legal obligation to ensure compliance with the Data Protection Act 2018 and will make all decisions on the release of information.

13.0 Force Majeure and Disaster Recovery Plan

13.1 Neither party shall have any liability under or be deemed to be in breach of this Agreement for any delays or failures in performance which result from circumstances beyond the reasonable control of that party (an event of "Force Majeure"). In the event that a Force Majeure event continues for a continuous period of more than 6 months, either party may terminate this Agreement by written notice to the other party.

14 Arbitration

14.1 Should the parties be drawn into dispute over any part of this agreement then it shall fall to the Chief Executive of the Council and the Clerk of the Service Recipient to determine an outcome.

14.2 Their decision shall be final and binding.

Signatories to this Agreement



Chris Jenner, Assistant Director Technical Services

The County of Herefordshire District Council

Date: 5 June 2020



Ledbury Town Council

2020

Date 3 un

APPENDIX 1 THE SERVICE Locations of Cameras in LEDBURY

301	High Street
302	Market Place
303	o Cross
304	alled Garden
305	Church Lane

The Service shall provide:

- (a) Processing of all invoices relating to the operation of a CCTV monitoring system
- (b) Arranging the repair/replacement of the CCTV Equipment, as it becomes faulty, in accordance with its maintenance schedule
- (c) Investigation and response to all complaints from members of the public concerning the operation of the CCTV Equipment.
- (d) Liaison with operational partners including the Police on a regular basis to ensure the system is utilised to its maximum potential but still remains within the operational parameters.
- (e) To register the system under the Data Protection Act 2018 and to assess the schemes impact on the Human Rights Act 1998 and other legislation as it is introduced.
- (f) Undertaking management checks and audits as necessary to ensure the system is operated professionally and competently.
- (g) Insuring the CCTV Equipment against vandalism, damage and loss.
- (h) Providing quarterly incident reports and annual updates on the Service.
- (i) Managing the contract with the third party contractor ("the Contractor") that operates the CCTV system and the CCTV Control Room on behalf of the Council ("the Third Party Contract").
- (j) Ensuring any breakdowns/technical faults are minimized and rectified as soon as is reasonably practicable in order that down time is minimal and the Service outlined can be delivered as per specification set out in the Third Party Contract. (The Third Party Contract requires engineers to attend to any critical faults within 6 hours between the hours of 10:00 and 18:00 Sunday to Thursday and 10:00 and 21 Friday and Saturday, and non critical faults within 24 hours Monday to Friday.)

Operational Parameters

It is important to emphasise that the CCTV system is not a "spy" system. It is intended to assist in the detection of crime and the criminals involved, and to provide evidence in support of successful prosecutions. There will be no interest shown in or deliberate monitoring of, people carrying out their legitimate business.

The system seeks to contribute towards achieving the following strategic objectives:

- (a) To detect, prevent or reduce the incidence of property crime and offences against the person.
- (b) To reduce theft of vehicles and theft from vehicles, both on street and in the car park.
- (c) To improve general security, both in terms of personal security and security of buildings and premises. To make LEDBURY a safer area in which to live.
- (d) To improve communication and the operational response of Police patrols in and around the area.
- (e) To reduce the level of crime, anti-social behaviour and public disorder.
- (f) To identify and respond effectively to all harassment.
- (g) To reduce graffiti, vandalism and other criminal damage within the surveillance area to improve the environment and reduce maintenance costs.

System Operation

The following services will be provided by the Contractor, who will manage and operate the CCTV system on behalf of the Council.

- (a) To record images from all cameras in the area 24 hours per day throughout the year and manage the supporting storage system.
- (b) To staff the control room during agreed (contracted) hours throughout the year with competent CCTV operators.
- (c) To respond to criminal incidents in and around the LEDBURY area as referred to the control room from other agencies/partners.
- (d) To monitor proactively the LEDBURY area with the intention to identify criminal and anti-social behaviour.
- (e) To record all observed incidents of criminal and anti-social activity, and refer such activity to the appropriate agency for a response.
- (O) To provide recorded material of acceptable evidential standards to the Police for criminal prosecutions. Such evidence will include all necessary paper work, operator logs and witness statements.

(g) To undertake pre-arranged presentations of the systems effectiveness to community representatives from LEDBURY.

(h) To complete and retain all written and electronic information relating to the system for the recommended period of time in accordance with the Data Protection Act 2018.

APPENDIX 2 -SUMMARY OF ANNUAL CONTRIBUTION

Contribution made in 2020/2021

BUDGET	
total cost of running Ledbury's system 2020/2021	16,888.06
Ledbury Town Council's Initial Contribution 2020/2021	8,153.66

Payment of the Annual Contribution will be made in equal instalments quarterly from April to June, July to September, October to December and January to March. For the first year of this agreement the contribution shall be the amount identified as the Initial Contribution above.

In subsequent years the annual contribution will be increased each year in line with inflation, using the National Statistics Online Monthly RPI, and will be notified in October of each year.

HEREFORDSHIRE CCTV NEWS & ANNUAL REPORT

1st April 2022 – 31st March 2023



INTRODUCTION

Herefordshire Council's 'CCTV News & Annual Report' is an annual report which provides information on the important work performed on a daily basis by Herefordshire's CCTV service.

This report covers from 1 April 2022 to 31 March 2023 and is published as part of Herefordshire Council's compliance with the Home Office Surveillance Camera Commissioner's Surveillance Camera Code of Practice for the use of CCTV—June 2013.

There are 12 guiding principles in this report, which are:

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
2. The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
7. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
11. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
12. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

There are currently 179 CCTV cameras across Herefordshire, 92 in Hereford public space, 70 in Garrick House and Maylords Car Parks, 5 in Ledbury, 6 in Leominster and 6 in Ross-on-Wye.

It is worth noting that any figures quoted are directly from incidents where Herefordshire CCTV has been used via proactive and reactive monitoring. They do not reflect actual West Mercia Police crime statistics, which can be obtained by visiting www.westmercia.police.uk.

If you would like further information on CCTV in Herefordshire please contact Debbie Turner CCTV Compliance Manager at...

Herefordshire Council

Shirehall, St Peters Square, Hereford. HR1 2HX

PURPOSE OF THE SYSTEM

Closed circuit television (CCTV) continues to be a powerful tool when used to combat crime, anti-social behaviour and community safety, particularly when integrated with other crime reduction and law enforcement methods such as retail radio schemes, pubwatch systems, Herefordshire Against Nighttime Disorder (HAND) and close working partnerships with colleagues from West Mercia Police and Herefordshire Council.

Everything that the CCTV Control Room deals with has to remain confidential as it involves police operations and actions by other enforcement agencies. This report is, as a result, limited in the detail that can be given about individual cases, many of which are yet to come to court. It also excludes information which could lead to the identification of individuals. All partners continue to work together to address local problems and share information in accordance with the agreed countywide multi agency information sharing protocol.

OBJECTIVES OF THE SYSTEM

The objectives of the system are as set out in the Herefordshire CCTV Code of Practice.

These objectives in short are:

- Help reduce the fear of crime
- Help deter crime
- Help detect crime and provide evidential material for court proceedings
- Assist in the overall management of the town centres of Hereford, Ledbury, Leominster and Ross-on-Wye
- Enhance community safety, assist in developing the economic wellbeing of Herefordshire and encourage greater use of the town centres, shopping centres, car parks, etc.
- Assist Herefordshire Council, West Mercia Police and other agencies in its enforcement and regulatory functions within Herefordshire
- Assist in traffic management

THE CONTROL ROOM

The CCTV control room became operational in June 2003 and is staffed 7 days a week. There have been a number of improvements over the past 19 years with the introduction of new technology.

The current system has digital storage of 31 days, which enables incidents to be immediately reviewed. We are also able to archive footage and burn data to evidential disks for Police and Council Officers as required. This system flexibility provides an outstanding service to partners. The quality of picture display, camera operation and picture retrieval is essential and used to its fullest extent.

There is a facility for all live images to be broadcast to a CCTV monitor in the duty sergeant office at Hereford police station as well as the Operations and Communications Centres (OCC) at West Mercia Police Headquarters at Hindlip in Worcestershire.

The CCTV control room also have a direct phone link to the OCC to report any incidents of note whilst they are happening.

The CCTV control room also has radio links with the members of Hereford Retail Security group, licensee members of Herefordshire Against Nighttime Disorder (HAND), Vennture Street Pastors and Ambassadors, retailers and licensees in Leominster and Ross-on-Wye and Herefordshire Council's own Civil Enforcement Officers.

CCTV OPERATORS

There is a small team of CCTV Operators who are employed by ENIGMA CCTV through a staffing contract. All of the CCTV Operators have a SIA licence (Security Industry Association). These licenses are awarded to individuals who are over 18 years old, have had their ID checked, their criminal record checked and completed and passed a recognised 3 day course which covers Working in the Private Security Industry, Working as a CCTV Operator and Practical use of CCTV Systems.

The CCTV Operators also receive extensive on the job training where they shadow another CCTV Operator until they have passed a number of on the job training tasks.

The SIA licenses are renewable every 3 years where ID checks and criminal checks are made before a new licence is granted.

The CCTV Operators duties vary between proactively monitoring the county's open space surveillance cameras, supporting retailers and licensees with incidents, trying to find missing people, carrying out reviews of footage looking for evidence and providing evidence for the police and other law enforcement agencies.

IMPROVEMENTS TO THE SYSTEM

The system has been through a major upgrade which has seen a new recording platform, new transmission links and new IP (Internet Protocol) cameras in the market towns of Ledbury, Leominster and Ross-on-Wye. There have also been upgrades seen in Hereford city with all cameras now upgraded to IP HD cameras.

West Mercia Police have also been successful in securing grant funding through the Home Office Safer Streets 3 and 4 programme. This round of funding was introduced as a direct result of the murder of Sarah Everard in March 2021 and is aimed at improving the safety for women and girls. As a result of this successful funding an additional 67 cameras have been installed with a number of old analogue cameras being upgraded to IP.

There are further upgrades and additions to the CCTV network planned for 2023 / 2024 which include more in open spaces in Ledbury, Leominster and Ross-on-Wye—all paid through capital bids and the market town's budgets.

DIRECTED SURVEILLANCE (THE REGULATORY AND INVESTIGATORY POWERS ACT 2000)

Over the past year the CCTV control room has been involved in directed surveillance. All the necessary authorisations have been provided by West Mercia Police and authorised by a Police Superintendent.

SUBJECT ACCESS REQUEST

There have been seven (7) Subject Access Requests in 2022-2023. All of these requests have been administered in the statutory time frame required.

FREEDOM OF INFORMATION (FOI) REQUESTS

The Freedom of Information Act 2000 provides public access to information held by public authorities.

It does this in two ways:

Public authorities are obliged to publish certain information about their activities; and members of the public are entitled to request information from public authorities.

The Act covers any recorded information that is held by a public authority in England, Wales and Northern Ireland, and by UK-wide public authorities based in Scotland. Information held by Scottish public authorities is covered by Scotland's own Freedom of Information (Scotland) Act 2002.

Public authorities include government departments, local authorities, the NHS, state schools and police forces.

Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

PRIVACY IMPACT ASSESSMENTS (PIA)

A privacy impact assessment (PIA) is a tool for identifying and assessing privacy risks throughout the development life cycle of a program or system.

A PIA should identify: Whether the information being collected complies with privacy-related legal and regulatory compliance requirements.

There has been one CCTV PIA written during 2019-2020.

COMPLAINTS

The Council has a published complaints procedure which can be found here - https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved/7 .

There have been no CCTV related complaints during 2022-2023.

FUTURE DEVELOPMENTS

At the time of writing the Home Office have not announced if there will be a Safer Streets 5 funding bid. Locations across Leominster and Ross-on-Wye have already been highlighted should the funding stream be announced.

The service is working towards gaining Third Party Certification with the Home Office Biometrics and Surveillance Camera Commissioner. Third party certification enables organisations to clearly demonstrate that they comply with the surveillance camera code of practice.

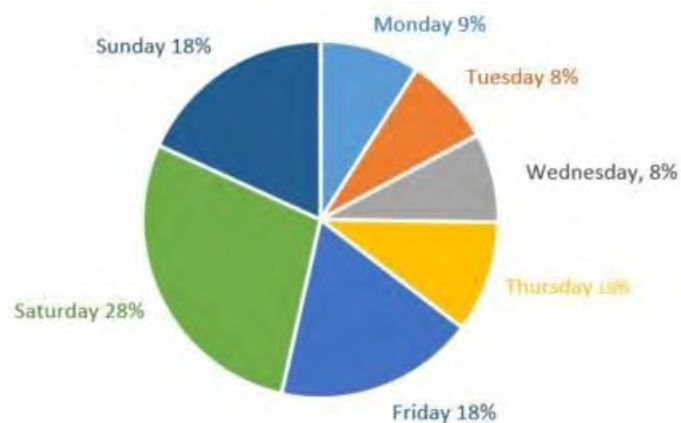
Category of Incidents for Arrests	No. of Arrests
Alarms personal / building	0
Anti-social behavior	14
Assault	50
Attempted theft / concealment	0
Auto crime	1
Begging	0
Breach of bail / court conditions	11
Burglary	3
Concern for welfare	7
Confirm known person ID	0
Criminal damage	9
Disturbance	57
Drinking including underage	0
Drug offence	4
Drunkenness	1
Using a fake ID to get into licensed premise	0
Fighting	27
Graffiti / Fly posting	0
Missing person	1
Offensive weapon	2
Road Traffic Collision	2
Street trading / Pedlar	0
Suspicious behaviour	7
Theft from member of public	7
Theft from retailer	33
Traffic offence	11
Traffic problems	0
Wanted person	18
Total number of Arrests	265

The	Number of incidents noted by the CCTV Operators	Total
	Hereford	1727
	Ledbury	25
	Leominster	70
	Ross-on-Wye	63
	Total	1885
		Total
	Total number of incidents picked up solely the CCTV Operator	623
	Total number of countywide arrests that the CCTV Operator supported	261

CCTV service performance is measured and reported monthly. The target is 80% of the incidents that the service notes, assists with or supports has a positive outcome ie arrest or verbal encounter, identification of offender or offending vehicle, location of wanted or missing person, monitoring incidents for community safety or concern for welfare or intelligence gathering.

The figures for this year's performance indicators are:- Below is a breakdown of the busiest days of the week countywide. There is no surprise that Saturday and Sunday

are the busiest due to the early morning incidents.



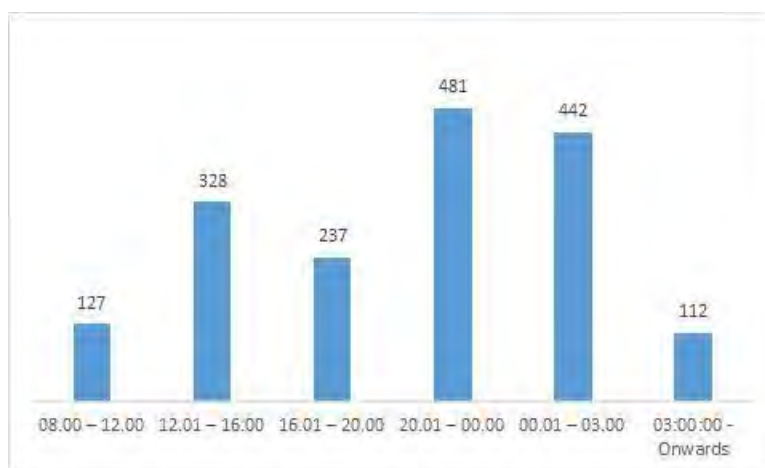
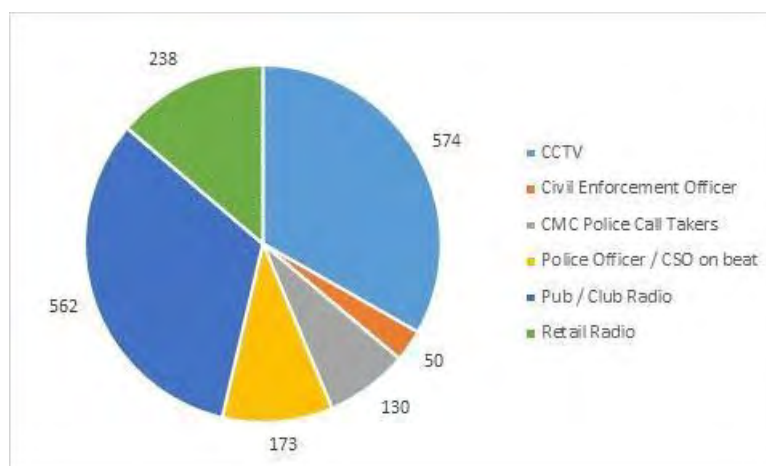
	%
Incidents picked up by CCTV operator resulting in positive outcome	31%
Incidents where CCTV operators were alerted by others resulting in a positive outcome	10%
Incidents where incidents were noted and were monitored to be passed to West Mercia Police for intelligence gathering	15%
Incidents where CCTV operators monitored for the safety of the emergency services or members of the public only	27%
OVERALL PERFORMANCE SCORE	83%

Hereford

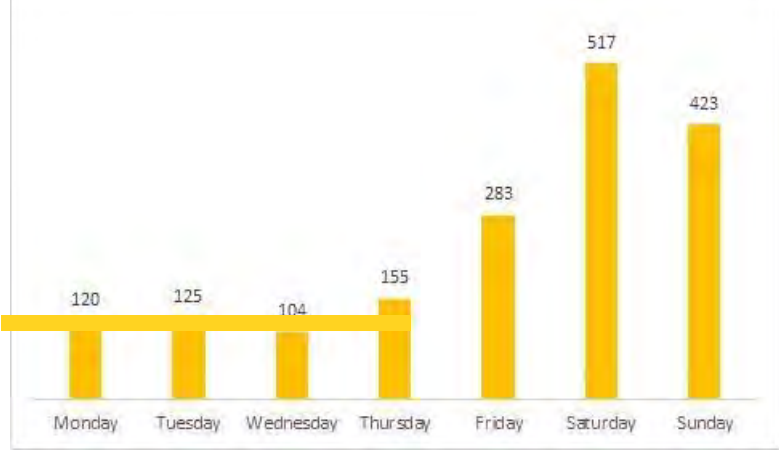
The incidents recorded by CCTV are categorised in the following table.

Type of incidents	Total
Alarms	5
Anti-social Behaviour	188
Assault	185
Attempted Theft/Concealment	26
Autocrime	3
Begging	6
Breach of Conditions	82
Burglary	4
Concern for Welfare	178
Confirm Target ID	36
Criminal Damage	30
Disturbance	274
Drinking	9
Drug Offence	70
Drunkenness	65
Fake ID	10
Fighting	104
Graffiti/Fly Posting	5
Missing Person	33
Offensive Weapon	19
RTC	28
Street Trading / Pedlar	1
Suspicious Behaviour	88
Theft from Public	37
Theft from Retailer	100
Traffic Offence	100
Traffic Problems	4
Wanted Person	36
TOTAL NO. OF INCIDENTS	1727

The pie chart below demonstrates where the initial call regarding an incident was received from into the CCTV Control Room or whether the CCTV Operator picked it up first.



The time of day that incidents have taken place The total amount of incidents noted on each day of the week



ARRESTS

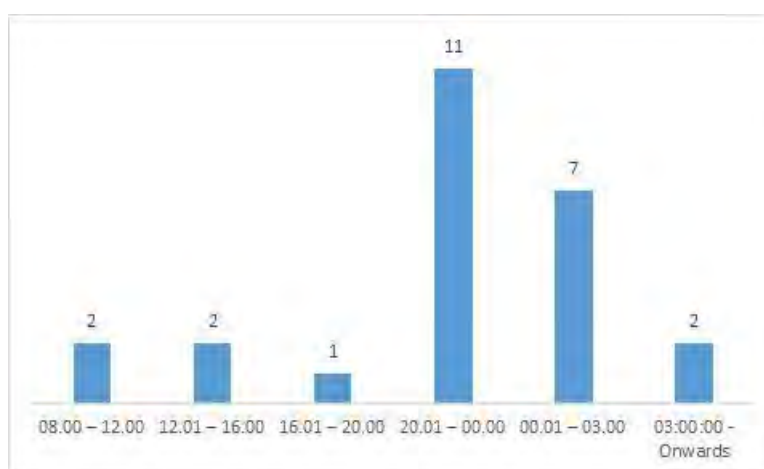
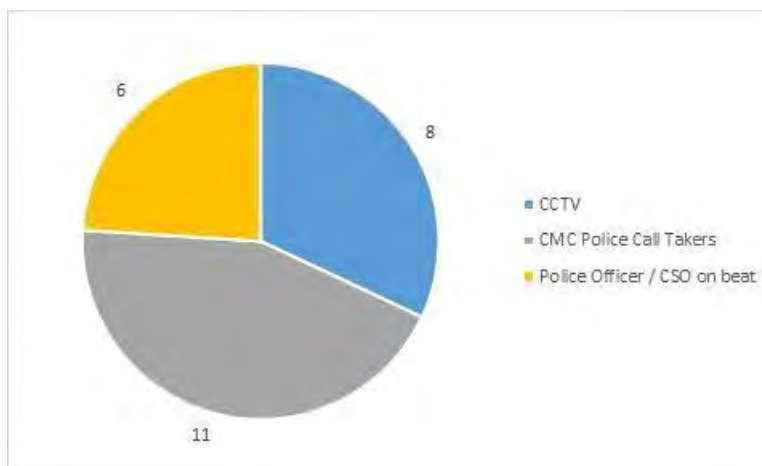
The total number of arrests made in Hereford where the CCTV Control Room has assisted with is 250.

Ledbury

The incidents recorded by CCTV are categorised in the following table.

Type of incidents	Total
Alarms	0
Anti-social Behaviour	3
Assault	2
Attempted Theft/Concealment	0
Autocrime	2
Begging	0
Breach of Conditions	0
Burglary	1
Concern for Welfare	4
Confirm Target ID	0
Criminal Damage	0
Disturbance	1
Drinking	0
Drug Offence	1
Drunkenness	0
Fake ID	0
Fighting	5
Graffiti/Fly Posting	0
Missing Person	1
Offensive Weapon	0
RTC	0
Street Trading / Pedlar	0
Suspicious Behaviour	1
Theft from Public	0
Theft from Retailer	0
Traffic Offence	3
Traffic Problems	1
Wanted Person	0
TOTAL NO. OF INCIDENTS	25

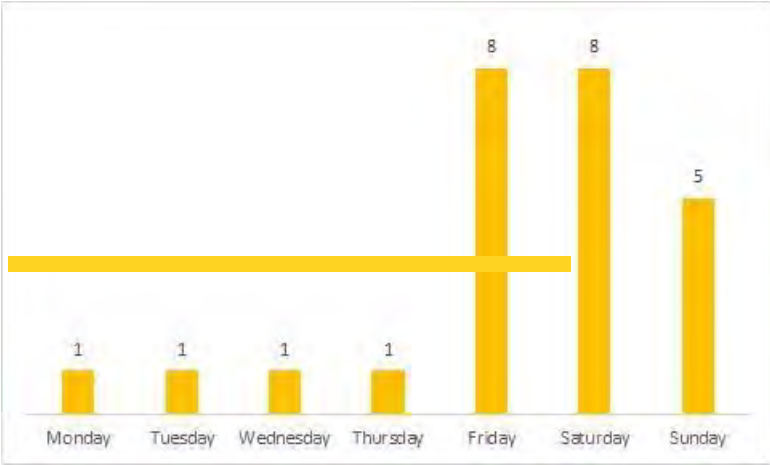
The pie chart below demonstrates where the initial call regarding an incident was received from into the CCTV Control Room or whether the CCTV Operator picked it up first.



