

Our ref:

Your ref:

Date: 18 February 2022



Councillor Mike Stubbs

By e-mail only: mike.stubbs@newcastle-staffs.gov.uk

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Dear Cllr Stubbs

Thank you for raising the concerns directly with me regarding the recent consultation undertaken at the Issues and Strategic Options stage of the local plan process. The specific complaints that you have articulated on behalf of the Labour Group are:

- The consultation was overly reliant on the online portal, and targeted at “Highly competent, computer literate regular laptop users who could cross reference up to 200 public documents to answer 37 planning specific questions”
- At the physical consultation events, response forms were not available, and that this was inconsistent with the Council’s Statement of Community Involvement”, and at events where provision was made for hard copy responses, staff support was not consistently provided.
- The local plan gives little regard to the preservation of the green belt.

In addition to these complaints, you have asked three specific questions relating to:

- Assessment of the communications and delivery strategy;
- Monitored feedback day on day and based on the numbers, and the interventions made because of the feedback;
- Taking account of different learning styles and neuro diversity of residents for example differing literacy abilities, visual impairments, dyslexia, and those with a registered disability, in addition to those whose primary language is not English;

These issues are addressed in the body of my response.

To ensure the points raised in your complaint are fully addressed, I have explored and challenged the design and execution of the consultation process in some detail with colleagues involved, and used your criticisms of the process as a lens through which to challenge assumptions and practice. In addition, I have tested our approach against that in other authorities.

Before setting out my detailed response I must make clear that the plan is at an early stage in its development and there are further rounds of public consultation to be undertaken. These further rounds will provide a focus on more detailed proposals that need to come forward in the draft and final versions of the local plan. This will give the community further opportunities to engage on the detail of the plan and the Council the opportunity to ensure that any consultation processes used,

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remain robust and accessible and in line with appropriate policy and practice.

Content of the plan

The “development plan”, of which the local plan has a lead role for the Borough, is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. Local Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places.

The broad content of plans is set at the national level and whilst the public may not be interested in every topic, it is important that the plan covers all aspects of development and that the Council encourages consideration of every aspect by asking questions as it did through this recent consultation on the Issues and Strategic Options. With a Local Plan, where there are a wide range of issues to consider, some elements of the plan may be of greater interest to key stakeholders, including the local community, than others. None of the 37 questions posed by the consultation were mandatory, meaning people only had to respond to the part or parts they were interested in.

There is a difficult balance to be struck between making the Local Plan simple enough for a wide range of individuals and stakeholders to understand whilst providing sufficient detail to allow an understanding of the justification for the issues and options being presented. The evidence which underpins the plan is set out in a series of documents and is provided as background for the interested reader – it is not information which is the subject of the consultation. The approach we have taken is compatible with the approach taken by other Councils at this “issues and options” stage.

Consultation Process

The consultation was carried out in accordance with the Statement of Community Involvement (SCI) which sets out how the Council will engage with the public on planning matters: <https://www.newcastle-staffs.gov.uk/planning-policy/statement-community-involvement-sci>.

The SCI describes how the public, businesses, parish and town councils and interest groups within a local authority area can get involved in the creation of local planning policy and the decision making process aimed at shaping where we live, work and trade. The SCI for the Borough was updated and published in September 2021.

The officers involved in developing the consultation have brought with them experience of consultation undertaken in other authorities, and also from when the Joint Local Plan with Stoke on Trent was being prepared.

Local Plans are required to be supported by evidence. It is not anticipated that members of the public will ordinarily want to read technical reports but the evidence is made available for public scrutiny and transparency and the key points linking proposals to the evidence base

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will be highlighted in the supporting text for the various topic areas in the Local Plan as it progresses. The independent Inspector will test the Plan and consider the evidence supporting proposed policies in detail, once the plan is submitted for public examination.

Consultation Advertising and Publicity

I have reviewed your comments regarding the advertisement and actual consultation that has been carried out by the Council. This was both extensive and appropriate and compliant with the Council's Statement of Community Involvement. In total we facilitated 13 public consultation events (including 3 virtual events) which were advertised as follows:

- Press Notices
- Press coverage in the Sentinel;
- Parish Councils were sent posters to put up around their parishes (electronic or physical copies on request);
- Officers took leaflets and posters to a variety of venues around the town centre including local supermarkets; and
- Targeted mailing of the statutory consultees, Parish and Town Councils, organisations, developers and the public from relevant contact information available on the Local Plan database over the course of the consultation;
- Through content on the front page of the Council's website;
- Through the Council's social media;
- Copies of the plan and posters were put up in all libraries across the borough and at Castle House

There were therefore many appropriate channels of communication considered and provided to advertise and publicise the consultation both before and during the event, in accordance with the Council's Statement of Community Involvement.