The time of day that incidents have taken place

The total amount of incidents noted on each day of the week

ARRESTS



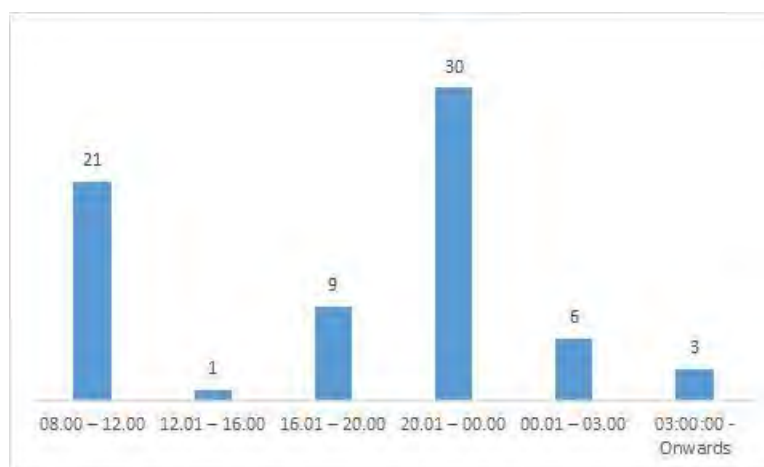
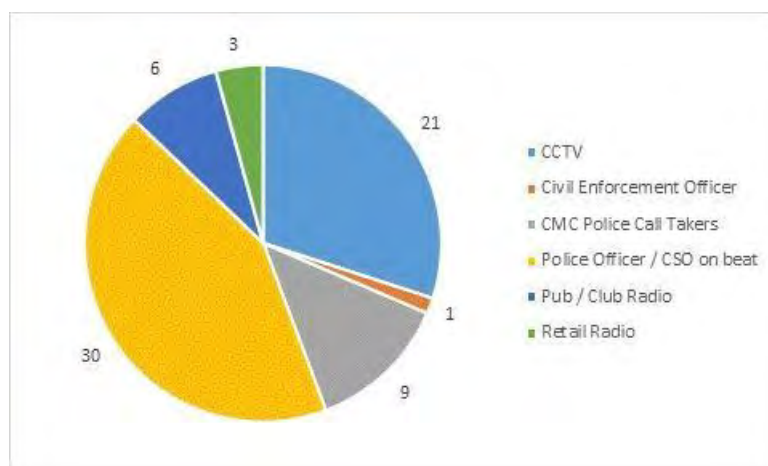
The total number of arrests made in Ledbury where the CCTV Control Room has assisted with is 4.

Leominster

The incidents recorded by CCTV are categorised in the following table.

Type of incidents	Total
Alarms	0
Anti-social Behaviour	5
Assault	14
Attempted Theft/Concealment	1
Autocrime	0
Begging	0
Breach of Conditions	0
Burglary	3
Concern for Welfare	5
Confirm Target ID	0
Criminal Damage	4
Disturbance	10
Drinking	0
Drug Offence	0
Drunkenness	0
Fake ID	0
Fighting	4
Graffiti/Fly Posting	0
Missing Person	0
Offensive Weapon	3
RTC	3
Street Trading / Pedlar	0
Suspicious Behaviour	1
Theft from Public	5
Theft from Retailer	4
Traffic Offence	6
Traffic Problems	0
Wanted Person	2
TOTAL NO. OF INCIDENTS	70

The pie chart below demonstrates where the initial call regarding an incident was received from into the CCTV Control Room or whether the CCTV Operator picked it up first.

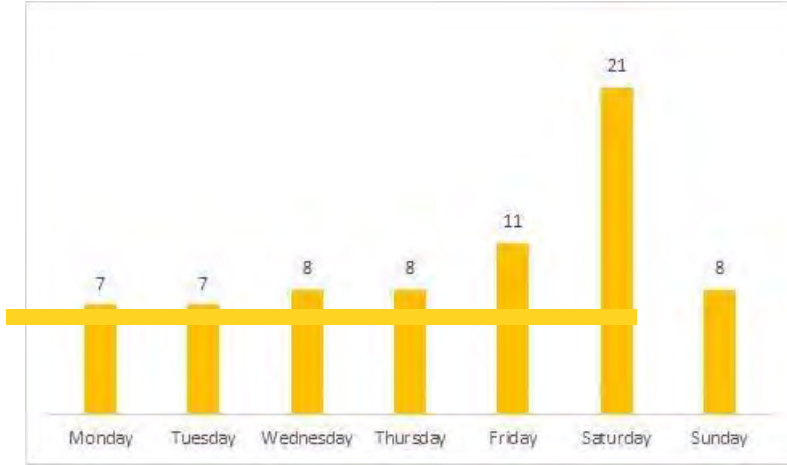


The time of day that incidents have taken place

The total amount of incidents noted on each day of the week

ARRESTS

The total number of arrests made in Leominster where the CCTV Control Room has assisted with is 2.



Ross-on-Wye

The incidents recorded by CCTV are categorised in the following table.

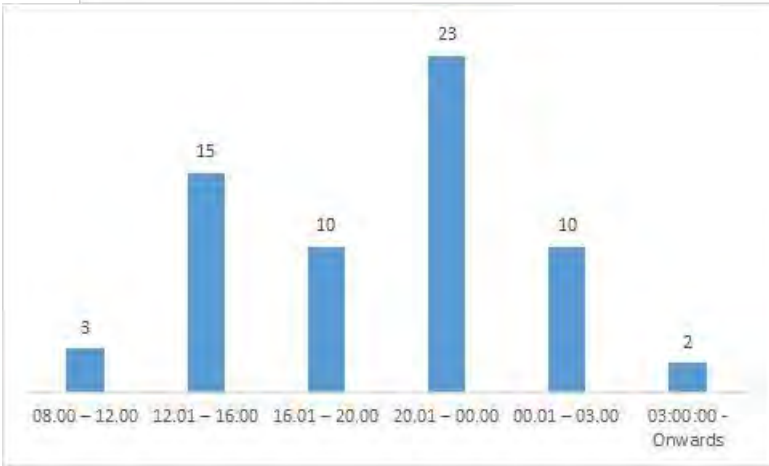
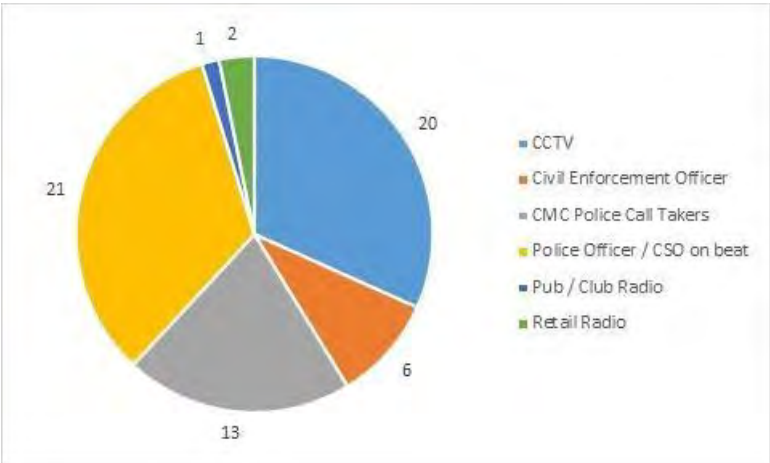
Type of incidents	Total
Alarms	2
Anti-social behaviour	4
Assault	8
Attempted theft / Concealment	1
Auto crime	0
Begging	2
Breach of conditions	0
Burglary	4
Concern for welfare	2
Confirm target ID	0
Criminal damage	1
Disturbance	11
Drinking	0
Drug offence	0
Drunkenness	0
Fake ID	0
Fighting	4
Graffiti / Fly posting	1
Missing person	1
Offensive weapon	2
RTC	1
Street trading / Pedlar	0
Suspicious behaviour	6
Theft from public	3
Theft from retailer	3
Traffic offence	5
Traffic problems	0
Wanted person	2
Total number of incidents	63

The pie chart below demonstrates where the initial call regarding an incident was received from into the CCTV Control Room or whether the CCTV Operator picked it up first.

The time of day that

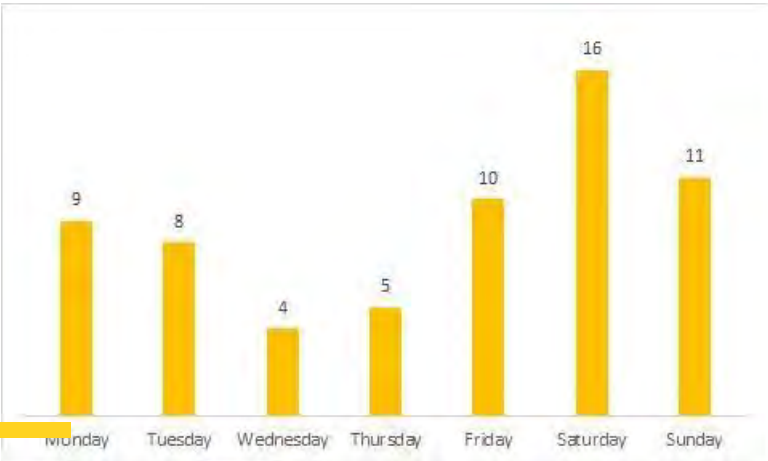
incidents have taken place

The total amount of incidents noted on each



day of

the week



The total number of arrests made in

ARRESTS

Ross-on-Wye where the CCTV Control Room has assisted with is 9.

During the run up to Christmas a call came from a

HEADLINES

just taken place, some 10 minutes earlier and Police Sgt

that a theft of a phone worth £1,600 had involved 5 person.

Hereford

A quick review of the camera in the area saw the suspects running from the store. The CCTV operator then continued to review other CCTV

cameras and managed to track the male who had stolen the phone through the city finally going to a vehicle parked in St Owen Street.

The CCTV operator noted the vehicle registration number down and let the local policing team know the vehicle details and the direction of travel.

Information came in later that the vehicle had been stopped in the Kidderminster area and all 5 persons had been arrested with a large amount of property found was found in the car.

Hereford

The retail radio was used from a Hereford city centre store stating that a male and female were suspected of de-tagging clothing and were about to leave the store.

The couple then ran from the store followed by the store staff. The CCTV operator directed the staff to the last known location of the couple but they had hidden.

Two females also left the store shortly after the couple did and got into a car nearby. This seemed suspicious so the CCTV operator monitored the car and as it drove away the male and female from the theft were identified to be rear seat passengers.

The vehicle registration number was given to the police and it was reported that all 4 were arrested and property seized when they were stopped heading towards Monmouth.

Hereford

Hereford FC were playing a local derby against Telford.

The CCTV operator on duty was monitoring the crowds prior to and after the game and was instrumental in providing information and evidence of persons concerned with anti social behaviour which resulted in 3 arrests being made.

Hereford

Just after midnight the CCTV operator had a call from a licensed premises that there

appeared to be 2 groups of males starting some disorder.

The CCTV operator monitored the situation and saw one of the groups move away from the area only to be followed by the other group. Soon there were several people involved in fighting in Commercial Road.

The CCTV Operator called the incident through to the police but by the time officers arrived the groups had dispersed.

The CCTV operator then directed the police officers to the main offenders where 3 arrests were made.

Ledbury

The CCTV Control room were called just before midnight stating that a male has been assaulted on High Street and could the CCTV Operator locate the male.

The incident was located during live monitoring with the CCTV Operator also reviewing footage to see what had gone on. A description of the offender was given to the police call takers to pass onto the police officers who were in attendance.

During live monitoring the offender was seen to enter Church Lane and these details were again passed to police call takers.

Police call takers notified the police officers on the scene whereby they went and engaged with the offenders and the group he was with.

Hereford

A city centre store reported that a male and female had just left their store and are wanted for previous bulk thefts of stock totalling £5,000.

The CCTV operator tracked the pair across the city where they then met with another male and got into a car parked nearby.

The CCTV Operator obtained the vehicle registration number of the car and then called the information into the police.

The vehicle was stopped heading out of the city and the 3 occupants were arrested.

The vehicle was full of stolen items and the 3 were involved/wanted for over 300 incidents across the UK.

Hereford

Police officers gave a description of 3 the offenders to the CCTV Operator. Whilst being provided with the description the CCTV Operator remembered seeing the 3 males outside a fast food restaurant earlier.

The CCTV Operator reviewed CCTV and found that the 3 had arrived in Hereford on the train so monitored the CCTV cameras around the train station location.

A short while later the 3 male youths were seen by the CCTV operator and their location was given to police officers over the radio and officers were deployed.

The 3 males then tried to run from the police but all 3 were detained. It was found that they had travelled from Malvern.

A youth had been robbed on Cathedral Close. centre in the early hours and saw a female lashing

and they were then arrested also.

Ledbury

The CCTV Operator was monitoring the town

out and assaulting multiple people in the vicinity.

The CCTV Operator called through the incident to the police call takers who then deployed officers to the incident.

The female was arrested for drunk and disorderly behaviour.

Leominster

A known Leominster thief was seen walking across Corn Square with a large garden chair under his arm.

The CCTV Operator continued to monitor the male and gave his location and direction of travel

to police call takers.

The police call takers dispatched officers to the

The duty Police Sgt called through to the CCTV Operator that police officers were dealing with an incident near to the Market House.

The CCTV Operator immediately monitored and could see that there were a group of people in an agitated state with 2 males being arrested. Whilst monitoring the incident the CCTV Operator saw 2 further males started fighting and were able to tell the police call takers who those were

Ross-on-Wye

The CCTV Operator was tasked to review footage of Broad Street where the theft of a purse had taken place.

The CCTV cameras in the area were reviewed and the offender was identified entering the building at the time of the theft.

Police Officers were able to ID the male and they requested the evidential footage.

The male was arrested for the offence.

climbed up the column and had ripped the cables from the camera.

Fortunately, the male was known to the CCTV Control Room staff and evidence was provided to the local police response officer.

The male appeared in court a number of months later and was found guilty of the criminal damage and was ordered to pay costs for the repair.

Ledbury

Ross-on-Wye

The CCTV Operator saw Police Officers looking at a car parked by the Market Place.

The CCTV Operator could see considerable damage on the vehicle so decided to review the footage to see what had happened.

On reviewing the footage he saw that the vehicle had collided with a wall before coming to a standstill where it was found by officers.

A further review identified an address that the male went into and a description of clothing.

Police officers then went to the property and arrested the male driver, who had changed his clothing whilst in the premises.

Ross-on-Wye

last known location of the male and arrested him for theft of the garden chair.

It has been stolen from a store in the town and staff hadn't noticed the item had gone.

Leominster

On checking CCTV cameras for full operation at the start of the shift the CCTV Operator realised that the camera in The Grange was not working.

The CCTV Operator reviewed footage to see when the camera went off and could see that a male had

A call was received from the police call takers asking the CCTV Operator to locate a vulnerable male in the town centre, as they had a member of the public report their concerns. Very quickly the male was located by the CCTV Operator and the police call takers were notified of the males location.

The CCTV Operator continued to monitor the male until a police officer attended and took the male away in his car.

AND FINALLY....

Thank you for taking the time to read the annual report. If you have any further suggestions to make the report better or require more information please let me know.

This is only a small snapshot of the incidents that Herefordshire CCTV has been involved in. If you would like to know anything further please contact the CCTV Compliance Manager.

If you would like a visit to the CCTV Control Room to see first hand the fantastic work that the CCTV service does please get in contact.

LEDBURY TOWN COUNCIL

ENVIRONMENT & LEISURE COMMITTEE	4 JANUARY 2024	AGENDA ITEM: 8
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Report prepared by Julia Lawrence – Deputy Town Clerk

CCTV UPDATE

Purpose of Report

The purpose of this report is to provide Members of the Environment & Leisure Committee with an update regarding CCTV in general, for the Recreation Ground, Ledbury Cemetery and the Council Offices.

Detailed Information

1 Recreation Ground

Members will note that Officers have been working for a considerable time with Herefordshire Council's CCTV Compliance Team with a view to having CCTV installed at the Recreation Ground, which would then be monitored by Herefordshire Council CCTV Monitoring Unit.

As reported at the last Environment and Leisure Committee meeting, held on 2 November 2023 (Agenda Item No. 9), the bid submitted through the Safer Streets 5 Bid was unsuccessful and a further funding application which was submitted will now not be progressed by Herefordshire Council.

Herefordshire Council's CCTV Compliance Manager has since confirmed the following:

"I'm not sure if you will have seen the Hereford Times, Hereford City Council have withdrawn funding for CCTV from May 2024. This contribution equates to approximately ¼ of the annual budget.

Herefordshire Council are currently assessing the impact on the service and I do know that you will receive an official letter from HC explaining the situation and inviting your Council to a meeting to discuss the CCTV service going forward.

Until the funding situation has been settled I'm afraid all of my CCTV projects that I am working on have been suspended".

The letter referred to above is still awaited from Herefordshire Council.

Members will need to be aware that if Herefordshire Council are unable to continue to provide this service, then Ledbury Town Council need to give further consideration to the current CCTV at the Recreation Ground in terms of either leaving it as it is or upgrading the system, and for all such costs to be borne by Ledbury Town Council.

2 Ledbury Cemetery

Members will be pleased to note that a new CCTV security system was installed at Ledbury Cemetery Chapel on Wednesday, 13 December 2023. This includes cameras focusing on the main entrance, the Chapel porch, the interior office, the front of the workshop, the rear of the workshop and a camera at the rear of the Chapel looking across the lawned area by the children's graves.

The images provide excellent quality and any movement that comes into the vision of any of the cameras will automatically trigger a white light which will illuminate the image being captured.

All six cameras have been downloaded onto software whereby the Clerk and Deputy Clerk can monitor the Cemetery at any time. Likewise the images are also on their mobile devices also.

3 Council Offices

It is proposed that a new CCTV security system be installed in the Council offices, having 6 cameras as follows:

- 1 The back door – externally mounted looking across the back door
- 2 The reception – internally mounted in place of the old camera
- 3 The committee room – internally mounted in place of the old camera
- 4 The Painted Room – mounted above the alarm PIR
- 5 The Painted Room Reception – internally mounted in place of the old camera
- 6 The Painted Room Lobby – internally mounted opposite the external door

A contractor has been invited to view the offices for a new CCTV system and had suggested that a small black camera be fitted over the back door, as shown below.

Black camera
Dimensions
138mm width
138 mm height
126 mm depth from wall



However, this suggestion has been forwarded to Herefordshire Council's Senior Building Conservation Officer, to seek their advice and their response is as follows:

"The works you describe will require listed building consent as they will alter the character and appearance of the building and the internal spaces you have identified; and in relation to an external camera – I would suggest that a doorbell/intercom camera would be a far more discreet solution if inserting a traditional glazed viewing panel within the existing back door were not considered sufficient to meet needs.

However, as I highlighted more generally at our last meeting at the Market Hall, in order to be able to give any indication of whether what is envisaged is achievable (particularly in the manner companies may quote for) a formal Pre-application Advice request will be required as it is not possible to investigate, appraise, assess and advise on such matters informally I am afraid".

In view of the response received above, Caroe & Partners have been requested to provide their fees to facilitate in this process. At the time of writing this report, their fees were awaited so it is hoped that they will be available for the meeting on 4 January 2024.

Officers will then be in a position to invite contractors to quote for the installation of a new CCTV security system in line with the listed building consent requirements.

4 CCTV Policy

In accordance with Ledbury Town Council's CCTV Policy, only the Clerk and Deputy Clerk have access to the CCTV due to GDPR regulations. A copy of the Council's policy is attached at Appendix A.

Members are asked to review the Policy as some updates have since been made following the installation of the new CCTV at the Cemetery. Amendments are shown in blue text.

Recommendations

- 1 That Members give consideration to CCTV at the Recreation Ground should Herefordshire Council not continue with this facility.**
- 2 That Members review the CCTV Policy, noting and accepting the changes made.**

LEDBURY TOWN COUNCIL

CCTV POLICY

1. Owner

- 1.1 Ledbury Town Council has in place a CCTV surveillance system “the system” at the Recreation Ground, New Street Cemetery and Council Offices. ~~and Dog Hill Wood.~~
- 1.2 The system comprises four cameras at the Recreation Ground; 1 at the Car Park, 2 directed at the skate park and 1 aimed at the new shelter ~~and one camera situated in Dog Hill Woods.~~
- 1.3 The images are monitored and recorded to a stand-alone DVR CCTV recorder which provides 30-days recording history, all of which shall be used in strict accordance with this policy. The system is owned by Ledbury Town Council, Church Street, Ledbury, HR8 1DH.
- 1.4 The Town Clerk and the Deputy Town Clerk (control system supervisors) are jointly responsible for the operation of the system and for ensuring compliance with this policy.

2. Data Protection Act 1998 & GDPR 2018

CCTV digital images, if they show a recognisable person, are personal data and are covered by the Data Protection Act 1998 and ~~GDPR~~ Regulations 2018. This Policy is associated with the Ledbury Town Council Data Protection Policy and the GDPR 2018, the provisions of which should be adhered to at all times.

3. The System

The system comprises:

Recreation Ground

- 4 x HDCVi 2 megapixel 1080p HD bullet cameras with a 50 metre range;
- 1 x 8 channel real time HD Recorder with 8TB of storage;
- 1 x 19” HD Screen

Cemetery

- 6 x Fixed Megapixel IP Turret Camera 2.8mm lens with white light Day/Night up to 30m
- 1 x IP Professional Network Video Recorder 8 Channel 4K NVR (8 Camera Capacity) with 6Tb Hard Disc Drive
- 1 x 22” CCTV Monitor
- 1 x 4u Cabinet

- 3.1 Cameras will be located at a strategic point within the vicinity of the Recreation Ground and ~~Dog Hill Wood~~the Cemetery and no camera should be hidden from view.
- 3.2 Signs notifying of the camera presence will be prominently placed at strategic points.
- 3.3 Although every effort has been made to ensure maximum effectiveness of the system it is not possible to guarantee that the system will detect every incident taking place within the area of coverage.

4. **Purpose of the System**

- 4.1 The system has been installed by Ledbury Town Council with the primary purpose of reducing the threat of crime generally, protecting the Council's premises and equipment and to help ensure the safety of visitors to the Council's premises consistent with respect for the individual's privacy. These purposes will be achieved by monitoring the system to:

- Deter those having criminal intent;
- Assist in the prevention and detention of crime;
- Facilitate the identification, apprehension and prosecution of offenders in relation to crime and public order.

The system will not be used to:

- Provide recorded images for the world-wide-web;
- Record sound other than in accordance with the policy on covert recording.

5. **Covert Recording**

- 5.1 Covert cameras may be used under the following circumstances on written authorisation or request from the Council where it has been assessed by the Town Clerk:
- That informing the individual(s) concerned that recording was taking place would seriously prejudice the objective of making the recording;
 - That there is reasonable cause to suspect that unauthorised or illegal activity is taking place or is about to take place.
- 5.2 Any such covert processing will only be carried out for a limited and reasonable period of time consistent with the objectives of making the recording and will only relate to the specific suspended unauthorised activity.

- 5.3 The decision to adopt covert recording will be fully documented and will set out how the decision to use covert recording was reached and by whom.

6. The Security Control System

- 6.1 Images captured by the system will be monitored and recorded over a period of 24-hours a day, 365-days per year. Monitors used to view recordings will be held in the Council Offices and should not be accessible or visible to the unauthorised persons.
- 6.2 No unauthorised access to the control system will be permitted at any time. Access will be strictly limited to the Clerk and Deputy Clerk, Police Officers and any other person with statutory powers of entry. A list of those members authorised to access the control system is given at Appendix 1.
- 6.3 Staff and visitors may be granted access to the control system on a case-by-case basis and only then on written authorisation from the Clerk or Deputy Clerk in their absence. In an emergency and where it is not reasonably practicable to secure prior authorisation, access to the control system may be granted to persons with a legitimate reason.
- 6.4 Before allowing access to the control system, staff will satisfy themselves of the identity of any visitor and that the visitor has the appropriate authorisation. All visitors will be required to complete and sign the visitors register, which shall include details of their name, the department or organisation they represent, the person who granted authorisation and the times of access to and from the control system. A similar register will be kept of the staff granting access to the control system in the case of an emergency.

7. Security Control System Administration and Procedures

- 7.1 Details of the administrative procedures which apply to the control system will be set out in a Procedures Manual, a copy of which is available for inspection by prior arrangement, along with a register stating the reasons for the request.
- 7.2 Images of identifiable living individuals are subject to the provisions of the Data Protection Act 1988 and the GDPR 2018; the control system supervisors are responsible for ensuring day to day compliance with the Act. All recordings will be handled in strict accordance with this policy and the procedures set out in the Procedures Manual.

8.3 Staff

- 8.1 All staff responsible for the control system will be made aware of the sensitivity of handling CCTV images and recordings. The control system supervisors will ensure that all staff are fully briefed and trained in respect of the functions, operational and administration arising from the use of CCTV.
- 8.2 Training in the requirements of the Data Protection Act 1988 will be given to all those required to work with the control system by the Data Protection Officer.

9. Recording

- 9.1 Digital recordings are made using digital video records operating in time lapse mode. Incidents may be recorded in real time.
- 9.2 Images will normally be retained for 30-days from the date of recording and will then automatically be overwritten and the Log updated accordingly. Once a hard drive has reached the end of its use it will be erased prior to disposal and the Log will be updated accordingly.
- 9.3 All hard drives and recorders shall remain the property of Ledbury Town Council until disposal and destruction.

10. Access to Images

- 10.1 All access to images will be recorded in the Access Log.
- 10.2 Access to images will be restricted to those staff who need to have access in accordance with the "Purposes of the System".
- 10.3 Access to images by third parties.
 - 10.3.1 Disclosure of recorded material will only be made to third parties in strict accordance with the "Purposes of the System" and is limited to the following authorities:
 - Law enforcement agencies where images recorded would assist in a criminal enquiry and/or prevention of terrorism and disorder;
 - Prosecution agencies;
 - Relevant legal representatives;
 - The media where the assistance of the general public is required in the identification of a victim of crime or the identification of a perpetrator of crime;
 - People whose images have been recorded and retained unless disclosure to the individual would prejudice criminal enquiries or criminal proceedings;
 - Emergency services in connection with the investigation of an accident.

10.4 Access to Images by Subject

CCTV digital images, if they show a recognisable person, are personal data and are covered by the Data Protection Act 1998 and the GDPR 2018. Anyone who believes that they have been filmed by CCTV is entitled to ask for a copy of the data, subject to exemptions contained in the ACT. They do not have the right of instant access.

10.4.1 A person whose image has been recorded and retained and who wishes access to the data must apply in writing to the Data Protection Officer. Subject Access Request Forms are available from the control supervisor between the hours of 9.00 am – 5.00 pm Monday – Friday, except when the offices are officially closed.

10.4.2 The Town Clerk will then arrange for a copy of the data to be made and given to the applicant. The applicant must not ask another member of staff to show them the data, or ask anyone else for a copy of the data. All communications must go through the Town Clerk. A response will be provided promptly and in any event within 40-days of the request being received.

10.4.3 The Data Protection Act 1998 and the GDPR 2018 provide the Town Clerk the right to refuse a request for a copy of the data particularly where such access could prejudice the prevention or detection of crime or the apprehension or prosecution of offenders.

10.4.4 All such requests will be referred to the control system supervisors.

10.4.5 If it is decided that a data subject access request is to be refused, the reasons will be fully documented and the data subject informed in writing, stating the reason.

11. Request to Prevent Processing

11.1 An individual has the right to request a prevention of processing where this is likely to cause substantial and unwarranted damage to that or another individual.

11.2 All such requests should be addressed in the first instance to the Town Clerk, who will provide a written response within 21-days of receiving the request setting out their decision on the request. A copy of the request and response will be retained.

12. **Complaints**

It is recognised that members of Ledbury Town Council may receive concerns or complaints about the operation of the system. Any complaints should be addressed in the first instance to the Town Clerk.

13. **Compliance Monitoring**

13.1 The contact point for members of Ledbury Town Council or the public wishing to enquire about the system is the Town Clerk who will be available during the hours of 9.00 am – 5.00 pm Monday to Friday, except when the offices are officially closed.

13.2 Upon request enquirers will be provided with:

- A summary of this statement
- An access request form if required or requested
- A copy of the Ledbury Town Council Complaints Procedure

13.3 All documented procedures will be kept under review and reports periodically made to Council via the Resources Committee.

13.4 The effectiveness of the system in meeting its purpose will be kept under review and reports submitted as required to the Council, via the Resources Committee.

Adopted 4 July 2019
Reviewed: 29 September 2022
Review Date: 18 December 2023

Appendix 1

Authorised access to the control system and any images stored

Town Clerk
Deputy Town Clerk
Data Protection Officer
Police Officers

LEDBURY TOWN COUNCIL

ENVIRONMENT & LEISURE COMMITTEE	4 JANUARY 2024	AGENDA ITEM: 9
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Report prepared by Julia Lawrence – Deputy Town Clerk

WALLED GARDEN – LICENCE TO CULTIVATE

Purpose of Report

The purpose of this report is to provide Members of the Environment & Leisure Committee with a copy of the “Licence to Cultivate” for the Walled Garden, Ledbury.

Detailed Information

As noted on the Action Sheet, under Action No. 41.11, and as discussed at the November 2023 Committee meeting, Members requested to see sight of the Licence to Cultivate in respect of the Walled Garden.

A copy of the Licence is attached at Appendix A.

Recommendation

That Members of the Environment and Leisure Committee receive and note this report.

CULTIVATION CONSENT – LICENCE NO 1064

The Herefordshire Council, as owner for the open space maintained, do hereby give Consent to the Ledbury Parish Council to plant and, maintain the existing, shrubs, bulbs and flowers in the open space at the following locations: The Walled Garden, Ledbury as shown on the attached plan.

The planting of the trees, shrubs, bulbs and flowers should cause no inconvenience, but the following notes and conditions should be observed by the Town Council.

1. The shrubs, bulbs, and flowers shall be planted and maintained on land forming part of the open space in positions, which will not cause obstruction or interference to any existing access, or to visibility on the open space.
2. The Town Council shall stop cultivation and remove any new cultivation and reinstate the turf in a level manner, and return the other planting to its existing state when the area was taken over, at any time at its own expense if it should become necessary to do so, on receiving 21 days notice from the Herefordshire Council to remove the planting.
3. The Herefordshire Council may remove any obstruction or hazard caused by, or on the verge, or adjacent to it, by reason of the planting, at the expense of the Town Council.
4. The Town Council may be required to obtain the permission of the adjoining landowner in order that he will be able to maintain his boundary fences.
5. The Town Council will indemnify the Herefordshire Council against any claims in respect of injury, damage or loss, arising out of, or as a result of its use of the open space and the presence of employees carrying out works, including operating machinery and tools within the highway.
6. The Town Council will ensure that the area of open space etc is left clean and tidy and nothing shall be deposited in the adjacent land.
7. The Town Council shall ensure that all necessary steps are taken to prevent damage to any Statutory Undertakers', British Telecom and/or Sewerage Authorities' apparatus, which may be affected by the proposed planting. In this respect the Parish Council's attention is drawn to the comments contained in the attached copy letter(s).

Herefordshire Council
Unit 3, Thorn Business Park
Rotherwas Industrial Estate
Hereford
HR2 6JT

Main Switchboard: 01432 260000

8. When the Town Council is prepared to proceed with the any new planting, itshall send a notice to the Network Regulation Manager, 7 days before the proposed starting date to enable him to give his requirements or supervise work as necessary.

Dated: 7th December 2015

Signed on behalf of the Council

by _____

Will Steel, Network Regulation Manager

LEDBURY TOWN COUNCIL

ENVIRONMENT & LEISURE COMMITTEE	4 JANUARY 2024	AGENDA ITEM: 10
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Report prepared by Julia Lawrence – Deputy Town Clerk

CEMETERY FEES - COMPARISONS

Purpose of Report

The purpose of this report is to ask Members of the Environment & Leisure Committee to review fees for various Cemeteries in order that the Council can consider a potential increase in cemetery costs for the 2024/25 financial year.

Detailed Information

Please find attached at Appendix A, a table of comparisons for various Cemeteries. The Cemeteries include Ledbury, Hereford, Cotswold District Council (Chesterton and Stratton Cemeteries), Gloucester (Coney Hill Cemetery), Tewkesbury and Bishops Cleeve, Ross on Wye and Bromyard.

Members will note that the fees charged are quite wide ranging as far as Exclusive Right of Burial and Interment fees are concerned.

In respect of Memorial Fees, it is difficult to compare like for like because there are so many variations. For example, Ledbury charge £164 for a headstone 2'6" x 2'6" x 12" thick whereas Hereford charge £77.00 for a headstone not exceeding 3'6" x 3' in width; Child-like memorial. A headstone kerb-set (headstone and/or kerb) would not exceed (kerb) 7' x 3' and the headstone not exceeding 3'6" costing £229.00.

In Tewkesbury, memorials could be a space on the memorial kerb/wall with a 10cm x 15cm plaque (£575.00) or, for example, an inscription on the memorial tree plan £120.00.

Tewkesbury has maintenance fees in their Schedule of Burial Fees and Other Charges covering such costs as tidying and clipping a grave space £130.00 per annum; tidying, clipping and planting with summer/winter bedding £275.00 per annum; and provision of topsoil per grave £150.00.

Recommendation

That Members of the Environment and Leisure Committee consider the fees presented for the various Cemeteries and decide whether an increase should be made to fees in respect of Ledbury Cemetery, and if so what percentage increase this should be.

CEMETERY FEES COMPARISONS

	LEDBURY TOWN COUNCIL		HEREFORD	COTSWOLD DISTRICT COUNCIL (Chesterton & Stratton Cemeteries)	GLOUCESTER (Coney Hill Cemetery & Crematorium)	TEWKESBURY & BISHOPS CLEEVE	ROSS ON WYE	BROMYARD & WINSLOW TOWN COUNCIL
LEASE	99 Years		50 Years	50 Years	99 Years	99 Years	50 Years	75 Years
Exclusive Right of Burial exceeding 18 years (Ledbury Resident)	£462.00		£1,247.00	£1,120.00	£2,002.00	£1,750.00	£520.00	£495.00 (Resident)
Exclusive Right of Burial of a child not exceeding 18 years (Ledbury Resident)	No Charge		No Charge	No Charge	No Charge	No Charge	No Charge	No Charge
Exclusive Right of Burial in Garden of Remembrance (Ledbury Resident)	£154.00		£600.00	£270.00	£312.00	£440.00	£250.00	£275.00
Exclusive Right of Burial exceeding 18 years (Non Resident)	£875.00		£1,247.00	£1,120.00	£2,002.00	£1,750.00	£520.00	£990.00 (Non-Resident)
Exclusive Right of Burial of a child not exceeding 18 years (Non Resident)	No Charge		No Charge	No Charge	No Charge	No Charge	No Charge	No Charge
Exclusive Right of Burial in Garden of Remembrance (Non Resident)	£308.00		£600.00	£270.00	£312.00	£440.00	£250.00	£550.00
Transfer of Exclusive Right of Burial	£32.50		£77.00	£90.00	£43.50	Unknown	£70.00	£100.00 (Resident) £200.00 (Non-Resident)

	LEDBURY		HEREFORD	COTSWOLD DISTRICT COUNCIL	GLOUCESTER	TEWKESBURY	ROSS ON WYE	BROMYARD
For interment in an earthen grave – 18 years and over (Resident)	1 Depth £189.00	2 Depth £214.00	£994.00	£860.00	£1,154.00	£1,000.00	£705.00	£350.00 (Resident)
Not exceeding 18 years	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge
Interment in Garden of Remembrance (Resident)	£104.00		£203.00	£270.00	£252.00	£575.00	£190.00	£120.00
Interment of ashes in grave space (Resident)	£104.00		£203.00	£270.00	£252.00	£575.00	£190.00	£115.00
Interment of ashes where no Funeral Director instructed	£170.00		-	-	-	-	-	-
Interment of ashes not exceeding 18 years	No Charge		No Charge	No Charge	No Charge	No Charge	No Charge	No Charge
Interment in an earthen grave – 18 years and over (Non-resident)	1 Depth £385.50	2 Depth £428.00	£994.00	£860.00	£1,154.00	£1,000.00	£705.00	£700.00 (Non-Resident)
No exceeding 18 years	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge
Interment in Garden of Remembrance (Non-resident)	£207.00		£203.00	£270.00	£252.00	£575.00	£190.00	£240.00 (Non-Resident)
Interment of ashes in grave space (Non-resident)	£207.00		£203.00	£270.00	£252.00	£575.00	£190.00	£231.00 (Non-Resident)
Interment of ashes where no Funeral Director instructed (Non Resident)	£341.00		-	-	-	-	-	-
Interment of ashes not exceeding 18 years	No Charge		No Charge	No Charge	No Charge	No Charge	No Charge	No Charge

	LEDBURY		HEREFORD	COTSWOLD DISTRICT COUNCIL	GLOUCESTER	TEWKESBURY	ROSS ON WYE	BROMYARD
MEMORIAL FEES								
Flat Stone (Garden of Remembrance) Permit 1' x 1'	£69.00							
Additional Inscription (Permission required)	£47.00						£60.00	
Head or Foot Stones 2'6" x 2'6" x 12" thick	£164.00							
Additional Inscription (Permission required)	£47.00							
Headstone for Childs Grave not exceeding 18 years	No Charge							
OTHER CHARGES								
Use of Chapel for Funeral Service	£82.00		£432.00	£170.00	£252.00 + £26.00 for use of Organ	£150.00		
Search for an entry of burial in register books	£18.00							
Certified copy of an entry of burial in the register books	£18.00							
Provide duplicate Burial Deed	£18.00		£19.00	£50.00				
Exhumation from an earth grave	£282.00							
Exhumation of cremated remains (Container only)	£174.00							
				Includes the Grave Digger				

LEDBURY TOWN COUNCIL

ENVIRONMENT & LEISURE COMMITTEE	4 JANUARY 2024	AGENDA ITEM: 11
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Report prepared by Julia Lawrence – Deputy Town Clerk

PLAQUE FOR CEMETERY CHAPEL

Purpose of Report

The purpose of this report is to provide Members of the Environment & Leisure Committee with an update regarding the plaque for the Cemetery Chapel.

Detailed Information

Members of the Environment & Leisure Committee will recall that in July 2022 (Agenda Item 15), it was agreed that a plaque would be erected within the Chapel at the Cemetery in memoriam of past Mayors and Councillors that have passed away since 21 May 2022, starting with the late Councillor Dee Knight.

Attached at Appendix A are two options that have been presented.

The first option shows a plaque which would show two columns, one for former Mayors and Councillors whereas option 2 would show a running order but with an abbreviation after their name stating whether they were a Mayor or Councillor.

Members are asked to consider what option they prefer in order that the plaque can be prepared.

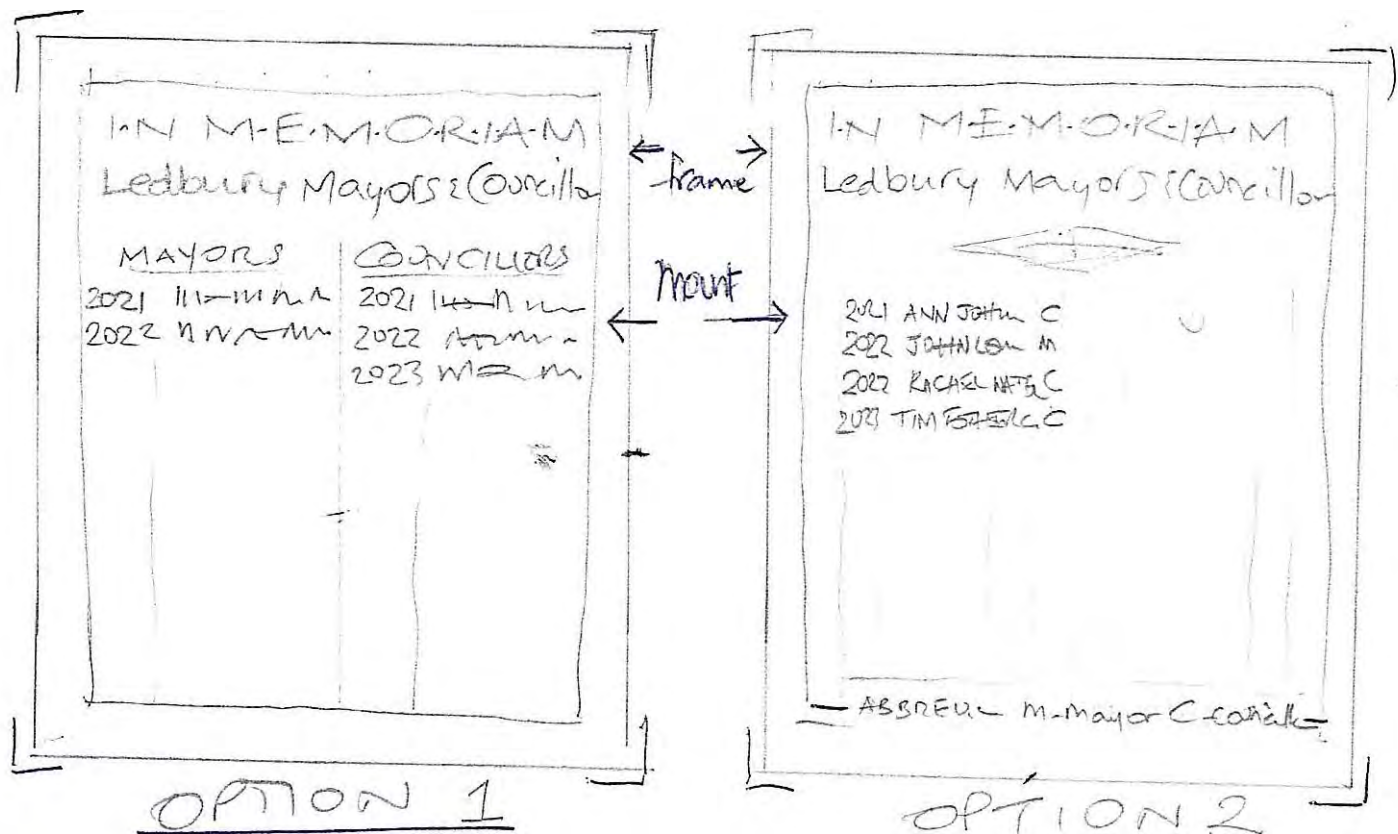
The calligrapher that would be commissioned has been unable to start works just yet due to an existing appointment at St Michaels. The calligrapher has confirmed that the work will be undertaken early in the New Year.

The costs to produce this plaque are as follows:

- Providing a 24" x 20" frame. Artwork conservation hinged to conservation undermount. MDF backing, standard glaze. Framed to conservation standard. Cost £75.00
- Consider UV protective glass depending on natural light – extra cost of £45.00
- Calligraphy costs: sheet paper/ruling up/design and writing up headings £55.00
- Initial names on at start £7.50 per line entry
- Names thereafter at £15.00 per line entry

Recommendation

That Members confirm which option should be pursued, option 1 or option 2, as shown at Appendix A, and whether UV protective glass should be used at an additional cost of £45.00.



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Led mayon Counallom Black.

- Dates - red + "M" or "C" (option 2)
- STYLE LETTERS - similar TOWN MAYORS
- some motif BELOW HEADING, frame
- Option 1 - splitting on page - mayors and Councillors. There are more Councillors than mayors so right hand sides fills up quicker.
- Option 2 All names in date order differentiated by "M" or "C". Abbreviation - at Base

Best option I think

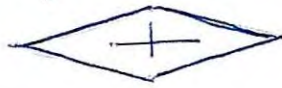
CALLIGRAPHY COSTS - Sheer paper / time ruling up / HEADING
INITIAL NAMES ON AT START £7.50 per entry Ongoing UPDATE £15

£55 total
Designing & writing

Black letters

1. N M. E. M. O. R. I. A. M

Ledbury Mayors & Councillors



2021 Ann Johnson - C

2022 John Lomax M

2022 Rachel Waters C

2023 Tim Fothergill C

MOCK UP
OPTION 2

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—

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LEDBURY TOWN COUNCIL

ENVIRONMENT & LEISURE COMMITTEE	4 JANUARY 2024	AGENDA ITEM: 12
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Report prepared by Julia Lawrence – Deputy Town Clerk

CHRISTMAS LIGHTS

Purpose of Report

The purpose of this report is to ask Members of the Environment & Leisure Committee to consider possible options in respect of the Town's Christmas lights for 2024 onwards.

Detailed Information

Members of the Environment and Leisure Committee were invited to join the Clerk and Deputy Clerk on Monday, 18 December 2023 to consider what Christmas lights should be considered for 2024 onwards. The 2023 season was the final year of the current contract with Blachere Illumination UK Ltd.

At the meeting the following options were discussed:

Option 1

Appreciating that the budget going forward will be no more than £15,000 per year, one suggestion was to approach Blachere, the Council's current providers, and ask whether the Council could purchase the lights that have been displayed in Ledbury for the past three years, as these seem to have met approval with the local residents. Blachere have confirmed that the cost to purchase the lights would be £11,685.80 plus VAT. However, these costs are now being verified to ensure that this includes all the lights.

The Council would need to store the lights locally and a local storage container company has been identified, Now Self Storage, located at Lower Road Trading Estate. The Company has been contacted and they have confirmed that the Council could rent a 20' storage container.

The rental for a fully insulated 20' container (ground level) is £60.00 per week, inclusive of VAT, including insurance cover up to £5,000. There is 24 hours CCTV monitored security in operation, access 7 days a week between 6.00am and 10.00pm. Should the Council wish to increase the insurance level to £10,000, then there would be an additional charge of £2.50 per week, inclusive of VAT. The company has a special offer on at present whereby the first 8 weeks are £30.00 per week, inclusive of VAT.

The company has confirmed that they would offer a discounted rate if payment was received upfront. It would be £2,600.00 including VAT for 12 months storage at

Ledbury or they could offer a 20' storage container at Newent for £2,000.00 including VAT.

Subject to costs to purchase the lights, and storage costs, provision would also need to be made for a contractor to install the lights each year, checking on the cabling and timers and undertaking a stress test (normally done at the start of a new contract).

Two further quotes are being sourced, due to the aggregate cost of the year's rental being more than £500.

Option 2

Should Option 1 not be pursued, then a new lighting company would need to be sourced and commissioned to provide new lights, based on the annual budget of £15,000.

However, it was suggested that:

- ❖ the 6 overhead strings in the Homend be possibly reduced to 3 overhead strings;
- ❖ remove the 3 vertical lights in Bye Street;
- ❖ retain the 5 verticals in the High Street;
- ❖ retain the string lights over the Almshouses, BBI, Market House and Council offices;
- ❖ that no new lights be put up anywhere else.

Recommendation

That Members of the Environment and Leisure Committee consider the two options above noting that further research will need to be undertaken in respect of both options.

LEDBURY TOWN COUNCIL

ENVIRONMENT & LEISURE COMMITTEE	4 JANUARY 2024	AGENDA ITEM: 13
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Report prepared by Julia Lawrence – Deputy Town Clerk

ELECTRICAL INSTALLATION CONDITION REPORTS (“EICR”) FOR COUNCIL OFFICES, THE MARKET HOUSE AND CEMETERY CHAPEL

Purpose of Report

The purpose of this report is to provide Members of the Environment & Leisure Committee with a summary of quotations received from local companies to carry out EICR Reports due to several of the consumer units being out of date and therefore needing to be re-tested.

Detailed Information

As noted above, some of the consumer units have recently expired (September 2023) whereas others are further out of date, therefore it is more cost effective to undertake all the tests in one go. The consumer unit in the Cemetery Mortuary does not expire until July 2025 so this has not been included in the quotations received.

The purpose of undertaking EICR's are to:

- ensure that all electrical installations on the property are safe;
- it will identify any damage and wear and tear;
- find components of an electrical installation that do not meet the Institution of Engineering and Technology's Wiring Regulations [criteria includes the suitability of the control gear and switchgear, the bonding and earthing of wires and cables and the conditions of the sockets];
- determine which electrical appliances are likely to cause shocks and fires [highlighting electrical appliances that need repair or replacing]; and
- record the condition of the electrical installation, to be used for future inspections.