Duration of Consultation

The duration of the consultation is outlined in the Statement of Community Involvement and is in accordance with legislation being a minimum of 6 weeks. The length of the consultation is common to most authorities because it allows for the progression of the plan to Examination in the most efficient and reasonable timeframe. As you will be aware, the Government is seeking all authorities to have up to date local plans in place by the end of 2023.

In this instance, the consultation was extended due to a drafting error in one particular section of the consultation document. Therefore the corrected version of the plan was subject to a further consultation period. This was actually set to a further 8 weeks, rather than the minimum 6 weeks, to add extra time over the Christmas period to account for office closure during that time. This meant that the consultation actually took place over 14 weeks in total, over double the length set in the Statement of Community Involvement. Whilst this was not originally planned, it did provide additional time for people to get accustomed to the online portal or view the document in libraries and the Council's office, and to submit any comments they wished to by 24th January.

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There are also two further proposed rounds of consultation included within the project plan for the document, so by the end of the process the public will have had 3 distinct formal opportunities to engage with the plan and provide comments to the Council to express their views and ideas.

Accessibility

The document was available online and in person in accordance with legislation and the SCI. The document was physically available at venues where events were held, in libraries across the Borough and at the Councils offices. PDF copies could be downloaded from the website to read or to print out. This is a proportionate approach to making the document available and is an established and acceptable way in which Local Plans have been shared and no suggestions have been made on other approaches to make the document available.

From the outset of the consultation it was made clear that the Council would accept responses either through the online portal or by letter to the Council's address. Unfortunately some external social media content misrepresented this aspect of the consultation. Officers have taken the opportunity to correct assumptions about the validity of written representations. These corrections have been provided by officers in person at the events, in newsletters and on the Council's website. For the next stage of plan production and consultation we will also produce a Frequently Asked Questions (FAQ) page. This will direct people who may be confused about how they can make their representations, as well as providing additional clarity on all reference material.

Anyone whose first language is not English can make contact with the Council, where they would be directed to translation services. Any other accessibility request, such as braille services, could also be addressed in the same manner. It is considered proportionate to only produce different versions of the plan if specific requests are made, but importantly the main PDF document is an accessible version.

Consultation Events

As you are aware, the Council held 10 public consultation events at 9 venues around the Borough, plus 3 borough-wide virtual events where people could either use Zoom or have a phone call with an officer. Two events were held at Castle House which would serve the unparished areas, as well as at the Guildhall and at Chesterton. The geographical spread of events was selected to target populations likely to be concerned at proposed growth options whereas, in contrast, there is little undeveloped land available in the unparished area of the Borough. It is considered that the number and spread of events at this Issues and Strategic Options stage was not only proportionate but also would compare favourably to approaches taken by other local authorities, where some Councils have chosen either not to have physical events, due to the difficulties with making events 'Covid-safe' or hold them only in their central offices to reduce the administrative burden.

Regarding hard copy feedback at the events, the Statement of Community Involvement does

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refer to response forms being provided alongside hard copy reference documents during public consultation periods. The view was taken that the availability of a Consultation Summary Guide and accepting freeform written responses was a more inclusive approach to take. The guide provides both a summary of the content of the plan and information on submitting comments and contact details for the team if there were any queries.

The team did accept written representations from the public at events and we have also received a large number of postal representations and submissions to the reception at Castle House which are still in the process of being scanned and uploaded to the online portal. There is therefore no evidence to suggest that the lack of stand-alone feedback forms at the physical events has been a barrier to securing the views of those who attended such events.

Consultation Portal

I am sorry to hear some residents have had issues uploading their representations to the online consultation portal. The Council procured a market-leading consultation solution for Local Plans, known as Objective, and we understand that it is a new system that people may not yet be familiar with.

The benefits of the Objective system are that it provides a more secure way to store the comments made, as well as people's data, and it is also more effective with regard to reporting mechanisms which should provide a more efficient process when responding to comments that have been submitted. The public and other stakeholders can also choose which questions they want to respond to. This ensures that views are received and can be focussed on the sections of the plan that matter to them.

For these reasons, the Council are encouraging the use of the online portal to make comments. However physical copies of the document were available to read at all public libraries in the Borough and people were able to write into the Council's address at Castle House. We created a video and PDF to show people how to use the portal. The planning team have also been helping to show people at the consultation events across the Borough. Any queries that the team received about using the portal have also been responded to very quickly, via phone or email.