Not only are the above factors important, but it also demonstrates that Ledbury Town Council (“the Council”) are:

- compliant with regulations [The Health and Safety at Work Act 1974 and The Electricity at Work Regulations 1989];
- insurance – should ever a claim be made for damages from a possible electrical fault, then the Council can substantiate that necessary steps were taken to ensure electrical safety, including an EICR Certificate of Safety;
- legal protection – proof that the Council has taken necessary measures to ensure the safety of everyone in the property;

- safety – peace of mind that the properties are safe and there is a reduced risk of damage and injury from electrical fire and shock;
- energy efficiency – an EICR will draw attention to areas of improvement, reducing energy consumption and improving upon the Council's carbon footprint;
- cost effectiveness – reducing energy consumption means the Council saves money.

Once the inspections have taken place, the Electrician will issue an EICR which will need to be kept until the next inspection date. This is not a certificate, simply a report that details the overall condition of the installation and any remedial work, if needed. Should any remedial works be required, then The Electrical Safety Standards requires that any electrical issues are resolved within 28 days, beginning with the day when the Council received the recommendation from the Electrician. Once the necessary corrective work is finished, the electrician will issue an EICR Certificate of Safety to verify that the electrical systems are safe.

Four local companies have been approached to provide EICR's for the Council offices, the Market House and the Cemetery Chapel. A summary of their costs are detailed below:

Company	Location	Location	Costs, ex VAT
1	Malvern	Council Offices	£320.00
		Market House	£160.00
		Cemetery Chapel	£130.00
2	Hereford	Council Offices	£605.00
		Market House	£1,400.00
		Cemetery Chapel	£235.00
3	Ledbury	<i>Did not want to provide a quotation until the New Year</i>	
4	Ledbury	<i>No response</i>	

The difference in costs between the two companies noted above is due to Company 1 having undertaken EICRs for the Council on three previous occasions, and therefore is already familiar with the set-up and locations of all the consumer units, hence why their costs are lower. However, it is usual practice to give the Electrician background of the electrical systems before they start their inspection but unfortunately there are no previous reports readily available in the office.

Once the EICRs have been carried out, they will then be conducted again at intervals of no more than five years.

The above two companies have a range of appropriate accreditations including NAPIT, Gas Sage Register, Registered Competent Person – Electrical and Part P – Electrical Safety Registered Installer.

Recommendations

That Members of the Environment and Leisure Committee receive and note this report.

That Members consider which company should be appointed to carry out the EICR tests in the three locations noted above and instruct Officers to appoint the company.

Total costs for Company 1 is £610.00 + VAT.

Total costs for Company 2 is £2,240.00 + VAT.

LEDBURY TOWN COUNCIL
SUB-COMMITTEE INITIAL DATA REPORT

SECTION ONE – HEADER DATA						
Standing Committee:	Environment & Leisure Committee					
Standing Committee Chair:	Cllr Chowns					
Working Parties: (List Working Parties reporting to the Standing Committee)	Climate Change Events John Masefield Memorial WP					
Report Date:						
Work Group or Project:	19.12.2023					
Gate:	Budget TBC					
SECTION TWO – OUTCOMES & RESOURCES						
Target Outcomes: (List all outcomes that the Group aim to deliver)	Outcome	Target Date(s)	Allocated Resource	Additional Resources Required	Budget Allocation (Allocated/Spend to Date/Est to complete/Add budget required)	Deliver Schedule
Repointing of Boundary Wall at Cemetery	Pointing completed	2nd quarter of 2024/25 subject to weather conditions	3 days admin time	External Contractor	£2,000 within 24/25 budget – additional £15,000 available in EMR	End of Sept 2024

Main Driveway – topped with Gravel	Driveway relaid	2nd quarter of 2024/25 subject to weather conditions	3 days admin	External Contractors	TBC	End of Sept 2024
Lay gravel path near to Children's graves (near new area)	Path relaid	1 st quarter of 2024/25	3 days and link with above	Internal	To be covered by grounds maintenance budget 2024/25	End of June 2024
Establish Scatter Garden	Scatter garden created and in use	December 2024	6 Days	External contractors	£2,000 budget within 2024/25 budget	End of 2024
Additional space required for cemetery	Land identified and laying out completed and ready to be used for burials	2028 completion date – several phases of works required		Outside contractors	No budget considered to date – consideration to be given if council wishes to go ahead and if so how to fund i.e. PWLB	
Revarnish pews/lecterns in cemetery chapel	Works completed	First quarter of 2024/25	2 days admin		£2,100 within 24/25 budget external contractor	End of June 2024
Redecoration of Cemetery Chapel	Works completed	First quarter 2025/26	3 days	External contractor		End of June 2025/26
Memorial Testing in St Michael & All Angels Closed church yard	Report received from contractor providing detail of inspections	By end of 2 nd Quarter of 2024/25	3 days	External memorial inspector	£1,000 within 24/25 budget	End of Sept 2024
Install new 5-bar gate	New gate & Post installed	First quarter of 2024/25	3 days	External contractor		End of June 2024
Installation of new CCTV system in/on council offices –	New CCTV in place	First quarter 2024/25	8 days	External Contractor Caroe		End of June 2024

subject to listed building consent						
Solution to flooding at rear entrance of council offices	New kerb at rear of council offices to be agreed via listed building consent	2 nd quarter of 2024/25	8 days	External Contract Conservation officers Caroe		End of Sept 2024
Quinquennial Survey works to council offices	Solution to external foundation cills found and implemented	End of 24/25 financial year	8 days	External contractor Conservation officers Caroe		April 2025
Installing stairlift in the Market House	Stairlift in place	End of 24/25 financial year	25 days	External contract Conservation officers Caroe		April 2025
Quinquennial Survey works to Market House			8 days			
Supply and install new multi play unit for children's area	New multi play unit in place	3 rd Quarter of 2024/25	6 days		Budget £10,000 in 2024/25 budget plus EMR funds £15,000	End of Dec 2024
Cantilever swing removed and replaced with alternative equipment	New piece of equipment in place	2 nd quarter of 2024/25	6 days		TBC – EMT funds	End of Sept 2024/25

CCTV at recreation ground – dependent on funding being available from grant sources						
Completion of SLA re Funfair	SLA in place	End of first quarter 2024/25	2 days		Professional Fees – available within 2024/25 budget	End of June 2024
Land ownership of Deer park - consideration of maintenance responsibilities						
Council Events	WBD/Great Big Green Week/Christmas Lights Switch on/ HODS – possible summer fete		Total resource days			Throughout 2024/25

NOTES & COMMENTS						

DRAFT

LEDBURY TOWN COUNCIL

ENVIRONMENT & LEISURE COMMITTEE	4 JANUARY 2024	AGENDA ITEM: 15
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Report prepared by Julia Lawrence – Deputy Town Clerk

MARKET HOUSE – FEASIBILITY STUDY FOR STAIRLIFT

Purpose of Report

The purpose of this report is to advise Members of the Environment & Leisure Committee of fees to be incurred to undertake a feasibility study for the installation of a stairlift to the Market House.

Detailed Information

Members of the Environment and Leisure Committee have previously been advised of ball park costs to undertake a feasibility study for the installation of a stairlift.

Caroe & Partners, specialist consultants to the Council, have now confirmed their fees to undertake this work as set out below. The study follows on from preliminary work and early discussions with Historic England and Herefordshire Council's Senior Conservation Officer. Both organisations have encouraged the preparation of a study to look at the feasibility and impact of providing wheelchair access to the first floor meeting room.

Should Caroe & Partners be appointed, they would prepare a study with sketch plans, to include the following:-

- 1 A brief review of Stainburn Taylor's previous proposals for providing stairlift access.
- 2 A very brief review of the impact of installing a platform lift which would use street level and first floor space, including lists of pros and cons.
- 3 A review of installing a sit-on chair lift fitted to the existing stairs, or altering the stairs to allow easier installation, including lists of pros and cons.
- 4 A summary historic impact assessment, which will review impact on the historic fabric.
- 5 Considerations to be made by the Council, as part of risk assessments and a fire management and means of escape plan, which would be required if wheelchair access is provided.
- 6 Recommendations on the preferred option.
- 7 A summary schedule of work for the preferred option, which could be used by a quantity surveyor to prepare a budget cost for the work.
- 8 A workshop with Council members to go through the draft study before issuing the final document.

Caroe have confirmed that they would be pleased to seek Quantity Surveyors' quotes for preparing a budget estimate. On previous projects, this has cost circa £800 to £1,000 plus VAT.

Caroe would also advise on specialist surveys, building archaeologists, architects and other consultant's fees which should be planned for, to give the Council a budget for taking the project forward, subject to the outcome of the feasibility study.

The study and budget costs would provide the Council with a document to assist further consultation with Herefordshire Council, Historic England and other bodies.

Caroe have confirmed that should this proposal be accepted, then they would be able to commence work on the study in mid/late January 2024 and would also agree dates for the Workshop and delivery of the study to the Council.

Caroe & Partners have confirmed that their fees to carry out a feasibility study will be £3,000 plus VAT.

Recommendation

That Members of the Environment and Leisure Committee accept the proposal put forward by specialist consultants, Caroe & Partners, to carry out a feasibility study for £3,000.00 plus VAT and for Caroe to seek a Quantity Surveyor, for a fee of circa £800 to £1,000 plus VAT, and authorise Officers to instruct Caroe & Partners to commence works at the earliest opportunity.

LEDBURY TOWN COUNCIL

MINUTES OF A MEETING OF THE EVENTS WORKING PARTY HELD ON 1 NOVEMBER 2023

PRESENT: Councillors: Morris (Chair), l'Anson
Non-Councillors – Al Braithwaite, Sabine Chowdry, Lynette Loader, Griff Holliday, Janet Meredith and Nina Shields

ALSO PRESENT: Julia Lawrence, Deputy Clerk
Olivia Trueman, Community Development Officer (CDO)

70. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Don McAll.

71. DECLARATIONS OF INTEREST

None.

72. TO ELECT NON-COUNCIL MEMBERS

RESOLVED:

That Sabine Chowdry of Ledbury Poetry be elected to be a non-council Member of the Events Working Party.

73. TO APPROVE AND SIGN, AS A CORRECT RECORD, THE MINUTES OF THE EVENTS WORKING PARTY HELD ON 4 OCTOBER 2023.

RESOLVED:

That the minutes of the meeting of the Events Working Party held on 4 October 2023 be approved and signed as a correct record.

74. WORLD BOOK DAY - 9 MARCH 2024 (Overall Budget £4,000)

It was noted that the World Book Day Steering Group had met and that it had been a useful meeting. A list of actions set out (pages 101 & 102) had been compiled from that meeting. The CDO welcomed further suggestions and ideas for the day. It was noted that Sustainable Ledbury (Nina Shields) had not been invited, though detailed in the minutes of the meeting. Further meetings would be set to progress the actions from the Steering Group.

Members noted that additional inclusion on the day should be a stand for the Afghan Refugee Group and a presence by Ledbury Library Development Group to encourage greater membership.

RESOLVED:

1. The Steering Group will continue to progress the actions.
2. Additional stands would be required for the event.

75. GREAT BIG GREEN WEEK (GBGW) 8 – 16 JUNE 2024.

A verbal update was provided along with the poster from this year. It was noted that the first weekend of GBGW clashed with the annual festival at Hellen's. It was also noted that 8 June 2024 was Community Day too. Ledbury Food Group advised that they would be happy to host activities that complement its role.

It was suggested that events should be focused on from 10 June 2023 and for the second weekend. Promotion of the events needs to increase as well as potential "repeat" promotions to get into residents' diaries.

Activities that could be included again in 2024 include:

- Beeswax wrap (need more volunteers to run it)
- Wild Play by Herefordshire Wildlife Trust

RESOLVED:

It was agreed that a Steering Group should be established to progress ideas for GBGW. The Steering Ground would consist of the following members: Al Braithwaite, Nina Shields and Cllr Helen l'Anson. The CDO is to set up a meeting to progress this.

76. CHRISTMAS LIGHT SWITCH ON - 26 NOVEMBER 2023

The report was noted.

It was agreed that the Mayor should open the event at 2.00pm and again at 5.00pm for the actual Light switch on.

Unfortunately, Cllr Whattler was unable to perform the role of Santa, due to serious health issues. The Events Working Group thanked Cllr Whattler for many previous endeavours as Santa.

RESOLVED:

That the report on the Christmas Lights be noted.

77. OCTOBER FUNFAIR – 9 & 10 OCTOBER 2023

Feedback from the Funfair at the time of the event was that everything had run well. It was felt by some that there had been less people attending this year although this was not the view of the whole Working Group.

There were severe traffic challenges due to a large ride impacting the pedestrian crossing on the High Street. This included infringing on to the High Street and part of Bye Street making it exceptionally difficult for vehicular movements and therefore a further TRO was put in place on the Monday morning to prevent traffic entering the High Street from New Street, The Southend and the Malvern Road. Irrespective of the road closure signs, vehicles still disregarded the signage and drove down through the High Street.

Ledbury Town Council will therefore need to consider whether it would be appropriate for a road closure order to be in place for the whole 2 days whilst the Fair is in Town in future years. Additionally, it was considered that a planned layout of the event should be included in the SLA so as to ensure that the larger rides did not block/restrict parts of the highway. However, it was noted that Funfair organisers are not always able to confirm what will be attending until the last minute, as has been the case with the Carnival.

The Group were advised the draft SLA had been presented to the Environment & Leisure Committee on 2 November 2023.

RESOLVED:

That the draft SLA be presented to this Working Party in December.

78. CANDLE LIGHTING EVENT AT THE CEMETERY CHAPEL - 17 DECEMBER 2023

A verbal update was provided as well as a draft of the poster that will be produced.

It was noted that more volunteers were required to cover the event. However, after discussion, noting that no one attended the event last year after 2.00pm, it was agreed that the event should run from 10:00 am to 2:00pm this year.

Lynette Loader advised that she would be donating the mince pies and light refreshments on behalf of Co-op Funeralcare.

In addition to Carols being played, Ledbury Poetry could potentially do poetry readings – either live or recorded.

RESOLVED:

- 1. Members noted the revised timing of the event would be from 10.00am until 2:00pm.**
- 2. Sabine Chowdry to explore the possibility of doing poetry reading(s) at the event.**

79. SCHEDULE OF COMMITTEE MEETINGS

The schedule was noted. The day of the Events Working Party to meet does not suit everyone and does not align well with Environment & Leisure Committee meetings. It was agreed that the Events Working Party would meet on a Thursday, allowing for a 2-week lead in to the E & L Committee cycle, ensuring papers could be prepared in time.

RESOLVED:

It was agreed that as there would be two Steering Groups in place to support the Working Party, namely World Book Day and the Great Big Green Week. The Events Working Party should meet by-monthly to allow sufficient time to report back to the Environment & Leisure Committee.

Please see proposed timetable below.

Meeting		Date	E&L Committee
Events Working Party		7 December 2023	4 January 2024
Steering Groups	World Book Day Great Big Green Week	January 2024 - TBC	
Events Working Party		1 February 2024	7 March 2024
Steering Groups	World Book Day Great Big Green Week	March 2024/April - TBC	
Events Working Party		4 April 2024	2 May 2024

80. CALENDER OF EVENTS

The calendar of events will be extended to March 2025 prior to the next meeting.

It was noted that the cost of installing an electronic calendar will be presented to the Finance Committee.

The wreath making event on 2 December 2023, will run from 10:00am through to lunchtime. The event is to support the Mayor's chosen charities.

The invites for the Big Breakfast (2-4 Feb) have been issued.

Community day is not organised by Ledbury Food Group, but by the Community Day Group.

Griff will supply a list of food suppliers to the Council for those present at the Christmas Light Switch On.

John Masefield's Birthday - 1 June should be added to the events calendar.

RESOLVED:

1. **The above event changes were noted and need to be added to the Calendar of Events.**
2. **Griff Holliday is to provide information for food suppliers who will be present at the Christmas Light Switch On event.**

81. DATE OF NEXT MEETING

The next meeting of the Events Working Party is Thursday, 7 December 2023 at Ledbury Town Council offices, Church Lane, Ledbury at 10.00am.

The meeting closed at 10.45am

Signed..... Date
(Chair)

LEDBURY TOWN COUNCIL

MINUTES OF A MEETING OF THE EVENTS WORKING PARTY MEETING HELD ON 7 DECEMBER 2023

PRESENT: Councillors: Morris (Chair) and l'Anson
Non-Councillors – Al Braithwaite, Heather Coppock, Griff Holliday and Nina Shields

ALSO PRESENT:

Julia Lawrence, Deputy Clerk
Olivia Trueman, Community Development Officer (CDO)

81. APOLOGIES FOR ABSENCE

Apologies were received from Sabine Chowdry, Lynette Loader and Janet Meredith.

82. DECLARATIONS OF INTEREST

None.

83. TO ELECT NON-COUNCIL MEMBERS

None.

84. It was agreed to bring Item 11 forward – Calendar of Events to facilitate a discussion prior to Heather Coppock leaving the meeting early.

A verbal presentation of the work that Heather had been undertaking to potentially create an overarching events schedule that would complement the internal calendar of events produced by the Town Council.

To date emails had been sent to a number of the charitable and community groups that take part in Community Day to identify their plans for 2024.

Heather suggested that the potential output from the feedback could be used to inform a broader events page on the Council website so that people could see all the events the Town had to offer.

It was noted that any such development would need to be adequately funded and maintained and not compromise any of the charities. This could be done potentially through links to the respective charity/community group websites.

Griff Holliday expressed a concern that information being sought from charities and community groups in the New Year would be duplicating the actions of the Community Day Action Group.

There was more work to do to develop this approach and would need to be discussed outside of the meeting.

RESOLVED:

That a meeting be held between Griff Holliday, Heather Coppock and the CDO to shape what an events calendar could look like. An update would be provided at the next meeting.

Heather Coppock left meeting.

85. TO APPROVE AND SIGN, AS A CORRECT RECORD, THE MINUTES OF THE EVENTS WORKING PARTY MEETING HELD ON 1 NOVEMBER 2023

That the minutes of the Events Working Party be approved subject to noting the following amendments.

- a) Item 75 – 4th sentence, should read: “It was noted that the Community Day Group (not Ledbury Food Group) would be happy to host some activities”. Remove the remaining part of the sentence.
- b) Item 77 – The third paragraph should read “ The Events Working Party would be very reluctant for Ledbury Town Council to consider a road closure”
- c) Item 77 - The Deputy Clerk advised that for legal and commercially sensitive reasons, the SLA relating to the October Funfair could not be shared with the Events Working Party.

RESOLVED:

That the minutes of the meeting of the Events Working Party held on 1 November 2023 be approved, subject to the above amendments.

86. WORLD BOOK DAY - 9 MARCH 2024 (overall budget £4,000)

The CDO presented 2 poster options to promote World Book Day. The design setting out the date clearly in the centre was favoured. There could perhaps be further reference to the events of the day. It was noted that this could be reviewed by the Steering Group in January.

It was noted that the Council could use Gruffalo on the poster, subject to the CDO sending an email confirming that this was possible.

It was noted that Ledbury Places is considering promoting The Prince and the Pauper for World Book Day as it is 55 years since filming took place outside the Old Grammar School and in the Lane. (The star of the BBC series was a young Nicholas Lyndhurst).

It was suggested that this could be the book for the readathon. It is about 170 pages long. An alternative could be Midnight Folk by John Masefield.

Discussions included other activities to complement the day including: Flash Dancing, choreographed by Ledbury Dance; Ceramics workshop and Courtyard workshop. It was suggested that the readathon could take place in

the “Market Square” (St Katherine’s), or in the churchyard or under the Market House. It was noted that using outside space so early in the year may not be feasible. A potential road closure on 9 March 2024 was discussed but it was felt that this was not required.

The CDO will be putting out “hold this date” via social media in the New Year.

RESOLVED:

That the Steering Group meet in January 2024 to review all these ideas and bring back recommendations to the Events Working Party accordingly.

87. GREAT BIG GREEN WEEK (GBGW) 8 – 16 JUNE 2024

Members noted that the Events Working Party will be responsible for managing the event.

Sustainable Ledbury has identified 10 ideas for GBGW including:

- Ledbury Library Development Group sponsoring Wild Play session to be run by Herefordshire Wildlife Trust;
- Develop a Treasure Hunt with town traders around Town;
- Beeswax wrap workshop;
- Herefordshire Wildlife Trust would develop a Nature Trail, ending the event with a picnic;
- Clothes swap, which could be run in conjunction with the Mayor’s coffee morning;
- Litter pick;
- Gardener’s Question Time-style event.

The children’s author, Catherine Barr, could undertake an event and Ledbury Library Group could sponsor the event – to be confirmed.

Griff Holliday advised that the Methodist Church would like to host an event to promote GBGW. It was noted that localness to the town centre may be an issue, i.e. poor footfall.

It was recommended that all of these suggestions be discussed at the GBGW Steering Group in January 2024.

It was also suggested that “Home Energy” should be promoted at the event and the Steering Group are to research this further.

RESOLVED:

That the GBGW Steering Group review the ideas and bring a potential programme back to the Events Working Party in February 2024.

88. CHRISTMAS LIGHT SWITCH ON (26 NOVEMBER 2023)

A comprehensive report was presented to the Events Working Party detailing feedback from the Event and Lessons Learnt.

The Working Party found the report most helpful, in particular the Lessons Learnt. In addition to those items listed under lessons learnt other additions were presented:

- There were too many versions of the poster. In future, it was proposed that only one design be promoted.
- Pre-booked Santa sessions were a success, but walk-in sessions led to a need to urgently buy additional gifts for those children. Next time perhaps there could be a “read with Santa for walk-in”.
- Mirrorball blocked the end of Church Lane, making it difficult for access to the Lane.
- More collaboration with the Traders to get the theme more wide spread.
- The costs of the pitches to be reviewed to potentially attract more traders and increase the income – there is, however, a balance to be struck about this approach.
- Food Court was not obvious and blocked at St Katherines. Perhaps there should be a maximum of 5 stands.
- Open up stalls/stands to Bank Crescent and or Market Square – as well as making more use of Market Square.
- Signage from High Street to Burgage Hall was considered poor.
- Consider putting on band/dancing after the switch-on as opposed to the Morris dancers.
- Next year, possibly consider a themed event with traders. The idea of potentially merging the event with late night shopping was considered although the Working Party agreed that the Sunday event had worked well despite being in competition with Ross on Wye.
- As a means to keep the event in one area, consideration was given to closing the Homend at the Bank Crescent junction although it was noted that poor lighting may be an issue later in the day.

A note of thanks was recorded to Charlotte Barltrop and the CDO for their hard work in organising the event.

RESOLVED:

That a report be submitted to the next Events Working Party, detailing the income received from the market traders at the Christmas Lights Switch on Event 2023.

89. CANDLE LIGHTING EVENT AT THE CEMETERY CHAPEL – SUNDAY, 17 DECEMBER 2023

It was noted that a banner was being put on the railings by the main gates of the Cemetery in the week commencing Monday, 11 December 2023 to promote the event.

Ledbury Poetry will be providing poems to hang on the Christmas Tree.

90. PHOTOGRAPHIC COMPETITION – TREES OF SIGNIFICANCE IN LEDBURY

A report was presented on behalf of the Climate Change Working Party to run a photographic competition.

It was suggested that the competition form part of the work of the GBGW Steering Group. This was proposed by the chairman (Cllr Morris) and seconded by Griff Holliday.

RECOMMENDATION:

- 1. That a recommendation be submitted to the Environment & Leisure Committee that the Events Working Party take ownership of this competition.**
- 2. That the GBGW Steering Group confirm what the costs would be to run the Competition, which could include costs of Exhibition, promotion, prizes and potential cost of the calendar preparation/printing). It is estimated that £1,000 would be required. Once the budget outline has been confirmed, this can be presented to the Environment and Leisure Committee for approval.**

91. SCHEDULE OF COMMITTEE MEETINGS

The schedule was noted.

RESOLVED:

In addition to the Committee Meeting dates, a schedule of all the different Working Group meetings should be included for 2024.

92. CALENDER OF EVENTS

The schedule was noted. If possible, a larger version should be made available to the Working Party (A3).

RESOLVED:

That the format of the calendar of events should be A3 size.

93. DATE OF NEXT MEETING

The next meeting of the Events Working Party is 1 February 2024 at Ledbury Funeralcare.

.....
Chair

.....
Date

DRAFT

LEDBURY TOWN COUNCIL

MINUTES OF A MEETING OF THE CLIMATE CHANGE WORKING PARTY MEETING HELD ON 6 DECEMBER 2023

PRESENT: Councillors: Chowns & McAll
Non-Councillors: Paul Kinnaird, Nina Shields (Chair) and
Professor John Whitelegg

ALSO PRESENT: Julia Lawrence, Deputy Clerk

1. APOLOGIES FOR ABSENCE

Apologies were received from Al Braithwaite and Beverley Kinnaird.

2. DECLARATIONS OF INTEREST

None

3. TERMS OF REFERENCE FOR THE WORKING PARTY

The revised Terms of Reference for the Climate Change Working Party ("CCWP") which now incorporated an additional paragraph relating to "Quorum" was received and noted by Members of the CCWP.

RESOLVED:

That the revised Terms of Reference be received and noted by members of the CCWP.

4. TO ELECT NON-COUNCIL MEMBERS

None.

5. TO APPROVE AND SIGN, AS A CORRECT RECORD, THE MINUTES OF THE CLIMATE CHANGE WORKING PARTY MEETING HELD ON 4 OCTOBER 2023.

Members reviewed the minutes of the meeting held on 4 October 2023 and Nina Shields requested that an amendment be made to Item No. 9, that the last sentence: "*Further details to come to the next CCWP Meeting*", in the third paragraph be removed as it was not agreed as the competition had been referred to the Events Working Party.

RESOLVED:

That the minutes of the Climate Change Working Party meeting held on 4 October 2023 be approved and signed as a correct record, subject to the amendment noted above.

6. FEEDBACK FROM ENVIRONMENT & LEISURE COMMITTEE**6.1 Recommendation 7a – Report from Prof Whitelegg**

CCWP had requested the Environment & Leisure Committee to consider proposals set out in Professor John Whitelegg's paper for a cycle to school scheme and using an electric hopper bus. The report was considered at the above Committee on 2 November 2023 and it was agreed that this report be presented at the next Traffic Management Working Party, to be held on 31 January 2024, for further consideration.

CCWP Members requested feedback from the Traffic Management Working Party could then be fed back to the CCWP in February 2024.

6.2 Recommendation 7c – Report from Prof Whitelegg

Members of the CCWP were issued with a copy of Ledbury Town Council's S106 wish list.

6.3 Recommendation 8a / 8b – Great Big Green Week

It was noted and agreed at the Environment & Leisure Committee meeting held on 2 November 2023 that £2,000 is allocated to the Great Big Green Week for 2024/25 and the event would receive full support from the Council. It was also agreed that the Events Working Party would oversee the organisation of the event.

6.4 Recommendation 10a – Corporate Plan 2020

The CCWP requested an update on the progress on delivering actions relating to climate change in the Corporate Plan. It was noted that Ledbury Town Council is currently working through Committee Structure Changes which will pick up the concerns raised here. The Environment & Leisure Committee will be meeting later in December to review/finalise its Committee Structure.

6.5 Recommendation 11a – NMiTE to undertake a survey on how best to insulate the Town Council offices

This request was declined due to a survey being completed in 2022.

7. TRANSPORT

Professor John Whitelegg made reference to the report, "A Ledbury proposal to reduce transport's climate damaging carbon emissions", stating that carbon emissions could be significantly reduced around schools by the introduction of hopper buses. It was noted that 380,000 trips to and from John Masefield High School take place every year and so the introduction of hopper buses

would make a big impact. Prof Whitelegg asked if John Masefield had a school travel plan and Nina Shields recommended that he make contact with Rebecca French at the School.

Cllr Chowns noted that the financial implications would need to be explored.

Nina Shields said that it would be important for this working party to work with the Traffic Management Working Party and looked forward to receiving feedback from their meeting. She stressed the importance of starting the dialogue given that change is not all about finance. She also appreciated that Ledbury Town Council may not be in a position to apply for grant funding. Sustainable Ledbury may be able to do so if funding is needed to progress any proposals, for example, if some external advice or research were needed.

Paul Kinnaird said that Ledbury Town Council should also have a Travel Plan.

RECOMMENDATION:

That the report presented by Prof John Whitelegg be presented at the next Traffic Management Working Party on 31 January 2024 for further consideration and that feedback is shared with the CCWP members in February 2024 at their next meeting.

8. GREAT BIG GREEN WEEK ("GBGW) 8 – 16 JUNE 2024

Nina Shields confirmed that she had met with members of Sustainable Ledbury who had put forward suggestions for events that could take place during the Great Big Green Week. These ideas included the following:

- 8.1 Set up a Garden Share Scheme, whereby someone who does not have a garden could have access to someone else's.
- 8.2 Develop a Treasure Hunt with Town traders around Town, whereby traders would be encouraged to put models of insects and wild flowers, for example, in their shop windows, as part of the Treasure Hunt.
- 8.3 Ledbury Library Development Group has agreed to sponsor a Wild Play Session to be run by Herefordshire Wildlife Trust at Ledbury Library on 8 June 2024.
- 8.4 Herefordshire Wildlife Trust could develop a nature trail, ending the event with a picnic.
- 8.5 Clothes swap, which would be run in conjunction with 8.6 below.
- 8.6 Mayor's coffee morning.
- 8.7 Litter pick.

- 8.8 The children's author, Catherine Barr, could run a children's event. Ledbury Library Group to sponsor – to be confirmed.
- 8.9 Beeswax wrap workshop.
- 8.10 Set up a Gardener's Question Time Panel style event on sustainability issues.

It was suggested that St Katherines Hall / Methodist Church could host some of the events. This would need to be addressed at the forthcoming Steering Group, shortly to be set up by the Community Development Officer.

Paul Kinnaird suggested that "Home Energy" could also be asked to attend to promote home improvements/renewable energy. Prof Whitelegg confirmed that Herefordshire are better placed for home energy experts than Shropshire and that there was a long list of experts available on the website, although suggested that perhaps Severn Wye Energy should be invited to attend the event, preferably on both Saturdays.

RECOMMENDATION:

That the activities/events suggested above should be put to the next GBGW Steering Group for consideration and approval, confirming which events should be pursued in order that approvals can be forwarded to the Events Working Party to progress, and before presenting the overall "offerings" to the Environment and Leisure Committee with costings for approval.

9. CORPORATE PLAN 2020

As noted in 6.4 above, work was ongoing in this regard, awaiting the outcome of the Committee Structures. However, Nina Shields felt that Ledbury Town Council needed to publicise what work had been done to date regarding climate change/sustainability and to promote future work planned, and using the Council's newsletter was considered a good platform to get the positive messages out.

RESOLVED:

That members of the CCWP await the outcome of the Committee Structure.

10. COUNCIL'S CARBON FOOTPRINT

Paul Kinnaird gave an overview following the information he had previously submitted to the Clerk to help reduce the Council's carbon footprint. This included the following:

- 10.1 Reduction in the Council's heating costs – adopt new ways to heat the offices.

10.2 Insulation – consideration could be given to draft proofing, albeit appreciating that it may be difficult to conserve heat in listed black and white buildings.

10.3 Market House – it was noted that the cost per unit is too high for this building. It was recommended that Ledbury Town Council should consider having one energy supplier to cover all buildings. Prof Whitelegg said that the energy supplier must be able to offer a guarantee/certificate for 100% renewable energy and recommended that Severn Wye may be able to help in this process.

Paul Kinnaird stated that the installation of renewable energy generation would be in either two forms, namely solar panels or windmills. Solar panels could be considered at the Cemetery and a windmill in Dog Hill Wood. Investing in PV solar generation over 10 years would cost 15p per KW/hour as opposed to 27p to 30p general rate.

Nina Shields stated that it still may be beneficial for the Council to engage with NMiTE as the University has project based learning opportunities whereby the Council could ask the students to undertake a project on how to insulate a building such as the Market House. Cllr Chowns was asked to talk to his daughter to see if she had a contact for NMiTE.

RECOMMENDATIONS:

- 1 That the CCWP requests that the Finance, Policy and General Purposes Committee are asked to investigate renewable PV energy generation in consultation with Severn Wye (who would be able to provide a free consultation).**
- 2 That Cllr Chowns speaks with his daughter to see if she has any contact details for NMiTE.**

Prof John Whitelegg left the meeting at 7.00pm.

11. WARM SPACES FOR WINTER 2023/24

Cllr McAll confirmed that warm spaces were being overseen by “Winter of Wellbeing”, and would start in January, ending in March. Potential locations for the initiative include the Rugby Club, Pot and Page and the Methodist Church. Funding has been limited to £1,500 to cover 3 to 4 days a week. It is proposed that individual organisations submit an application with the aim of entities then joining up and working together as one group.

RESOLVED:

The Working Party will keep a watching brief of developments for Winter of Wellbeing.

12. COP28

Nina Shields suggested that it might be useful for the CCWP to consider how climate change is impacting upon health and to involve Ledbury Health Partnership. Appreciating that the Working Party had no direct contacts, the Deputy Clerk is to contact Justine Peberdy to see if she could make contact on behalf of the Council and invite a representative from Ledbury Health Partnership to the next CCWP meeting. Justine Peberdy would also be invited to attend the next CCWP meeting.

It was noted that the main impacts to health would be overheating in summer months or pollution (for example, breathing fumes in between the Southend and High Street). However, it was noted that Herefordshire Council had undertaken a reading for pollution from diesel in this area and it had come in below specification.

RECOMMENDATION:

That the Deputy Clerk contact Justine Peberdy with a view to her contacting Ledbury Health Partnership to invite them to the next CCWP meeting, and that the invitation to attend the next CCWP meeting is also extended to Justine Peberdy.

13. DATE OF NEXT MEETING

The date of the next meeting of the Climate Change Working Party will be held on Wednesday, 7 February 2024 at 6.00pm.

Signed

Date

CLIMATE CHANGE WORKING PARTY – ACTION SHEET

No:	Item (Action Required)	Responsibility	To be actioned by (date)
7	Transport That the report presented by Prof John Whitelegg be presented at the next Traffic Management Working Party on 31 January 2024 for further consideration and that feedback is shared with the CCWP members in February 2024 at their next meeting.	TMWP	31 January 2024
8	Great Big Green Week That the activities/events suggested for GBGW should be put to the next Environment and Leisure Committee for consideration and approval, confirming which events should be pursued in order that approvals can be forwarded to the GBGW Steering Group to progress.	E & L Committee	4 January 2024
10a	Council's Carbon Footprint 1 That the CCWP requests that the Finance, Policy and General Purposes Committee are asked to investigate renewable PV energy generation in consultation with Severn Wye (who would be able to provide a free consultation). 2 That Cllr Chowns speaks with his daughter to see if she has any contact details for NMiTE.	Finance, Policy & General Purposes Committee Cllr S Chowns	18 January 2024 20 December 2023
12	COP28 Deputy Clerk to contact Justine Peberdy with a view to her contacting Ledbury Health Partnership to invite a representative to attend the next CCWP meeting in February 2024. Invitation to include Justine Peberdy.	Deputy Clerk	20 December 2023

LEDBURY TOWN COUNCIL

ENVIRONMENT & LEISURE COMMITTEE	4 JANUARY 2024	AGENDA ITEM: 17
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Report prepared by Julia Lawrence – Deputy Town Clerk

MALVERN HILLS NATIONAL LANDSCAPE CONSULTATION

Purpose of Report

The purpose of this report is to ask Members of the Environment & Leisure Committee to consider the “Malvern Hills Landscape Consultation – Renewable Energy in the Malvern Hills National Landscape and its Setting” Position Statement.

Detailed Information

Malvern Hills National Landscape Team have written to the Council to inform the Council that they have launched a consultation on a new draft Position Statement on “Renewable Energy in the Malvern Hills National Landscape and its Setting”. Consultation documents are viewable through the following link: <https://www.malvernhillsaonb.org.uk/consultations/> A copy of the draft Position Statement is attached at Appendix A.

All elected district, unitary and county councillors in the area and a wide range of consultees (including the local authorities) have also been directly consulted.

The Malvern Hills National Landscape Team has asked if this could be discussed at the next relevant council meeting. Members of the Environment and Leisure Committee are asked to either consider this documentation or whether they would prefer to request that the Climate Change Working Party review the documentation and make a response.

The Climate Change Working Party next meets on 7 February 2024. The deadline for a response to the consultation is 28 February 2024.

Recommendation

That Members either give consideration to the documentation presented or confirm if they wish the Climate Change Working Party to review the documentation and make a response instead.



**Malvern Hills
National
Landscape**

MALVERN HILLS NATIONAL LANDSCAPE

MALVERN HILLS AONB JOINT ADVISORY COMMITTEE

POSITION STATEMENT 4: RENEWABLE ENERGY IN THE MALVERN HILLS NATIONAL LANDSCAPE AND ITS SETTING

A quick note on terminology

On 22 November 2023, the Malvern Hills Area of Outstanding Natural Beauty (AONB), was re-branded as the Malvern Hills National Landscape. National Landscapes are designated AONBs. Consequently, the name Malvern Hills National Landscape is commonly used throughout this document. However, since 'AONB' remains the legal name for the designation, this term is also used in appropriate places, for example, when referring to the Malvern Hills AONB Management Plan which is a statutory plan or when directly quoting from older documents. The name used for the partnership associated with the designation is the Malvern Hills National Landscape Partnership.

1.0 CONTEXT

1.1 Climate Change is the biggest threat to humanity and one of the greatest threats to biodiversity¹. Projections show a change towards warmer, wetter winters and hotter, drier summers and increasing frequency and intensity of extreme weather events, which will continue to amplify as climate change intensifies. Changes pose risks to biodiversity; soil health; natural carbon stores and sequestration; crops and livestock; the supply of food, goods and services; the economy; and human health. Collectively, we need to proactively mitigate and adapt to the impacts of climate change.

1.2 The Malvern Hills National Landscape is a landscape whose distinctive character and natural beauty is so outstanding that it is in the nation's interest to safeguard it². The statutory purpose of the AONB designation is to conserve and enhance the natural beauty

¹ The National Association of Areas of Outstanding Natural Beauty (2019) The Colchester Declaration (<https://landscapesforlife.org.uk/projects/colchester-declaration>).

² Section 82 of the Countryside and Rights of Way Act (2000)

of the area³. Many defining features and ‘Special Qualities’⁴ of the AONB designation are threatened by climate change. They are also potentially threatened by responses to climate change, for example, due to visual impacts of development proposals. Action is urgent but needs to be well thought out and carefully implemented.

1.3 Within this context, the National Association for Areas of Outstanding Natural Beauty (NAAONB) committed to ensuring that by 2024, ‘*all AONB management plans include meaningful measures around climate change mitigation and adaptation, including clear, measurable targets to support Net Zero*’⁵. The current Malvern Hills AONB Management Plan (2019-2024) already advocates this through Objectives and Policies BDO1, BDP2 and BDP8, recognising a need to move towards a more energy efficient, low-carbon economy. The forthcoming review of the Malvern Hills AONB Management Plan will introduce further expectation, policies, and guidance to address the challenges of climate change in the Malvern Hills National Landscape and its setting whilst conserving and enhancing the natural beauty of the protected landscape.

1.4 A key component of climate change mitigation is to progress to a more sustainable energy system by applying the energy hierarchy (Figure 1). The first two priorities aim to reduce the demand for energy and will be addressed in the forthcoming Malvern Hills AONB Management Plan review. However, we recognise that there is also a need to generate energy from renewable energy sources towards achieving ‘net-zero.’ This includes on-site provision of renewable energy in new development and, where appropriate, retrospectively. It is Priority 3, specifically renewable energy, that is the focus of this Position Statement.

³ Defra (2019) Areas of Outstanding Natural Beauty: technical support scheme (England) 2019 to 2020.

⁴ Page 9 of the Malvern Hills Area of Outstanding Natural Beauty Management Plan 2019-2024. AONBs are designated by reason of its special qualities; those aspects of the area’s natural beauty which make the area distinctive and are the key attributes on which the priorities for its conservation and enhancement are based.

⁵ Refer to Footnote 1.

Figure 1. Energy Hierarchy⁶



1.5 Renewable energy has an important role in mitigating the impacts of climate change and is key to the commitment of reducing reliance on fossil fuels and achieving decarbonisation. There are various technologies available producing electricity, heat, or both. However, without good design, their implementation in the Malvern Hills National Landscape and its setting may harm the 'Special Qualities,' for instance through scale or the introduction of extraneous elements within the landscape. A key consideration is to deliver aspirations in a way which is compatible with the statutory purpose of AONB designation, and the Malvern Hills National Landscape Partnership is committed to exploring opportunities to do so.

1.6 The level of protection afforded to designated AONBs may mean that some of its renewable energy provision will need to be met outside of the Malvern Hills National Landscape or even its setting⁷. However, the Malvern Hills National Landscape Partnership recognises the need for it to contribute to renewable energy provision where it is able to as, in addition to powering and heating homes, buildings and businesses, renewable energy brings social and economic benefits through job creation in manufacturing, construction and maintenance industries.

1.7 To do this, we will need a combination of renewable energy types, at appropriate scales. A carefully considered multi-functional approach can deliver positive outcomes for natural beauty, climate adaptation and mitigation, nature recovery and related issues, such as food production, in mutually supportive ways.

1.8 This Position Statement focusses on renewable energy as a means of mitigating impacts of climate change. Measures to adapt to climate change are also important

⁶ <https://www.glasgowsciencecentre.org/our-blog/the-energy-hierarchy>

⁷ Refer to Malvern Hills National Landscape Partnership Position Statement 1 on Development and Land Use Change in the Setting of the Malvern Hills National Landscape.

although beyond the scope of this Position Statement. This is a ‘live’ document, which will be updated to reflect change in national policy and renewable energy technology.

2.0 PURPOSE OF THIS POSITION STATEMENT

2.1 Position Statements expand on relevant policies in the current Malvern Hills AONB Management Plan, providing further context, guidance and recommendations concerning specific policies and associated issues. They do not create new policies. They intend to help local authorities, developers, and other relevant stakeholders:

- have regard and positively contribute to the purpose of AONB designation;
- ensure the purpose of AONB designation is not compromised by development and that the natural beauty of the Malvern Hills National Landscape is conserved and enhanced;
- fulfil the requirements of the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) (or, where relevant, National Policy Statements) with regards to AONB designation and the factors that contribute to their natural beauty;
- take account of relevant case law;
- have regard to and be consistent with the Malvern Hills AONB Management Plan and guidance published by the Malvern Hills National Landscape Partnership;
- emulate best practice in the Malvern Hills National Landscape and other protected landscapes; and
- develop a consistent and coordinated approach to relevant issues across the whole of the Malvern Hills National Landscape and its setting⁸.

2.2 Relevant authorities⁹ are required by law, in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, to seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty¹⁰. In fulfilling this, it is important that relevant authorities have regard to guidance published by the Malvern Hills National Landscape Partnership, including its position statements.

2.3 Position statements are supplementary to the statutory Malvern Hills AONB Management Plan. However, the Malvern Hills AONB Management Plan 2019-2024 at policy BDP2 states that “*development proposals in the Malvern Hills AONB*

⁸ Three local authority areas overlap with the Malvern Hills National Landscape, with each with local authority having its own development plan. One of these local authorities (Malvern Hills) produces its development plan jointly with Worcester City and Wychavon in the form of a single local plan for South Worcestershire Councils.

⁹ In this context, ‘relevant authority’ includes any: Minister of the Crown; public body; statutory undertaker; person holding public office.

¹⁰ Section 85 of the Countryside and Rights of Way Act (2000) amended following the Levelling Up and Regeneration Act (2023).

and its setting should have regard to and be compatible with guidance produced by the Partnership”.

2.4 We consider the Malvern Hills AONB Management Plan and, by extension, the Partnership guidance and position statements, should be a material consideration in planning decision-making. It is important to note that planning law requires that planning applications must be determined in line with the relevant, local authority development plan unless there are material considerations that indicate otherwise.

2.5 In some instances, guidance and/or recommendations may go further than the policies of current LPA development plans. As new iterations of LPA development plans are developed, we hope the recommendations will be incorporated into those new iterations as we believe they can positively help those who value and care for this area ensure that future developments contribute to the local distinctiveness and sense of place.

2.6 It must be acknowledged that, in a plan-led planning system, it is the policies of the relevant adopted local authority development plan that have the greatest weight. As such, within this planning system, the hierarchy is as follows¹⁰:

Decision-making is taken in accordance with the adopted development plan unless material planning considerations indicate otherwise. The adopted development plan comprises the Local Planning Authority Development Plan, and any ‘made’ Neighbourhood Development Plan.

The Malvern Hills AONB Management Plan, like the National Planning Policy Framework, is a material planning consideration but does not form part of the adopted development plan. Malvern Hills National Landscape Position Statements and guidance documents supplement the AONB Management Plan.

3.0 LEGISLATION, POLICY, AND GUIDANCE

3.1. Proposals for renewable energy development within the Malvern Hills National Landscape and its setting should have regard to:

¹⁰ In England, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states: “If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.” The National Planning Policy Framework is itself a significant material consideration, although it is acknowledged regarding the presumption in favour of sustainable development under Paragraph 11, particularly in relation to plan-making and decision-making. On Wednesday 13 September 2023, the DEFRA Secretary of State tabled a [Written Ministerial Statement](#) setting out a package of measures to support nature recovery in Protected Landscapes. The package includes a commitment to new legislation through the Levelling Up and Regeneration Act (2023), which will enhance National Park and AONB Management Plans by placing a stronger requirement on partners to contribute to their delivery.

- the statutory purpose of AONB designation, which is to conserve and enhance the outstanding natural beauty of the area;
- national planning policy/guidance, particularly paragraphs 11, 174, 176 and 177 of the NPPF (2023);
- the relevant local authority development plan (comprising Local Plans and Neighbourhood Plans, if made) and other relevant local authority guidance and evidence.

3.2 Such proposals should have regard to, and be compatible with Malvern Hills National Landscape Partnership publications, including its Guidance and Position Statements.

4.0 PROTECTING THE SPECIAL QUALITIES OF THE MALVERN HILLS NATIONAL LANDSCAPE – GENERAL CONSIDERATIONS AND ASSESSMENT REQUIREMENTS

4.1 Landscape Character

4.1.1 The Malvern Hills AONB Landscape Character Assessment describes the 10 (plus urban¹¹) different landscape character types (LCTs) of this protected landscape, including their key features/characteristics. These key features/characteristics are re-iterated in the Malvern Hills AONB Landscape Strategy & Guidelines. For each LCT, the Landscape Strategy & Guidelines also summarises the landscape sensitivity, identifies some 'local forces for change' and their potential implications and sets out guidelines for avoiding or minimising adverse effects from them. Other forces for change may exist however that are not yet included in these guidelines, such as solar farms or the planting of energy crops.

4.1.2 Landscape assessments for renewable energy project proposals should refer to the landscape character areas as defined within the current Landscape Character Type, and also to the County wide Historic Landscape Characterisation. They should be able to demonstrate how the proposal responds to the existing landscape pattern and landform and how it seeks to conserve and enhance existing important landscape features such as vegetation and field boundaries. Key viewpoints of the development from within the National Landscape and its setting, to also include both looking out and into the National Landscape, should be identified and assessed, to include photomontages.

4.1.3 Regard should also be given to local authority landscape character assessments and related evidence.

¹¹ <https://www.malvernhillsaonb.org.uk/wp-content/uploads/2022/01/landscape-strategy-map.html>

4.1.4 The Malvern Hills National Landscape Partnership Position Statement on Landscape-Led Development is particularly relevant for consideration.

4.1.5 Renewable energy projects should prioritise use of previously developed ('brownfield') land, where possible. Where greenfield sites are proposed, projects should benefit the local rural economy; be supported and/or owned by local communities; bring net benefits to wildlife; avoid/minimise loss of productive agricultural land; and avoid adverse impacts on landscape character and/or visual amenity, tranquillity, and cultural heritage.

4.2 Other factors that contribute to natural beauty

4.2.1 The extent to which a proposed renewable energy development might affect the landscape and scenic beauty of the Malvern Hills National Landscape and its setting is obviously a key consideration and, in planning terms, these effects should be given great weight¹². There are several additional factors that contribute to the natural beauty of the AONB designation, including, but not limited to:

- Natural heritage (including biodiversity);
- Cultural heritage (including historic environment); and □ Relative tranquillity:

4.2.2 More information on the factors that contribute to natural beauty is provided in Natural England's 'Guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty'¹³.