Objective representatives have also been engaged on any technical issue that the planning team are unsure how to resolve. It has been identified that user errors have led to some of the most common problems. For example, where an email address has been given to register on the portal but the user has failed to click on the link in their own email inbox to firstly verify the account.

The consultation process has resulted in the submission of thousands of public comments and in comparison we have received limited contact from the public regarding issues with the portal and the ability to submit comments in response to the consultation.

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Monitoring Consultation in Real Time

Throughout the consultation period, officers have monitored the process and reflected on any issues arising in real time. For example, whilst the consultation events were carefully planned, discussion took place following each event to identify any unexpected issues being raised, resourcing requirements, and format adjustments. This is standard practice when running any series of events, and allowed the quality of consultee experience to be maintained and improved over the 14 week period.

The team have been monitoring the planning policy inbox on a daily basis and handling phone calls at source. Any issues arising have therefore been resolved as quickly as possible and the team are able to resolve most issues without contacting the provider. In the event that a problem has been identified that cannot be resolved, the team request the user to provide a screenshot of the issue and send to the dedicated support team at Objective for resolution. e.g. where a concern was raised that the portal was not viewable on a certain brand of phone. Engineers at Objective checked the CSS (Cascading Style Sheets); the coding that formats the elements on the webpage to fit smoothly to ensure it could be viewed on all brands of mobiles and tablets and we tested it to make sure it worked before responding to the resident.

Councils across the country use such portals for consultations on Local Plans to successfully and accurately record a high number of detailed representations and personal data and to use the features which benefit the reporting of the main issues. Without such software there is a much higher risk that the consultation would not be carried out effectively or efficiently in line with the Council's Statement of Community involvement.

Green Belt

I have considered very carefully your concern that the consultation appears to give little regard to the preservation of green belt, and does not make a robust case for exceptional circumstances, failing to seek consideration for brown field sites and alternative under-utilised sites.

I have to say that I consider this to be an unjustified position given the current issues and strategic options stage the Borough is at in the local plan process and the associated content of the plan at this time. The document presents the "big issues" for the Borough in terms of housing need and the challenges of accommodating this, and is transparent about the process that will be undertaken to exhaust all potential sources of sites in the urban area, within development boundaries and on brownfield sites. It also sets out how the Council will explore all reasonable alternatives to releasing Green Belt land for meeting its development needs, including increasing site densities and discussions with neighbouring authorities to accommodate need as set out in the proposed Spatial Strategy text and diagram on pages 33-36.

Conclusion

In summary, I consider that the consultation was conducted effectively and in compliance with

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the Council's Statement of Community Involvement and the accessibility regulations. Officers have invested significant time and effort into both advertising and publicising the consultation on the Issues and Strategic Options and assisting the public to engage with it, either in person at events and through daily monitoring of emails, the online portal and answering phone calls.

Third party social media posts have at times articulated an inaccurate view of the consultation process which has not helped either the public's perception of the consultation, nor officer's role in delivering it. Although this cannot be prevented, the team have done their utmost to provide and cascade factual information and challenge false statements made to them.

Having thoroughly reviewed your concerns and complaints, I do not consider there to be any reasonable grounds for undertaking a repeat of the Issues and Strategic Options consultation. The focus for the team now is to ensure the thousands of comments generated and submitted in response to the consultation process are recorded, read, processed and responded to, so that the plan can develop and evolve to the next stage, taking submitted stakeholder comments into account to inform that more detailed development. I consider that to repeat the process at this stage could be viewed badly by the many stakeholders who have engaged with the process and submitted comments. Delaying the plan process could mean it would take longer to have an up to date Borough Local Plan in place to guide future development needs to the most appropriate and sustainable, planned locations. One of the consequences of this could be the reduced ability to resist unplanned development, frustrating the ambition for sustainable development in the Borough.

As I mentioned earlier, there are further stages of the development of the plan and further opportunities for community engagement with it. As with any evolving process, we will learn from the previous stages and build upon the successes and challenges that have been part of the process to date. I have no desire to take forward a plan that is not robust and I do not believe that this is the case at this current stage of development. I note the concern that you raise from the planning press earlier last year regarding some of the challenges that other plans have faced around the country. The team are aware of that situation and will take any learning from those examples on-board, as other authorities have, as the local plan progresses to ensure that it remains robust.

I thank you again for raising the concerns of the Labour group. I hope I have provided you with the reassurance that the plan will come forward taking account of the concerns you have raised.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Martin Hamilton', written in a cursive style.

Martin Hamilton
Chief Executive

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