4.2.3 The following issues concerning visual effects & tranquillity should be considered:

Siting – due to the 'Special Quality' identified in the Malvern Hills AONB Management Plan of its 'dramatic scenery and spectacular views arising from the juxtaposition of high and low ground', much of the designated AONB, and its setting, could be considered unsuitable for all but household and micro-scale renewable energy installations, and – potentially – some smaller scale renewable energy projects. The conditions whereby there may be opportunity, and the specific considerations that should be assessed for each renewable energy source type, are discussed in later sections of this position statement.

¹² This 'great weight' is a factor in planning decisions when assessing the overall planning balance. In effect, it 'tilts the scales' towards a decision that would avoid harm to the landscape and scenic beauty of the affected designated AONB. The significance of applying this great weight partly depends on the significance of any adverse effects on the designated AONB. The overall planning balance will depend on the weight that should be given to other considerations.

¹³ Natural England (2011) Guidance for assessing landscapes for designation as National Park or Areas of Outstanding Natural Beauty - refer to Table 3 and Appendix 1.

Agricultural Land – normally renewable energy projects should not be located on useable agricultural land, particularly the most productive Grade 1, 2 and 3a land. Nor should they be on typically low-grade hillside land where their impact would be greatest. The grade should be stated on any application. As recognised within the Malvern Hills AONB Natural Capital Scoping Study 2017, much of Grade 4 land in the designated AONB is also sloping, meaning that there are further considerations in terms of visual effects.

Screening – Screening (and softening) in the form of hedges or tree belts may be appropriate to help reduce visual impact, providing it is in keeping with the local landscape character. It should be borne in mind that a hedge may well take ten years to grow to a height sufficient to provide effective concealment and tree cover longer. Also, climate change itself may have an impact on the long-term viability and health of vegetation cover/screening.

Zone of Visual Impact – Landscape and Visual Impact Assessments (LVIA) should be employed at the pre-application stage to describe local landform and key views and the likely impacts on neighbouring properties, local character of a settlement and public rights of way etc. Solar panels, frames/supports, and/or other infrastructure, should not detract from the local character of a settlement.

Materials & additional infrastructure –

- a) Measures to minimise glare and visual impact should be stipulated as a planning condition.
- b) Bases should be easy to remove to permit restoration of the land.
- c) Security fences, if required, should be of sympathetic design and screened, as necessary. Any necessary security measures should be of minimal landscape and visual impact. Significant security fencing which is inconsistent or incompatible with the local rural environment may help to render a development unacceptable. Consideration should be given for the minimal length and height of any necessary security fencing, natural features such as hedgerows should be used to assist in site security and/or screen security fencing, where this is locally appropriate. In some instances, specialist fencing may be necessary to prevent access by deer, whilst appropriate measures should be in place to facilitate continued access by larger mammals, such as badgers and foxes.
- d) Where pole mounted CCTV facilities are proposed the location of these facilities should be carefully considered and designed to minimise visual/landscape impact. In exposed landscapes such structures should be avoided.

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- e) The use of security lighting should be minimised. Any lighting should utilise a passive infra-red (PIR) technology and should be designed and installed in a manner which minimises glare, light pollution and impacts on biodiversity, in particular bats. Planning applications should contain full details and specifications of all security and lighting installations to allow an accurate landscape/visual/ecological assessment of the proposal to be made. Lighting features should be of a sympathetic design and installed to minimise light pollution, and which is consistent with Malvern Hills National Landscape Guidance on Lighting.
- f) Buildings associated with renewable energy projects, such as transformer stations and inverter cabinets, should be unobtrusively sited, sympathetically designed, and suitably shielded to minimise visual impact.
- g) Access roads – new roads and tracks should be kept to an absolute minimum, sited, designed, and built to minimise impact on the landscape.
- h) Grid connection – a key constraint to local renewable energy production is the connectivity of the location of a proposed renewable energy scheme with the National Grid. Significant upgrading may need to be undertaken to provide this connectivity, which may make a scheme unviable. The consideration of renewable energy schemes, including the assessment of their acceptability, should take account of any necessary associated infrastructure such as access roads, cables (and whether these should be over or below ground) and ancillary buildings.
- i) Tranquillity - the impact of noise, both in construction and operation, should be carefully considered, especially given that this may be proportionately more disruptive in otherwise quiet rural areas.

4.3 Manufacturing & De-Commissioning

4.3.1 The manufacture and construction of some renewable energy developments, as well as any decommissioning/demolition phase, has its own energy and carbon cost that should be considered when assessing the need for the development, weighing up that cost alongside other impacts against the benefits the project may bring.

4.3.2 Decommissioning of energy sites at the end of their useful life (for solar, quoted as 35 to 40 years but likely to be much less as technology progresses) also poses issues which must be planned for.

4.3.3 As a result of the temporary nature of many of renewable energy technologies, the Partnership would expect local planning authorities to apply appropriate conditions to

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planning permissions requiring the removal of any buildings and any other structures at the end of the life of the proposed installation or when they become obsolete, whichever is the earlier. In accordance with the NPPF, sites granted temporary permission should not be considered as constituting brownfield land.

4.3.4 In addition, local authorities should require proposals to demonstrate how solar panels and batteries will be recycled or how toxic waste will be disposed of, as part of relevant applications.

4.4 Restoring the site

4.4.1 Planning permission granted for some renewable energy projects, especially wind turbines and solar farm PV panels, is generally considered temporary and granted for a restricted time period, after which it can be renewed, as appropriate. Restricting the development lifetime is a mechanism for ensuring that outdated/inefficient/redundant development is removed.

4.4.2 A site Restoration and Reinstatement Strategy in the form of a legal agreement should be sought to ensure restoration of any relevant land to agricultural (or other) usage once the consent or use has terminated and a condition imposed that all equipment associated with the development is removed. The agreement should demonstrate how and when the site will be returned to a state that is in good landscape and ecological condition and in keeping with local landscape character.

4.4.3 Food security is relevant given the UK imports 40% of the food it consumes, and this is rising¹⁴. As global food prices rise, agricultural land, even of lower grades, should not be misused by change of use to inefficient renewable energy schemes and its restoration at the end of life of a scheme is important.

5. ASSESSMENT OF IMPACTS

5.1 Cumulative Impacts

5.1.1 The cumulative landscape and visual impact of a proposed renewable energy scheme (and any associated infrastructure) is a key consideration. The Government's

¹⁴ Food Matters: Towards a strategy for the 21st Century:
http://webarchive.nationalarchives.gov.uk/+/http://www.cabinetoffice.gov.uk/strategy/work_areas/food_policy.aspx ¹⁶
<https://www.gov.uk/guidance/renewable-and-low-carbon-energy>

PPG for Renewable and Low Carbon Energy states that: “*There are no hard and fast rules about how suitable areas for renewable energy should be identified, but in considering locations, local planning authorities will need to ensure they taken into account ... critically, the potential impacts on the local environment, including from cumulative impacts.*” (N.B. Underlining added for emphasis)¹⁶.

5.1.2 Cumulative landscape impacts and cumulative visual impacts are best considered separately. Cumulative landscape impacts are the effects of a proposed development on the fabric, character, and quality of the landscape. Cumulative visual impacts concern the degree to which proposed renewable energy development will become a feature in particular views (or sequences of views) and the impact this has upon the people experiencing those views.

5.1.3 With regards to cumulative visual impacts, this is particularly important for largescale wind energy proposals, which can potentially be seen from many miles away. Infrastructure that is likely to result in cumulative effects includes: other wind developments; overhead powerlines; and telecommunications masts and other vertical structures.

5.1.4 The ability for a renewable energy project to access the grid will limit suitable locations and this is likely to lead to the clustering of applications in certain areas, with associated cumulative impacts.

5.1.5 Proposals should set out suitable assessments of impacts on biodiversity, hydrology, archaeology, landscape etc. transport assessments should consider access and vehicle movements during all stages of construction and development.

5.1.6 Renewable energy development should not create a “buffer zone” or ring around the Malvern Hills National Landscape, and the potential impact of renewable energy projects close to the boundary will be a material consideration in the planning process.

5.2 Major Development

5.2.1 Consideration should be given to whether a proposed renewable energy development constitutes ‘major development’ in the context of paragraph 177 of the NPPF¹⁵. Footnote 60 of the NPPF states that ‘*whether a proposal is major development is a matter for the decision maker, taking into account its nature, scale and setting, and*

¹⁵ Ministry of Housing Communities and Local Government (2023) National Planning Policy Framework - Paragraph 177 and footnote 60.

whether it could have a significant adverse impact on the purposes for which the area has been designated’.

5.2.2 Paragraph 177 of the NPPF states that *‘permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest’*. The NPPF requires several major development ‘tests’ to be applied, as outlined below

5.2.2.1 Major Development Test A – assessing the need for the development

The priority given to climate change, through the declaration of the climate and ecological emergencies, would potentially make it easier to demonstrate ‘exceptional need’ for renewable energy proposals. Genuine community-led renewable energy schemes¹⁶, which have robust evidence of need specific to the community and which have appropriate funding and administrative mechanisms in place, are more likely to demonstrate ‘exceptional need’ than schemes that meet a more generic need. It should be noted however that exceptional need does not necessarily equate to *exceptional circumstances*¹⁷. For example, there may be other, more suitable ways of mitigating the impacts of climate change (or delivering renewable energy) or less harmful locations for the proposed development.

5.2.2.2 Major Development Test B – assessing the cost of, and scope for, developing outside the designated area or meeting the need in some other way:

Case law has stated that *‘no permission should be given for major development save to the extent the development met a need that could not be addressed elsewhere’*¹⁸. As such, all other things being equal, it could be argued that if there are areas outside the Malvern Hills National Landscape (within a local authority area) that are identified as having equal or lesser landscape sensitivity to the type and scale of renewable energy development being proposed, then preference should be given to locating the development in those locations. Consideration should also be given to whether the proposed scheme is the most effective way of mitigating the impacts of climate change or is the most appropriate form of renewable energy. Consideration should be given to whether there are suitable nature-based alternatives for mitigating the impacts of climate change.

¹⁶ Genuine community-led schemes could include proposals included in neighbourhood plans or other projects, such as the Community Visioning schemes being piloted by CPRE and should have undergone appropriate community consultation processes.

¹⁷ This principle is recognised in relevant case law (R (Mevagissey Parish Council) v Cornwall Council [2013] EHC 3684 (Admin) (link), paragraph 52): *‘Even if there were an exceptional need ... that would not necessarily equate to exceptional circumstances for a particular development, because there may be alternative sites that are more suitable because development there would result in less harm to the AONB landscape’*.

¹⁸ R (Adverse) v Dorset Council v Hallam Land Management Ltd [2020] EWHC 807 (link). Direct quote from paragraph 35.

5.2.2.3 Major Development Test C – assessing any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated:

In relation to this test, case law has stated that ‘*no permission should be given for major development save to the extent the development ... met that need in a way that to the extent possible, moderated detrimental effect on the environment, landscape and recreational opportunities*’¹⁹. As such, renewable energy proposals that constitute major development should be required to demonstrate that they have a) avoided; and b) minimised any potential detrimental effects (to the extent possible) in this regard. The higher the level of landscape sensitivity associated with the scale and type of renewable energy development being proposed, the more this will weigh against permission being granted on the grounds of exceptional circumstances and public interest.

5.3 Mitigation Measures

5.3.1 Mitigation measures should be considered as an integral part of the development; they should adequately offset any adverse landscape and visual effects and be appropriate to the local landscape character. The mitigation and reduction of some adverse impacts can be achieved through considered detail design.

5.3.2 Enhancements should be linked to mitigation measures where appropriate and should seek to maintain and improve the value and condition of the landscape and contribute to local distinctiveness. For example, the development of Solar PV facilities offers the potential to create sites of local or regional ecological interest, particularly where land is removed from intensive agricultural production.

5.3.3 Applicants will be expected to maximise the ecological potential offered by such circumstances by a) avoiding areas of ecological importance or sensitivity, b) encouraging and promoting a diverse range of habitats, such as wildflower meadows, within such facilities, and c) designing and adapting built structures, such as control buildings, to encourage and promote access by nesting, roosting or hibernating animals such as bats.

5.4 Development in the setting of the Malvern Hills National Landscape

5.4.1 Renewable energy development in the setting of the Malvern Hills National Landscape has the potential to adversely affect the natural beauty of the designated AONB, particularly with regards to impacts on views from and to the Malvern Hills National Landscape.

¹⁹ R (Adverse) v Dorset Council v Hallam Land Management Ltd [2020] EWHC 807 (link). Direct quote from paragraph 35.

5.4.2 Paragraph 176 of the NPPF states that ‘*great weight²⁰ should be given to conserving and enhancing landscape and scenic beauty*’ in designated AONBs. Case law has clarified that this great weight should be applied to development outside a designated AONB, as well as to development within it, where the proposed development may adversely affect the landscape and scenic beauty of the AONB²¹. Application of this particular case law example would consider effects on views from the designated AONB but not impacts on views looking towards - in our case - the Malvern Hills National Landscape.

5.4.3 However, impacts on views towards the Malvern Hills National Landscape are still an important material consideration, particularly in relation to views looking towards the Malvern Hills, with these views being one of the ‘special qualities’ of the designated AONB. And in terms of the views from the Malvern Hills National Landscape, the topography means that a larger area may need to be considered in terms of potential effects on views than in a designated AONB without such elevations. This is especially the case for visual receptors on the Malvern Hills themselves. Other relevant considerations include the potential increase in traffic movements through the Malvern Hills National Landscape (or along its boundary) that may result from a proposed development.

5.4.4 Paragraph 176 of the NPPF states that ‘*development within [the setting of AONBs] should be sensitively located and designed in order to minimise adverse impacts on the designated area*’.

5.4.5 The Malvern Hills National Landscape Partnership position statement on development and land use change in the setting of the Malvern Hills National Landscape and also the Malvern Hills AONB Environs Landscape and Visual Sensitivity Study provide some relevant information on this topic.

5.5 EIA

5.5.1 Where renewable energy proposals fall under Schedule 2 of the Environmental Impact Assessment (EIA) Regulations²², consideration should be given to whether an EIA is required, particularly if the proposals is above the ‘applicable thresholds and criteria’ for Schedule 2 development²³.

²⁰ This ‘great weight’ is a factor in planning decisions when assessing the overall planning balance. In effect, it ‘tilts the scales’ towards a decision that would avoid harm to the landscape and scenic beauty of the affected designated AONB. The significance of applying this great weight partly depends on the significance of any adverse effects on the designated AONB. The overall planning balance will depend on the weight that should be given to other considerations.

²¹ Stroud District Council v Secretary of State & Gladman Developments Ltd [2015] EWHC 488 (link). Paragraphs 20-22.

²² Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017

²³ It is worth noting that the ‘applicable thresholds and criteria’ in Schedule 2 of the Environmental Impact Assessment Regulations do not apply in designated AONBs. This is because AONBs are classed as ‘sensitive areas,’ in this regard. As such, Schedule 2

5.5.2 EIAs are required where it is considered that the proposal is likely to have a significant effect on the environment. In such circumstances, it is highly likely that the proposal should also be considered major development, in the context of paragraph 177 and footnote 60 of the NPPF.

5.5.3 Consultation with the Local Planning Authority and local community is encouraged at an early stage. The local community should be engaged, by the developer, at the predesign, conceptual stage, ideally utilising a local exhibition / presentation where community views can be sought and recorded.

5.5.4 As a starting point, the proposal should be assessed against the selection criteria in Schedule 3 of the EIA Regulations. In general, an EIA is likely to be needed for Schedule 2 developments if the development is in a particularly environmentally sensitive or vulnerable location. In each case it will be necessary to judge whether the likely effects on the environment of that development will be significant in that particular location. In judging whether the effects of a development are likely to be significant it is necessary to have regard in particular to the visual impact of the development on landscape character and how this will be affected by the installation of the development, and also the possible cumulative effect with any existing or approved development. This should include situations where there is more than one application for development which should be considered together. Any views expressed by consultees should be considered. Advice should be sought from consultees where there is any doubt about the significance of a development's likely effects on a 'sensitive area' as defined in the EIA Regulations, including setting.

RECOMMENDATIONS

- **The Malvern Hills National Landscape Partnership recommends that any renewable energy projects in the Malvern Hills National Landscape and its setting should prioritise 'brownfield' land where possible. Greenfield sites should be avoided except in exceptional circumstances.**
- **All renewable energy projects should seek to protect, conserve, and enhance the distinctive character and natural beauty of the designated AONB and its setting, including its 'Special Qualities' by having regard to the considerations and guidance on mitigating impacts set out in this paper and other Malvern Hills National Landscape Partnership publications.**
- **The cumulative impacts of a renewable energy development proposal should be assessed in decision making.**

development within the Malvern Hills National Landscape that is smaller than the applicable thresholds and criteria may also need to be screened to assess if an EIA is required.

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- **Renewable energy proposals should demonstrate they have considered the whole-life impacts of a scheme, including construction and decommissioning phases, and restoration of the site.**
 - **Larger projects should benefit the local rural economy, be supported and/or owned by local communities where possible and avoid unjustified loss of productive agricultural land.**
- **Renewable energy landscape and visual sensitivity assessments, including those commissioned by local authorities, should have regard to relevant guidance published by the Malvern Hills National Landscape Partnership.**

6.0 TYPES OF RENEWABLE ENERGY

6.0.1 This position statement identifies six main types of renewable energy: heat pumps; biomass; hydropower; solar energy; wind energy; and battery storage. These are individually addressed in this section, including relevant considerations and key constraints specific to each type of renewable energy.

6.1 Heat Pumps

6.1.1 There are three main types of heat pump:

- Ground-source heat pumps (GSHP): takes low-level heat, which occurs naturally underground, and converts it to high-grade heat using an electrically driven or gaspowered heat pump. GSHP systems collect or deliver heat using ground collectors (typically coils or loops of pipe laid in trenches in the ground or vertical boreholes), in which a heat exchange fluid circulates in a closed loop and transfers heat via a heat exchanger to or from the heat pump. Once installed, there are no externally visible features.
- Air-source heat pumps (ASHP): takes low-level heat, which occurs naturally in the air, and convert it to high-grade heat by using an electrically driven or gas-powered pump. ASHP are typically mounted on an external wall (sometimes under a window). Increasingly, manufacturers are producing internally mounted air source heat pumps which only need louvers and/or roof vents for air supply/exhaust emissions (as in a conventional boiler). Once installed, the only externally visible structure may be the 'air conditioning unit' associated with the heat pump facility. Depending on the manufacturer, ASHP may be no louder than a central heating boiler.
- Water-source heat pumps (WSHP): extracts heat from a body of water and converts it into useful energy to heat the home.

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6.1.2 Heat pumps are generally ‘permitted development’²⁴, although rights are restrictive with regards to listed buildings, conservation areas, scheduled monuments, and World Heritage sites. In most cases, proposals are likely to be domestic in scale and, due to relatively limited landscape impact, will normally be acceptable and supported. Any reinstatement of land should be carefully, and sensitively undertaken and historic landscapes should, wherever possible, be avoided.

6.1.3 If buildings are needed to house equipment, this may require planning permission and should be carefully sited and designed, using appropriate materials.

6.1.4 Fitting of heat pumps is likely to be easier for new development than retrofitting. However, retrofitting may be appropriate where there is available space.

6.1.5 Heat pumps use electricity so still potentially contribute to greenhouse gas emissions (depending on the source of the electricity). However, they can offer carbon emission savings of around 30% when compared with conventional gas boilers.

6.1.6 The following checklist should be considered:

- During construction, the laying of pipes linked to GSHP should avoid disturbing ground which would be difficult to restore, such as unimproved grasslands, seminatural habitats, tree roots and archaeological remains. A Local Planning Authority may require an archaeological survey before construction.
- Underground pipework associated with GSHP should be covered with soft or hard surfaces, which reflect local soils/geology and landscape character type.
- ASHP should be on the least visible elevations, if externally mounted.
- Measures should be taken to minimise impacts on? neighbouring land uses.
- Quiet models should be selected, to minimise any impacts on tranquillity and other Special Qualities of the designated AONB.

²⁴ Permitted development rights allow the improvement or extension of buildings or uses of such buildings without the need to apply for planning permission, where that would be out of proportion with the impact of the works carried out.

RECOMMENDATIONS

- **The Malvern Hills National Landscape Partnership supports the use of heat pumps, in principle, provided relevant considerations have been adequately addressed, including:**
 - **size and siting;**
 - **noise impacts;**
 - **impacts on historic landscapes and archaeology; and**
 - **safeguarding existing trees/hedgerows and priority habitats, particularly during construction and operation.**
- **Underground pipework should be covered with soft or hard surfaces, which matches local soils and geology, where possible.**
- **Reinstatement of land should be carefully and sensitively undertaken, to avoid compromising the ‘Special Qualities’ of AONB designation.**

6.2 Biomass

6.2.1.1 Biomass refers to the use of a wide variety of organic material for the generation of heat, electricity, or motive power. The two primary types of biomass energy are:

- Woody biomass (wood and energy crops).
- Wet biomass (food waste and farm wastes).

6.2.1.2 For electricity production, the heat/steam is used to turn a turbine. There are currently three basic categories of biomass plants:

- Plants designed primarily to produce electricity. These are generally the largest schemes, in the range of 10–40 MW. Excess heat from the process is not utilised. These are major multimillion pound developments and are unlikely to be suitable within the Malvern Hills National Landscape or its setting because of scale and associated traffic movements. They are not considered further and proposals for such would not be supported by the Malvern Hills National Landscape Partnership.
- Combined Heat and Power (CHP) plants where the purpose is the generation of electricity, but excess heat is utilised. Size range is 5-30 MW thermal total energy output but smaller 'packaged' schemes of a few hundred KW are possible.
- Plants designed for production of heat. These cover a wide range of applications from domestic wood burning stoves and biomass boilers to boilers of a scale suitable for district heating, commercial and community buildings and industrial process heat. Sizes range from a few KW to above 5 MW of thermal energy.

6.2.2 Wood

6.2.2.1 Use of wood for fuel boilers is not only a renewable energy source but may have additional benefits. For example, it can provide economic incentive to bring woodlands within the Malvern Hills National Landscape back into active management. Active management of deciduous woodlands through coppicing, pollarding, ride widening, and other forestry operations helps create warm, sunlit micro-habitats that benefit insects and wildflowers and provide better nesting habitat for many of our rarest woodland birds²⁵. Use of wood can have the benefit of recovering, from the waste stream, waste wood that would otherwise go to landfill. Care is needed to ensure management of woodlands does not become unsustainable (e.g. because of over-exploitation), as demand increases.

6.2.2.2 New and on-going management of woodland will be required to facilitate nature recovery and mitigate impacts of climate change²⁶.

6.2.3 Fuel crops

6.2.3.1 There may be potential for biofuel from other crops (i.e., energy crops) such as miscanthus and short rotation coppice (SRC). Developments are likely to have limited impacts, if undertaken on a small scale. However, careful consideration will need to be given for larger-scale use of land for growing such crops as they are likely to have an adverse impact on landscape character (for example, as a monoculture that is alien to the locally-distinctive farmed landscape), biodiversity, water quality and soil quality (for example, as a result of winter harvesting) and visual amenity due to height and semipermanent/permanent nature and, in the case of SRC, their long rotation cycle.

6.2.3.2 Large-scale fuel crop schemes would also likely conflict with other land use priorities, including food production, nature recovery and woodland planting.

6.2.3.3 Where fuel crops are being introduced, the potential for impacts on landscape character should be fully assessed, as should any potential impacts on sensitive sites, including permanent grassland, common land, SSSIs, other sites of nature conservation importance, and historic landscapes.

6.2.4 Wood and fuel crops – additional considerations

6.2.4.1 Whilst burning biomass does release CO₂ emissions, CO₂ is absorbed from the atmosphere during the growth of the source material and so the net lifecycle CO₂ emissions are zero. However, all biomass fuels also have an associated CO₂ intensity due to the additional energy required for collection, processing, and distribution, as well

²⁵ <https://www.worcswildlifetrust.co.uk/woodlands/managing-our-woodlands>

²⁶ It is estimated that only 55% of woodland in the Malvern Hills AONB is actively managed currently. Many tree species are coming under acute stress from new pests and diseases and periods of intense weather (e.g., storms and drought). Loss of key species such as ash will accelerate change, particularly in unmanaged woodland – taken from Malvern Hills AONB Nature Recovery Plan (2022)

as for the construction and maintenance of a biomass facility. Transportation can be a large element of this for raw fuels, whilst heavily processed fuels such as wood pellets will require additional energy input during the process stages.

6.2.4.2 For proposals involving energy production from biomass, consideration should be given to whether such proposals require an Environmental Impact Assessment (EIA), particularly where the development area exceeds 0.5ha²⁷. Consideration should also be given to whether a scheme constitutes ‘major development’³⁰.

6.2.4.3 Biomass boilers are also a potential source of air pollution, particularly with regards to particulates. Appropriate measures would need to be put in place to protect air quality. Firewood is now required to have a moisture content of 20% or less, which should help to address this issue, but industry should be encouraged to improve the efficiency of stoves and boilers to reduce harmful emissions. Use of domestic woodburning stoves should not be encouraged, due to potential impacts on air quality.

6.2.4.4 Transport of wood or crops to any energy production plant will increase vehicle movements unless the plant is adjacent to the source of fuel. To avoid unnecessary infrastructure, plants should be as close to the settlements or facilities they serve, so an appropriate locational balance must be struck. For this reason, and to avoid greater visual and other effects likely to be caused by large-scale plants, small-scale plants would be preferable. Suitable schemes could include heating schemes for country estates and small-scale community heating schemes.

6.2.4.5 Priority should be given to using existing buildings, to house biomass facilities and to dry or process wood and other biomass. Where new buildings are required, siting, scale, design, colour, and materials used should be carefully considered and be compatible with the AONB designation and its special qualities²⁸.

3.2.4.6 Biomass provides a relatively small amount of energy per hectare of land used. For example, solar energy can provide over 40 times as much energy per hectare as biomass²⁹. A very large area of land would be needed for energy crops to deliver significant levels of renewable energy in the Malvern Hills National Landscape. This is likely to adversely affect landscape character and scenic beauty, including tranquillity (due to related traffic movements), and may compromise food production, biodiversity, and nature recovery.

²⁷ Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Development type 3(a). ³⁰ In the context of paragraph 177 of the National Planning Policy Framework (2023).

²⁸ Having regard to position statements other guidance produced by the Malvern Hills National Landscape Partnership:

<https://www.malvernhillsaonb.org.uk/our-work/planning/guidance-documents/>

²⁹ <https://www.biofuelwatch.org.uk/2018/biomass-and-land-use/>

RECOMMENDATIONS

- **Wood:** In principle, the Malvern Hills National Landscape Partnership would be supportive of small-scale wood fuel schemes which use locally sourced wood from sustainably managed woodlands within the Malvern Hills National Landscape, provided relevant considerations have been clearly addressed.
- **Fuel crops:** In principle, the Malvern Hills National Landscape Partnership would be supportive of small-scale fuel crop schemes, provided that relevant considerations have been clearly addressed.
- **Biomass:** Priority should be given to active management and utilisation of woodland (for supplying timber for wood fuel) in the Malvern Hills National Landscape over schemes that rely on the planting of energy crops, especially short rotation coppice.

6.2.5 Wet biomass – anaerobic digesters

6.2.5.1 Anaerobic digestion (AD) is a process in which bacteria break down organic material in the absence of oxygen to produce a methane-rich biogas, which can be combusted to generate electricity and heat. Anaerobic digesters utilise farm and food wastes. They make a significant contribution to reducing greenhouse gas emissions, reducing the quantities of methane released into the atmosphere, and providing a low carbon energy source that substitutes for energy generated from fossil fuels.

6.2.5.2 An AD plant typically consists of a digester tank, buildings to house ancillary equipment, a biogas storage tank, and a flare stack (3–10 metres in height). The digester tank is usually cylindrical or egg-shaped, its size being determined by the projected volume and nature of the waste. It can be part buried in the ground. There are two scales of anaerobic digestion plant:

- Small scale plants dealing with the waste from a single farm (generating in the region of 10kW) with the biogas potentially used to heat the farmhouse and other farm buildings in the winter when farm wastes are available.
- A medium-sized centralised facility dealing with wastes from several farms supplemented by other feedstocks and potentially producing up to 2MW.

6.2.5.3 The effects that may arise from any development in terms of visual intrusion, noise, odour, associated traffic movements and associated infrastructure, including overhead powerlines and pylons or poles, must be carefully considered. AD plants serving a single or small number of local farms may be appropriate within the Malvern Hills National Landscape and its setting, provided the development can be incorporated within an existing farmstead; uses locally sourced, organic farm waste and/or sewage sludge

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material; is of an appropriate scale; is not visually intrusive; is constructed using appropriate materials; and is suitably landscaped to ensure the natural beauty of the area is conserved or enhanced, ensuring the ‘Special Qualities’ are not compromised.

6.2.5.4 Where crops are grown specifically as a feedstock for AD plants e.g. maize, this would raise similar issues to the growing of fuel crops in relation to competing land uses, water quality and impact on soils.

6.2.5.5 Large new buildings or structures on greenfield sites within the Malvern Hills National Landscape or its setting are unlikely to be supported by the Malvern Hills National Landscape Partnership.

RECOMMENDATIONS

□ In relation to wet biomass, in principle, the Malvern Hills National Landscape Partnership would be supportive of small-scale anaerobic digestion (AD) plant schemes that use locally sourced, organic farm waste and/or sewage

sludge, provided relevant considerations have been clearly addressed, including:

- Integrating or locating adjacent to existing buildings or farmsteads; greenfield sites should be avoided;**
- The digester tank should be part buried in the ground;**
- Installations should not be in prominent locations or exposed skylines – the flare stack can be prominent;**
- Installations should not affect the historical value of designated industrial features, historic monuments and archaeological sites and remains, or the ecological value of semi-natural habitats;**
- Installations should not adversely affect the character and appearance of any Conservation Areas and listed buildings;**
- Suitable materials (such as cladding of buildings), and colours should be used that integrate structures with their surroundings;**
- Tree planting (using native species) that helps filter views of the AD plant should be considered; and**
- Measures taken to minimise any visual, odour and noise impacts on the amenity of neighbouring land uses associated with the operation of the plant and deliveries of feedstocks.**

- **Large new buildings and structures associated with AD plants within the Malvern Hills National Landscape or its setting, and/or schemes that import large quantities of material, are unlikely to be supported, because of the scale of the development and the vehicular movements required to supply feedstock, particularly in tranquil, rural areas where human influence is limited, and in areas of semi-natural habitat and/or a strong historic character.**

6.3 Hydropower

6.3.1 Hydropower uses water flowing through a turbine to drive a generator that produces electricity. It is a highly site-specific technology, dependent on being near a water body that is both flowing and has a sufficient drop in level that can be exploited.

6.3.2 The potential for hydro-electric proposals are therefore very limited within the Malvern Hills National Landscape and its setting due to geographical and environmental restrictions, although there may be scope for micro- or small-scale projects

6.3.3 Schemes involving installations for hydroelectric energy production, consideration should be given to whether they require an EIA, particularly where an installation is designed to produce more than 0.5 megawatts and/or where the area of the development would exceed 0.5 hectares³⁰. Consideration should be given to whether a scheme constitutes ‘major development’³¹. Consents from the Environment Agency will also be required. Consideration is needed to be given to the impacts of infrastructure e.g. cabling required to connect the hydropower development to the grid.

³⁰ Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Development type 3(h) and 3(a).

³¹ Refer to Footnote 15.

RECOMMENDATION

In relation to hydropower, the Malvern Hills National Landscape Partnership would be supportive of micro or small-scale schemes, provided that relevant considerations have been adequately addressed. Proposals should:

- **Ensure equipment is placed either in existing buildings or new ones of an appropriate scale and design;**
- **Use the existing head of water from existing impoundments without affecting the river flow;**
- **Ensure noise levels do not adversely affect tranquillity;** ○ **Ensure river life is not detrimentally affected; and,**
- **Operate without prejudicing progress towards achieving ecological objectives under the Water Framework Directive.**

6.4 Solar Energy

6.4.1 Solar Energy – general information

6.4.1.1 There are two types of solar energy:

- Photovoltaic panels or tiles that generate electricity from the sun's energy – these can be used at both domestic and commercial scale.
- Solar panels or 'collectors' (flat plate or evacuated tubes) that use the sun's radiation to heat water – these are used at a domestic and commercial scale.

6.4.1.2 In addition to the considerations for all renewable energy schemes provided in Section 4 above, a checklist of further issues to be considered for solar energy proposals is below:

- Consider views both from and to the Malvern Hills themselves, local viewpoints, and from popular tourist and scenic routes.
- Avoid locating solar PV where they could be directly overlooked at close quarters from important or sensitive viewpoints.
- Maintain uninterrupted views from the Malvern Hills themselves to the internal landscape to preserve its remote and strong cultural and historic sense of place.
- Site freestanding solar PV development on flat landforms or on lower slopes/within folds in gently undulating lowland landscapes.
- Ensure development does not span across different landscape character types.

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- Site developments in landscapes where screening is already provided by woodland, hedgebanks or high hedges. Where new screen planting is required the Malvern Hills National Landscape Partnership should be consulted on the appropriate choice of species.
- Avoid adversely affecting areas of semi-natural habitat and designated historic and archaeological sites directly or indirectly.
- Protect the character and setting of buildings within Conservation Areas.
- Ensure that any PV developments do not detract from prominent landmarks.
- Protect the ‘Special Qualities,’ as detailed within the Malvern Hills AONB Management Plan.
- Measures should be taken to minimise any visual and noise impacts on the amenity of neighbouring land uses.
- Avoid siting PV developments across multiple fields in areas with a small-scale irregular field pattern that is important to landscape character.
- Site PV development in areas that already contain signs of human activity and development.
- Consider how panels will be transported to site.
- Suitable materials and colour finishes should be used that integrate any new buildings with their surroundings. Utilise existing farm buildings to house inverters wherever possible.

6.4.1.3 Ground-mounted arrays can result in direct habitat loss, habitat changes and disturbance or displacement of species and this should be carefully considered.

6.4.2 Small-scale solar energy – size thresholds

6.4.2.1 When considering size thresholds, the following is relevant in this regard:

- EIA Regulations specify that proposals should be screened for an EIA if the development area exceeds 0.5 hectares³².
- Permitted development rights cover solar PV or solar thermal equipment on, or within the curtilage of, a dwellinghouse or block of flats³⁶.

³² The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Schedule 2, Development type 3(a). ³⁶ The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 14.

6.4.2.2 However, it should be noted that these thresholds do not apply within designated AONBs (i.e., permitted development rights do not apply in AONBs³³ and solar energy proposals that are smaller than 0.5 hectares could potentially be screened for an EIA³⁴).

6.4.2.3 In many landscape sensitivity assessments (LSAs) for renewable energy, ‘small scale’ solar energy development are schemes covering an area of five hectares or less. Nevertheless, it is appreciated that given the small extent and far-reaching views from the Malvern Hills themselves, the Malvern Hills National Landscape, and its setting, is likely to have high landscape and visual sensitivity to all scales of solar energy development.

6.4.2.4 Based on the above, the following thresholds should be applied for small-scale solar energy development when considering this position statement:

- 0.5ha or less = micro-scale.
- 0.5 ha - 5ha = small/field scale.

6.4.2.5 The Malvern Hills National Landscape Team are increasingly receiving queries relating to micro- and small-scale solar PV arrays. There are several types of arrays:

1. Small-/Field-scale solar arrays on greenfield land (undeveloped/agricultural land)
2. Small-/Field-scale solar arrays on brownfield land (developed industrial/commercial/contaminated land)
3. Micro- and small-scale solar installations over car parks, alongside air strips, and other suitable external areas
4. Micro- and small-scale solar installations on new or existing industrial/agricultural buildings and other large-scale roofs

6.4.2.6 Site justification is vital, and identification of alternative sites should be considered. Ultimately proposed schemes will be judged on their own merits however array types 2, 3 and 4 offer more significant opportunities for the mitigation of potential adverse impacts upon the Malvern Hills National Landscape and its setting.

6.4.2.7 Proposals on, and within the curtilage of, residential properties not exceeding 0.5 hectares in size would need to be considered on a case-by-case basis where they are not permitted development. However, they are, in principle, likely to be acceptable in the Malvern Hills National Landscape and its setting, if compliant with relevant regulations and the considerations outlined in this position statement.

³³ The regulations relating to permitted development rights (PDR) for renewable energy specify that these PDR do not apply in ‘Article 2(3)’ land, which includes designated AONBs.

³⁴ The thresholds and criteria specified in Schedule 2 of the Environmental Impact Assessment Regulations do not apply in ‘sensitive areas’, including designated AONBs.

6.4.2.8 Proposals for small-scale solar energy schemes larger than 0.5ha but smaller than 5ha are less likely to be acceptable in the Malvern Hills National Landscape and its setting due to the potential visual and/or landscape harm they present. Depending on the nature and siting of the scheme, they also may be considered major development, and if so, they should be assessed as such. Schemes that would constitute major development (in the context of paragraph 177 of the NPPF) should only be permitted in exceptional circumstances and where it can be demonstrated that the development would be in the public interest, in line with national planning policy. However, in specific circumstances and with adequate mitigation of potential adverse impacts on the Malvern Hills National Landscape and its setting, a small-scale solar energy proposal may be acceptable.

6.4.2.9 As such, any small-scale solar energy schemes should always be considered on a case-by-case basis against relevant planning policies and with regard to relevant considerations in Malvern Hills National Landscape Partnership published guidance and robust evidence provided of how any adverse impacts will be avoided or sufficiently mitigated.

6.4.3 Micro- and Small-scale solar - relevant considerations

6.4.3.1 This guidance primarily relates to such proposals being sensitively located³⁵ and sited³⁶. Location, siting, and design are also important considerations for schemes that relate to listed buildings, conservation areas and other heritage assets³⁷.

6.4.3.2 PV panels mounted on buildings are considered more suitable than those that are freestanding as they are likely to have a less adverse visual effect. PV panels can be used as a building material, integrated into the roof (or facades) of buildings e.g. using solar shingles, solar slates, solar glass laminates and other solar design solutions, and can be integrated with traditional tiles/slates³⁸.

6.4.3.3 Solar collectors or evacuated tubes can be incorporated into the existing roof in the same way. Ideally, these require an angle of 30-40 degrees, facing south.

6.4.3.4 Consideration should be given to the effect of installations on the appearance of the building. It is a good idea to line panels up with existing windows and roof lights, ensuring the size of the panels are complementary to existing features on the building.

6.4.3.5 Consideration should be given to the colour and design of the panels and their frames and mounts/supporting structures. For example, panels with a dull, matt finish with

³⁵ 'Located,' in this context, refers to the placement of the proposed development with regard to the landscape context, including the Malvern Hills National Landscape Partnership Position Statement on Landscape-led Development.

³⁶ 'Sited,' in this context, refers to the development's placement in relation to its immediate context.

³⁷ 'Relate to,' in this context, means 'on,' 'in the curtilage of' and / or 'in the setting of.'

³⁸ The UK Government has estimated that there are currently 250,000 hectares (approx. 625,000 acres) of south-facing commercial roofs in the UK (Part 2 of the Government's UK Solar Photo-Voltaic (PV) Strategy).

anti-glare options and non-reflective frames/grids are less conspicuous as are panels with dark surfaces which are likely to be acceptable on buildings with darker slate roofs or on new buildings in areas where black slate roofs are characteristic, to integrate into the landscape.

6.4.3.6 Rooftop solar panels can blend well with contemporary, industrial, business park and agricultural buildings. Use of panels on such buildings, including by retrofitting should be supported, where considerations such as those listed above are followed.

6.4.3.7 Small-scale freestanding solar arrays that are well screened in enclosed gardens or closely linked to existing buildings with no or minimal visual impact may be acceptable. There may be circumstances where ground mounted solar arrays to serve groups of properties, community buildings, such as village halls, agricultural properties or other businesses are acceptable, where these are clearly well screened within existing building complexes or by other existing landscape features such as hedgerows, walls or trees, and which do not detract from any architectural or historic/archaeological interest, or compromise protected species.

6.4.3.8 Arrays need to be positioned such that any associated screening does not shade the panels. Where new screening is proposed, care needs to be taken to ensure screening does not adversely affect visual amenity and/or landscape character or heritage assets. Consideration will also need to be given to the potential impact of paraphernalia associated with the installation and operation of the solar panels.

6.4.3.9 Retrofitted roof-mounted solar units on buildings can have a ‘modernising’ effect on their character and appearance, particularly when located on the principal elevation of a property. It is beneficial for panels to:

- Match roof materials;
- Lie/Be ‘flush’ with the roof and mounted at the same angle, minimising contrast;
- Mounted on an elevation where they are less visible, in the case of retrofitted panels, or incorporated as a garden feature, especially when associated with, for instance, older buildings; and
- Be at a suitable angle to maximize the capture of the sun’s energy.

6.4.3.10 Roof-top panels on buildings have the added benefit of providing generation at the point of use, reducing transmission and distribution losses, and associated infrastructure impacts. Well-designed solar technology should be added as a mandatory part of building regulations for new build houses and all business/industrial development. Local planning authorities should support rooftop PV panels generation through planning conditions to mandate it on new development and refurbishments.

RECOMMENDATIONS

- ❑ In principle, the Malvern Hills National Landscape Partnership would be supportive of domestic and micro- (i.e. less than 0.5ha) schemes provided relevant considerations have been clearly addressed. They will still need to be considered on a case-by-case basis.
- ❑ Small-scale solar energy schemes (i.e. between 0.5ha and 5ha) within the Malvern Hills National Landscape and its setting, have greater potential to adversely affect the Special Qualities of AONB designation and are unlikely to be supported. Such proposals must be carefully considered on a case-by-case basis and will require robust evidence that relevant considerations have been clearly addressed. This includes having regard to visual effects, including the proximity to high ground and key vantage points within the Malvern Hills National Landscape, and consideration of effects upon landscape character. Where such schemes are considered ‘major development’ proposals, applicants should be required to demonstrate that exceptional circumstances apply and the scheme would be in the public interest, having regard to Paragraph 177 of the NPPF (2023).
- ❑ Building-mounted or roof-top panels on new and existing buildings should be at the top of the solar energy ‘hierarchy’ and would be considered more favourably over freestanding solar development proposals.
- ❑ Local planning authorities should support rooftop PV generation through planning conditions on new development and refurbishment/retrofitting.
- ❑ Solar technology should be introduced as a mandatory part of building regulations for new build development in local plan policies.

6.4.4 Large-scale solar energy

6.4.4.1 We consider ‘large-scale’ as over five hectares (5ha) although the Partnership acknowledges that, in the context of landscape sensitivity assessments, for example, a wider range of size thresholds may be used. Main features of large-scale solar PV installations include:

- Panels being dark in colour due to their non-reflective coating, maximising absorption of light. Panels may appear paler depending on light conditions and type of panel. Panel surrounds and electric cable coverings may reflect light.
- Panels are visible from behind or the side, influencing how they are perceived.
- Panels are encased in an aluminium frame, supported by aluminium or steel stands mounted and secured either on pre-moulded concrete block ‘anchors,’ or

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foundations. Some developments contain panels that can be manually rotated and/or tilted to enable the arrays to track the sun. Technology does exist to allow for automatic tracking.

- Panels are held at a fixed angle between 20-40 degrees from the horizontal, facing south to maximise absorption of energy from the sun
- Arrays are sited in rows with intervening gaps between them for access, and to ensure the individual panels are not in the shade of panels. The actual arrangement of the arrays varies scheme to scheme.
- The height of the racks of solar panels varies depending on manufacturer and installer but tend to be between 2-4 metres off the ground.

6.4.4.2 Commercial-scale solar energy schemes usually require an area of at least five hectares to be viable³⁹. Community-led schemes may also require a substantial land area.

6.4.4.3 An important consideration is landscape sensitivity. This is a measure of the resilience of a landscape to withstand specified change arising from development types, without undue effects on the landscape and visual baseline. It has benefit by being evidence based and adding rigour to assessing development proposals.

6.4.4.4 The local planning authorities that overlap the Malvern Hills National Landscape should undertake a landscape sensitivity assessment (LSAs) for wind and solar energy, as part of their evidence base for development plans (i.e. Local Plans).

6.4.4.5 Landscape and Visual Impact Assessments (LVIAs) will help to identify the significance of landscape and visual impacts on a case-by-case basis. Cumulative effects also need to be considered. In terms of landscape value, given the designation as an AONB, the Malvern Hills National Landscape should be attributed the highest category possible in such assessment. Agricultural land that is designated, for example for the protection of wildlife, should be avoided. LVIAs should contain a clear description of the site's agricultural classification and all other relevant designations.

6.4.4.6 The Malvern Hills National Landscape has the Special Quality of 'dramatic scenery and spectacular views arising from the juxtaposition of high and low ground.' The Partnership is unlikely to support, in principle, solar energy schemes within the Malvern Hills National Landscape and its setting over 5 ha, as it is unlikely that sufficient mitigation would be possible to avoid adverse effects to the landscape and visual baseline. Hence, supporting such a scheme would not be consistent with the statutory purpose of AONB designation.

³⁹ Anecdotal evidence provided by consultants involved in commercial-scale solar energy proposals.

6.4.4.7 Schemes that would constitute major development (in the context of paragraph 177 of the NPPF) should only be permitted in exceptional circumstances and where it can be demonstrated that the development would be in the public interest, in line with national planning policy.

6.4.4.8 Further guidance and recommendations on landscape sensitivity assessments and how they might be applied to identify 'suitable areas' for renewable energy in local planning authority development plans is provided in Section 6.6. Further guidance on the issue of major development is provided in Section 4.

6.4.4.9 Many considerations outlined in relation to small-scale solar energy schemes are applicable to large-scale schemes, including EIA thresholds. In addition to the impact of the solar panels themselves, consideration should be given to the impacts of any additional infrastructure that is required for the scheme, including road access, on-site tracks, hard standings, construction compounds, electrical cabling, security fencing, lighting substations, battery storage and / or control buildings, inverters, control rooms, transformers and underground power cables, and CCTV. Consideration should be given to potential conflicts with other land uses, such as food production (particularly on best and most versatile land), nature recovery and woodland creation.

6.4.4.10 Another consideration is the proximity of the railway and road network, PROWs, and residential areas. The provision of any reflective material used on the panels should not interfere with the line of sight of train drivers and road users (for public safety reasons). In addition, potential for glare or reflection of light from the panels that may impact upon signalling should be explored and eliminated. Similarly, the impact of the siting of solar panels, particularly in terms of their reflectivity, should be considered in relation to views from the Malvern Hills and the impacts that may have on such users, as well as views from PROWs and from residential areas.

6.4.4.11 Large-scale solar PV installations occupy substantial areas of ground which may be visible, especially where sites are viewed from adjacent higher ground. Key landscape effects of large-scale solar PV developments are that they may:

- Be highly visible in open landscapes, when looking out from high ground, and on the upper slopes of hillsides, especially where covering significant areas;
- Lead to a perceived increase in human influence on the landscape;
- Result in land use change and the appearance of a field, affecting land cover patterns;
- Introduce a regular edge (to the panels) that can be particularly conspicuous in more irregular landscapes (especially where the panels do not follow contours);

- ‘Overtop’ hedgerows where panel heights rise to 3-4m, potentially reducing the visual prominence of field boundaries, a particular issue where several adjacent small fields are developed;
- Change the character of enclosure with security fencing and screen planting (including hedges allowed to grow out) around solar PV developments;
- Damage landscape features during construction;
- Result in a significant change in the character of wild or natural landscapes which are valued for their high nature conservation value and qualities of remoteness; □ Introduce ancillary buildings that can be uncharacteristic in the landscape; and □ Result in glint and glare from the panels.

6.4.4.12 Vegetation will grow under some large-scale solar development, and this will require management, particularly to avoid the site becoming overgrown with noxious weeds and assist with the eventual restoration of the site, normally to agriculture. There are various techniques for managing the vegetation; these include mowing, strimming, spraying, or mulching. Spraying should be avoided wherever possible and mulching large areas is likely to present technical challenges and may add to the landscape/visual impact of a development proposal. Few of these management techniques are regarded as sustainable, particularly on sites up to 15ha, and there is a desire, both in terms of food production and the rural scene, to continue an agricultural use on the site. Grazing is therefore to be encouraged wherever practicable. Cattle, horses, pigs, and goats are likely to be too ‘physical’ with the solar arrays, but sheep, chickens or geese should be acceptable.

6.4.4.13 The Feed in Tariff for solar PV applies for a period of 25 years therefore developments should normally be regarded as temporary, hence the need for ‘reversibility’, and the ability for all structures to be removed and the land returned to its original use. A restoration strategy should demonstrate how the site will be returned to a state that is in keeping with local character and in good condition. In order to facilitate grazing within the solar farm it is advised that solar panels are positioned at least 700mm above ground level and all cabling etc is suitably protected.

RECOMMENDATIONS

- **In relation to large-scale solar energy, the Malvern Hills National Landscape Partnership would not be supportive of solar energy schemes within the Malvern Hills National Landscape or its setting larger than five hectares in size.**
- **Applicants for large-scale solar energy schemes above 5ha should be required to robustly demonstrate that the scheme can be clearly**

accommodated without adversely affecting or compromising the natural beauty of the Malvern Hills National Landscape and/or its setting. In addition to the impact of the panels themselves, consideration should also be given to

the impacts of any additional infrastructure that is required for the scheme, particularly during construction, operation, maintenance, and decommissioning.

- Poorer grades of agricultural land that are designated, for example for the protection of wildlife, should be avoided.**
- For ‘major development’ proposals, applicants should be required to demonstrate that exceptional circumstances apply, and the scheme would be in the public interest, having regard to paragraph 177 of the NPPF (2023).**

6.5 Wind Energy

6.5.1.1 Wind turbines use the wind’s lift forces to rotate aerodynamic blades that turn a rotor creating a mechanical force that generates electricity. The amount of energy derived from a turbine depends on wind speed and the swept area of the blade.

6.5.1.2 Wind turbines can be deployed singly, small clusters, (2–5 turbines) or larger groups as wind farms.

6.5.1.3 Wind turbines consist of the tower; a hub; blades; a nacelle (which contains the generator and gear boxes); and a transformer that can be housed either inside the nacelle or at the base of the tower.

6.5.1.4 Wind energy developments are unique in that they introduce a source of movement into the landscape. In current designs, the turbine blades turn around a horizontal axis but can turn around a vertical axis. Two-bladed turbines are available.

6.5.2 Small-scale wind energy – size thresholds

6.5.2.1 The following height thresholds provide a useful starting point:

- EIA Regulations specify that proposals should be screened for an EIA if the hub height of any turbine (or height of any other structure that forms part of the scheme) exceeds 15 metres and/or the development area exceeds 0.5 hectares⁴⁰.
- Permitted development rights cover⁴¹:

⁴⁰ The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Schedule 2 (link). Development type 3(i) and / or 3(a). The EIA threshold also relates to wind energy development of any height (including smaller than 15m hub height) where there are more than two turbines.

⁴¹ The Town and Country Planning (General Permitted Development) (England) Order 2015. Part 14

- Wind turbines on (i.e., attached to) detached houses, which do not exceed 15 metres in height (or protrude more than 3m above the highest part of the roof, excluding the chimney); and
- Stand-alone wind turbines within the curtilage of houses or blocks of flats that do not exceed 11.1 metres.

6.5.2.2 Such thresholds do not apply within designated AONBs (i.e., these permitted development rights do not apply in AONBs⁴² and turbines in AONBs that are smaller than 15 metres in height could potentially be screened for an EIA⁴³). Having regard to the 'Special Quality' of 'dramatic scenery and spectacular views arising from the juxtaposition of high and low ground', effectively means that only stand-alone wind turbines within the curtilage of houses or blocks of flats may be acceptable in the Malvern Hills National Landscape and its setting. However, they would need to also, to comply with the relevant regulations and accord with guidance, primarily relating to proposals being sensitively located⁴⁴ and sited⁴⁹.

6.5.2.3 It is noted that the EIA threshold of 15 metres relates to the hub-height of the turbine. The blade tip height can be several metres higher. It is also worth noting that wind turbines with a blade tip height smaller than 25 metres are often classed as 'small' in landscape sensitivity assessments.

6.5.2.4 Based on the above, and for the purposes of this Position Statement, small-scale is viewed as wind turbines that are 25 metres or less, in height, to the blade tip. Wind turbines of this scale are most likely to be used for individual properties or small groups of properties, rather than commercial schemes.

6.5.3 Small-scale wind energy – location

6.5.3.1 With regards to 'location,' consideration should be given to landscape sensitivity. This means having regard to the potential sensitivity of the landscape character type/area where the development is proposed. This is addressed in more detail in relation to AONB designation considerations in (Section 4 of this position statement and in the identification of 'suitable areas' in Section 6.6).

⁴² The regulations relating to permitted development rights (PDR) for renewable energy specify that these PDR do not apply in 'Article 2(3)' land, which includes designated AONBs.

⁴³ The thresholds and criteria specified in Schedule 2 of the Environmental Impact Assessment Regulations do not apply in 'sensitive areas', including designated AONBs.

⁴⁴ 'Located,' in this context, refers to the placement of the proposed wind development with regard to the landscape context. ⁴⁹ 'Sited,' in this context, refers to the development's placement in relation to its immediate context.

6.5.4 Small-scale wind energy – siting and design

6.5.4.1 The size of a wind turbine should relate to the scale of its surroundings. Turbines should not dominate existing buildings or landscape features but be in proportion.

6.5.4.2 The relationship between a turbine and the slope of the landform is a key consideration of wind energy development, particularly regarding the degree of landscape and/or visual impact. Ideally, turbines should be located below the skyline and towards lower slopes. The top of a steeply inclined slope is also not appropriate because the steep incline creates wind turbulence, reducing operational efficiency.

6.5.4.3 Choosing appropriate colours for the turbines (and associated infrastructure) may help reduce visual impact e.g. darker colours may be appropriate when the turbine is likely to be viewed against woodland or against a backdrop that is below the skyline.

6.5.4.4 Consideration should also be given to:

- Impacts on visual receptors: Particularly in relation to impacts on views from publicly accessible locations. Visual receptors on the Malvern Hills, on named / promoted walking, cycling or horse-riding routes and at important viewpoints (for example, those marked on OS maps, or identified in NDPs, are particularly sensitive in this regard. Where there are several potential locations for the wind turbine(s), priority should be given to the least prominent location.
- Ecology: Small-scale turbines are unlikely to impact bird species and habitats. During construction, care should be taken to avoid removal or fragmentation of existing vegetation. Consideration should be given to potential impact on bats.
- Impacts on historic environment and cultural heritage features/designations and their settings: Particularly conservation areas, listed buildings, scheduled monuments and (Un-)registered historic parks and gardens.
- Noise and shadow flicker: Wind turbines generate two types of noise – mechanical noise, created by its gearbox, and aerodynamic noise, produced by its moving blades. Shadow flicker occurs when the sun passes behind a turbine's rotating blades and casts a shadow that appears to rapidly flicker on and off. Proximity to neighbouring properties is particularly important in this regard.
- Cumulative impacts: This includes other wind developments, overhead powerlines, and telecommunications masts and other vertical structures.

RECOMMENDATION

- **In relation to small-scale wind energy, only stand-alone wind turbines within the curtilage of houses or blocks of flats are, in principle, likely to be**

acceptable in the Malvern Hills National Landscape and its setting, provided that relevant considerations have been clearly addressed.

- **Each proposal should be assessed on a case-by-case basis and not give rise to adverse effects upon the natural beauty of the Malvern Hills National Landscape and its setting.**

6.5.5 Large-scale wind energy

6.5.5.1 'Large-scale' means turbines larger than 25 metres in height, to the tip of the turbine (taking account of the definition of 'small scale', provided above). In the context of landscape sensitivity assessments, a wider range of size thresholds is likely.

6.5.5.2 As outlined in relation to small-scale wind energy above, the issue of visual sensitivity is also an important consideration.

6.5.5.3 Landscape and Visual Impact Assessments (LVIAs) will help to identify the significance of landscape and visual effects on a case-by-case basis.

6.5.5.4 The Malvern Hills National Landscape has the Special Quality of 'dramatic scenery and spectacular views arising from the juxtaposition of high and low ground'. As a result, the Partnership is unlikely to support, in principle, large scale wind energy schemes within the Malvern Hills National Landscape, and/or its setting, as it is unlikely that sufficient mitigation would be possible to avoid adverse change to the landscape and visual baseline, and hence supporting such a scheme would not be consistent with the statutory purpose of AONB designation.

6.5.5.5 Wind energy schemes that would constitute major development (in the context of paragraph 177 of the NPPF) can only be permitted in exceptional circumstances and where it can be demonstrated that the development would be in the public interest, in line with national planning policy.

6.5.5.6 Further guidance on landscape sensitivity assessments and how they might be applied to identify 'suitable areas' for renewable energy in local planning authority development plans is provided in Section 6.6. Further guidance on the issue of major development is provided in Section 4 of this position statement.

6.5.5.7 Many of the considerations outlined in relation to small-scale wind energy schemes are also applicable to large-scale schemes, including EIA thresholds. In addition to the impact of the wind turbines themselves, consideration should be given to the impacts of any additional infrastructure that is required for the scheme, such as road access, on-site tracks, turbine foundations, hard standings, anemometer masts,

construction compounds, electrical cabling, battery storage, sub-stations, and control buildings. Other relevant considerations are addressed in Section 4.

6.5.5.8 Consideration should be given for the effect of wind development upon landscape designations, geological and nature conservation designations, and historic assets near the development, and the wider landscape context.

RECOMMENDATION

- ❑ **In relation to large-scale wind energy, the Malvern Hills National Landscape Partnership would not be supportive of large-scale wind energy schemes within the Malvern Hills National Landscape and/or its setting.**
- ❑ **Applicants for large-scale wind energy schemes should be required to robustly demonstrate that the scheme could be accommodated without adversely affecting the landscape and/or scenic beauty of the AONB designation and/or its setting.**
- ❑ **For major development proposals, applicants should be required to demonstrate that exceptional circumstances apply and that the scheme would be in the public interest, as per Paragraph 177 of the NPPF (2023).**

6.6 Wind & Solar Energy – Identification of ‘Suitable Areas’

6.6.1 Paragraph 155 of the NPPF states that to help increase the use and supply of renewable and low carbon energy and heat, plans should ‘*consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development*’. In practice, identification of ‘suitable areas’ for renewable energy development in development plans primarily focuses on both wind and solar energy.

6.6.2 There is a strong onus on identifying ‘suitable areas’ for wind energy in LPA development plans, with the NPPF stating that ‘*a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as being suitable for wind energy development in the development plan...*’⁴⁵. If LPAs do not identify suitable areas for wind energy in their development plans, then they are effectively ruling out wind energy development in their LPA areas.

6.6.3 The Malvern Hills National Landscape Partnership recommends that the identification of ‘suitable areas’ should be based on a combination of:

⁴⁵ Ministry of Housing Communities and Local Government (2021) National Planning Policy Framework. Footnote 54.

- Landscape sensitivity assessments;
- Constraints mapping; and
- Technical consideration including wind speed and grid connectivity.

6.6.4 As stated in the PPG for Renewable and Low Carbon Energy, ‘there are no hard and fast rules about how suitable areas for renewable energy should be identified, but in considering locations, local planning authorities will need to ensure they take into account ‘... *critically, the potential impacts on the local environment, including from cumulative impacts.*’ The PPG goes on to state, in relation to the identification of suitable areas, that:

‘In considering impacts, assessments can use tools to identify where impacts are likely to be acceptable. For example, landscape character areas could form the basis for considering which technologies at which scale may be appropriate in different types of location.’

6.6.5 It is important to note that the PPG says ‘could’ rather than ‘should,’ in this regard. However, in the context of nationally designated protected landscapes, such as designated AONBs, and their settings, we consider that it is essential that the identification of suitable areas should be underpinned by a landscape sensitivity assessment. Guidance on this topic has been published by Natural England.

6.6.6 When ‘suitable areas’ are being identified, regard should be given to the purpose of conserving and enhancing the natural beauty of the Malvern Hills National Landscape Partnership. Identification of ‘suitable areas’ should be underpinned by a landscape sensitivity assessment and by consideration of the constraints that relate to the natural beauty of AONB designation, including nature conservation and historic environment designations (in addition to infrastructure constraints and other technical considerations).

6.6.6.1 Wind and solar energy schemes should be steered towards areas of lower landscape sensitivity and away from key constraints. The Government’s PPG on Renewable and Low Carbon Energy states, in the context of identifying ‘*suitable areas*,’ that ‘*there is a methodology⁴⁶ available from the Department of Energy and Climate Change’s website on assessing the capacity for renewable energy development⁴⁷.*

6.6.6.2 The methodology sets out a five-step process for addressing AONB designation:

- Step 1: Identify the purposes of the landscape area (reasons for designation)

⁴⁶ LUC and SQW Energy (2010) Renewable and Low-carbon Energy Capacity Methodology. Methodology for the English Regions. Commissioned by the Department of Energy and Climate Change (DECC) and the Department of Communities and Local Government (CLG).

⁴⁷ <https://www.gov.uk/guidance/renewable-and-low-carbon-energy>. Paragraph 005.

- Step 2: Identify which technologies might affect these purposes/ integrity of the designation
- Step 3: Identify how each technology might affect the purposes/ integrity
- Step 4: Identify the type and level of renewable and low carbon infrastructure that could be accommodated without compromising the purposes/ integrity of the designations
- Step 5: Provide guidance on how to integrate renewable/ low carbon energy without compromising the purposes/integrity

6.6.6.3 The methodology identifies whether ‘constraints,’ such as infrastructure and nature conservation and heritage conservation designations, should be excluded from further consideration (i.e., not considered suitable for renewable energy development) and whether there should be a ‘buffer zone’ around these features. The consideration of relevant constraints and buffer zones is reflected in the evidence base of many, current development plan consultations.

6.6.7 Areas that are identified as having ‘high’ landscape sensitivity to the type and scale of renewable energy being proposed should be excluded from the suitable area mapping.

6.6.7.1 It is recognised that in having regard to the ‘Special Quality’ of ‘dramatic scenery and spectacular views arising from the juxtaposition of high and low ground’ means that landscape and visual sensitivity is high across much of the Malvern Hills National Landscape and its setting. Where landscape sensitivity is classed as ‘High,’ key characteristics and qualities of the landscape are highly vulnerable to change from the proposed scale of wind and solar energy development. Such development is highly likely to result in a significant (adverse) change in landscape character. In designated AONBs, such development is likely to have a significant adverse effect on the statutory purpose of AONB designation, which is to conserve and enhance natural beauty. The same is true for such development in the setting of designated AONBs in cases where the impact on views from and/or to the AONB designation is an important consideration in landscape sensitivity ranking⁴⁸.

6.6.7.2 In order for a landscape sensitivity assessment to have a meaningful role in the identification of suitable areas for wind and solar energy we recommend that areas within designated AONBs that have ‘High’ sensitivity to particular scales of wind or solar energy

⁴⁸ Case law (see also footnote 21) has clarified that the requirements of what is now paragraph 176 of the National Planning Policy Framework (NPPF) should apply to the impact of development outside a designated AONB on views from the designated AONB. In other words, great weight should be given to the impact of such development on these views. Further guidance on this can be found in the Malvern Hills National Landscape Position Statement on Development and Land Use Change in the Setting of the Malvern Hills National Landscape. Although the same principle, clarified in the case law example, does not apply to the impact of such development on views towards a designated AONB, these views may still contribute to the ‘special qualities’ of the designated AONB. This is especially the case for the Malvern Hills, the views towards which are considered one of the ‘special qualities’ of the Malvern Hills National Landscape.

development should not be included within ‘suitable area’ maps in local authority development plans. The same principle should also apply to ‘High’ sensitivity areas in the setting of a designated AONB, where the impact on views from and / or to the designated AONB is an important consideration in the landscape sensitivity ranking.

6.6.8 Consideration will also need to be given to types and scales of renewable energy that are identified as resulting in ‘moderate-high’ landscape sensitivity.

6.6.8.1 Development is likely to be ‘major development’ in the context of paragraph 177 of the NPPF, for which there is, in effect, presumption against granting planning permission, other than in exceptional circumstances.

6.6.8.2 Key characteristics and qualities of the landscape are also vulnerable to change from wind and solar energy development when the landscape sensitivity is classed as ‘Moderate-High.’ However, there may be some limited opportunity to accommodate wind turbines/ solar panels in such areas without significantly changing landscape character. Ideally, the landscape sensitivity assessment would specify the circumstances, or locations, where this might be the case. Given the fact that there may be opportunity (albeit limited) to accommodate such development without significantly changing landscape character, it might not be appropriate to automatically exclude such areas from ‘suitable area’ maps in local authority development plans.

6.6.8.3 However, where the scale of wind or solar energy development within a designated AONB (or its setting) is such that the landscape sensitivity would be ‘Moderate-High,’ such development is still likely to have a significant adverse impact on the natural beauty of the AONB designation. Such development is likely to constitute ‘major development,’ in the context of paragraph 177 and footnote 60 of the NPPF⁴⁹. 6.6.9 Renewable energy proposals within a ‘suitable area’ will need to be assessed on a case-by-case basis against relevant policy considerations, factoring in relevant AONB designation considerations.

6.6.10 Renewable energy LSAs that are commissioned by local authorities are normally based on a local authority’s own Landscape Character Assessment. However, in fulfilling the statutory duty to have regard to the purpose of AONB designation, they should have regard to relevant documents published by the Partnership, including:

- Landscape Character Assessments;
- AONB Management Plans, with regards to policies and ‘special qualities’;

⁴⁹ Footnote 60 of the NPPF specifies that ‘for the purposes of paragraphs 176 and 177 [of the NPPF], whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purpose for which the area has been designated or defined’.

- Position Statements; and
- Other guidance relating to landscape character and landscape sensitivity e.g. Natural England's National Character Area profiles.

6.6.11 In the case of wind energy, they will also need to demonstrate that they have local community support. Where multiple renewable energy developments would be intervisible, cumulative impacts are also be a key consideration.

RECOMMENDATION

- **The Malvern Hills National Landscape Partnership supports the identification of suitable areas for wind and solar energy in local planning authority development plans.**
- **Identification of 'suitable areas' should be underpinned by a landscape sensitivity assessment and by consideration of relevant constraints and technical considerations.**
- **Suitable area maps should exclude areas of high landscape sensitivity (and least within the designated AONB and its setting) and where there are key constraints.**
- **Renewable energy schemes should be targeted towards areas of relatively low landscape sensitivity (preferably low landscape sensitivity) within the LPA area. Renewable energy landscape sensitivity assessments, commissioned by local authorities, should have regard to relevant guidance published by the Malvern Hills National Landscape Partnership.**
- **In relation to large-scale solar energy and wind energy, within the highly sensitive context of the designated AONB and its setting, a Landscape and Visual Impact Assessment (LVIA) should be carried out from pre-application stage and be submitted alongside a planning application. It should be produced to a high standard, follow best practice guidance (Guidelines for Landscape and Visual Impact Assessment 3rd Edition, 2013), and demonstrate the proposal does not compromise the AONB designation and its primary purposes. The appraisal should identify the Zone of Visual Influence (ZVI) and assess the developments impact upon key viewpoints from within the designated AONB and its setting.**

6.7 Energy Storage

6.7.1 Renewable energy is intermittent in nature. It is important to provide energy storage systems that can be charged during periods of excess renewable energy generation and discharged at times of increased demand. Energy storage can be used to store electricity

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bought from the grid at cheaper times of the day, with dynamic energy tariffs that vary in price throughout the day.

6.7.2 Energy storage systems include

- Pumped hydro involves pumping water uphill at times of low demand, storing it in a reservoir and, in high demand periods, releasing it through turbines to create electricity.
- Thermal energy storage involves storing excess energy to be used later for heating, cooling, or power generation; thermal energy can be stored in liquids, such as water, or solids, such as sand or rocks. Chemical reactions or changes in materials can also be used to store and release thermal energy.
- Mechanical energy storage involves harnessing motion or gravity to store electricity. For example, a flywheel is a rotating mechanical device that is used to store rotational energy that can be called up instantaneously.
- Batteries involve converting stored chemical energy into electrical energy. Advances in technology and falling prices mean grid-scale battery facilities that can store increasingly large amounts of energy are becoming common.

6.7.3 For small-scale forms of renewable energy that are advocated in this position statement, the most common form of energy storage is likely to be battery storage. In this context, battery storage solutions can be particularly attractive although battery size will depend on energy usage and the size of the technologies installed. Some, but not all, battery storage systems can be installed outdoors.

6.7.4 Where planning permission is required, relevant considerations include:

- Location and design of the structure that the batteries are to be stored in (including the potential use of existing buildings, such as barns);
- Fencing, substation, and other structures/infrastructure associated with the storage system;
- Access and maintenance arrangements;
- Noise impacts; and
- Sustainability and environmental impact of materials used (e.g. lithium).

RECOMMENDATION

In relation to energy storage, in principle, the Malvern Hills National Landscape Partnership would be supportive of energy storage schemes that provide effective storage of renewable energy that is generated in the Malvern Hills

National Landscape and its setting, providing relevant considerations have been adequately addressed.

7.0 COMMUNITY-LED RENEWABLE ENERGY SCHEMES

7.1 Account should be taken of the economic and social needs of local communities. An important component of this is how energy and heating requirements of these communities are met.

7.2 National planning policy states that 'local planning authorities should support community-led initiatives for renewable and low carbon energy'⁵⁰. In the case of wind energy, national planning policy also states that a proposed wind energy development involving one or more turbines should not be considered acceptable unless, inter alia, the proposal has the backing of the local community⁵¹.

7.3 As such, the extent to which a proposed renewable energy scheme: (i) explicitly helps to meet the energy needs of the individual local community; and/or (ii) is community-led, is an important consideration. Care should be taken that community-led schemes are genuine and not developer-driven. More appropriate schemes are those that may be part of Neighbourhood Plans (NDPs) or initiatives such as the Community Visioning projects being piloted by CPRE⁵².

7.4 Proposals for community-led renewable energy should be supported by evidence of the current carbon footprint/energy use of the community, and the impact that the renewable energy proposal will have on reducing this.

7.5 Renewable energy schemes can support rural diversification and educational opportunities, and community-owned renewable energy projects can provide incentives and ownership, as well as promoting self-sufficiency.

RECOMMENDATION

- In relation to community-led renewable energy schemes, in principle, the Malvern Hills National Landscape Partnership would support community-led schemes more favourably, provided that considerations have been clearly addressed, than those which are not community-led.**

⁵⁰ Ministry of Housing Communities and Local Government (2023) National Planning Policy Framework - Paragraph 156.

⁵¹ Ministry of Housing Communities and Local Government (2023) National Planning Policy Framework - Footnote 54. The revisions to the NPPF in 2023 changed the requirement for community 'backing' to community 'support'. 'Support' is, arguably, a (slightly) lower threshold than 'backing.' However, community backing, or support is likely to remain a requirement for wind energy proposals to be approved.

⁵² <https://www.cpre.org.uk/what-we-care-about/climate-change-and-energy/renewable-energy/community-energy-visioningshowcasing-renewables-done-well/>

- **Renewable energy schemes should demonstrate benefits to the local community.**

V1 – DRAFT produced for Malvern Hills AONB Joint Advisory Committee (JAC) meeting of 10 November 2023 to endorse as a consultation draft – October 2023 (JB/SH/PE)

V2 – DRAFT produced for consultation incorporating 'National Landscape' re-brand following endorsement of draft for consultation by Malvern Hills AONB JAC meeting of 10 November 2023 – December 2023 (JB/PE)