

Wyre Council Local Plan Examination

Matter 1 Representation by E. Deegan Local Plan ID 0987

Issue 1 Questions 1.1, 1.2, 1.3 and 1.5.

Part 1 Relevance of the Wyre Statement of Community Involvement 2010

In this submission, we shall be referring to Wyre Council Statement of consultation dated January 2018 (ED006) and the Wyre Statement of Consultation (SD007) – the Statement of Community Involvement (SCI) January 2010

Introduction

The Submission Draft Wyre Local Plan Statement of Consultation January 2018 seeks to rely on the SCI some eight years earlier. We consider that such reliance on an outdated document has been and remains a failure to keep up to date with changes in national planning policy, practice and legislation which has been to detriment of the residents of Inskip as we shall demonstrate.

History – an out of date document

The current version of the SCI states that it was adopted in January 2010. It is stated at section 7.1 as follows:

7 Review of the Statement of Community Involvement

7.1 It is our intention to review the Statement of Community Involvement when necessary having regard to any particular problems or successes that we experience in consulting on the Local Development Framework. This will mean that certain consultation techniques that have been tried and have not been successful will be dropped and other tools and processes used in their place.

7.2 Attention will be paid to any emerging best practice guidance and/or changes in legislation that have been put in place since the initial publication of the Statement of Community Involvement.

Potential Triggers for Review

7.3 Potential triggers for reviewing the Statement of Community Involvement will include:

New Government Guidance;

Particular experience of implementing adopted Statement of Community Involvement;

Comments received from the public and other organisations; and

Desire to adopt new best practice.

A search of the Wyre Council website confirms that the 2010 document remains in place and therefore the basis upon which the Council undertakes its consultation on Planning matters. The requirement for the Council to produce an SCI is contained in section 18 (Part 2) of the Planning and Compulsory Purchase Act 2004. We would question its relevance in preparing this Local Plan for many reasons:

1 Government guidance on Planning matters has changed radically since January 2010 through three Governments and a very different set of principles against which both Local Plan making and planning decisions are considered

2 The Local Development Framework as referred to in the 210 SCI ceased to be the statutory basis for plan-making later that year ie 2010. Local Plans were subsequently introduced as their replacements with both a Part 1 (strategy) and part 2 (site allocations) as component parts either jointly or separately.

3 The reference to paying regard to emerging best practice in respect of SCI has clearly been ignored because that 2010 SCI has not been superseded or updated in spite of the complete change of Government Planning policy/practice in the 8 year period.

4 There have been several changes to the Planning Legislation since 2010. The changes mean that the minimum legal requirements for consultation on Local Plan documents and in the determination of planning applications have been updated in order to encourage more efficient production of plans and processing applications.

5 The 2010 SCI no longer reflects the current stages of plan preparation or requirements for consulting on planning applications set out since that time. There is for example no reference to the Wyre Local Plan in the 2010 SCI.

6 The SCI no longer has the same status under national planning regulations. Each Local Planning Authority is able to adopt its own SCI without it being submitted to the Secretary of State for independent examination as it originally did. The failure by the Borough Council to keep it up to date is a failure of due process.

7 There have been a number of changes in current practices in community engagement, including greater use of electronic communications and social media which need to be reflected in an up-to-date SCI

8 The Localism Act in 2011 introduced a number of significant changes, including seeking to speed up both the plan-making process and the time taken to determine planning applications.

9 The plan-making process was simplified by reducing the number of consultation stages, whilst also introducing measures to shift new rights and planning powers to local authorities and local communities. These changes also included a new 'duty to co-operate' on cross boundary issues and the ability for local communities to prepare their own plans for their local neighbourhood areas. None of these matters are reflected in the 2010 SCI.

10 Many other local planning authorities have reviewed and re-written their SCIs in recent years to reflect these major and fundamental changes in Planning.

Current position

The Statement of Consultation January 2018 at section 3 pages 6 – 8 (Local Plan document SD007a) seeks to justify the continued application of the 2010 document in stating “the core aims enshrined in the SCI remain valid”. Such a blatant attempt at retrofitting an out of date document to a failed process of engagement and consultation frankly brings the whole Wyre Local Plan into disrepute. We accept the need for an up to date Local Plan to guide development, but not the way this one has been progressed. The statement as to current validity is not accepted by Inskip residents as we have shown above. Inskip residents feel they have been denied an opportunity to contribute actively and constructively to the Local Plan making process by veils of secrecy and lack of openness inherent in the Council’s preparation of the Local Plan.

The core aims of the 2010 SCI are stated to be as follows:

- Access to information.
- The opportunity to contribute ideas.
- The opportunity to take an active part in developing proposals and options.
- The opportunity to be consulted and make representations on formal proposals.
- The opportunity to be informed about progress and outcomes.

Sadly, Inskip residents would not recognise these aims in the process followed by the Borough Council in recent years.

Indeed, the Council accepts on page 8 of the Statement of Consultation that the “...stages of preparation have changed as a result of changes in legislation and guidance, and the move to a single local plan”. The Council has a duty to bring to the attention of those parties most affected by the Local Plan that development is being proposed, not ignoring those most affected as will be shown.

More than that however, there are many benefits of involving the community in Local Plan making. Local communities are those that are most affected by development in their areas and are also those who know the most about their neighbourhood. There are also many benefits to involving local communities in support the preparation of plans for the locality and the borough. These include:

- benefiting from the detailed local knowledge, expertise and perspective of local people, organisations and community groups;
- greater support for policies, strategies and decisions;
- community commitment to the future development of their area; and
- improving the quality of life, and of the built and natural environment within Inskip, Wyre Borough and the whole of the Fylde.

A new approach is needed

Our conclusion is that a new approach to involving the community on planning matters is needed. The Council should want to ensure that local communities (such as Inskip) are better informed about planning and more involved in delivering the planning service rather than being sidelined as has occurred to date.

In order to do make improvements, the Council may wish to follow these additional principles:

- promote the use of electronic methods of consultation including email and the Council's website to make involvement easier, quicker and more cost effective;
- be open and transparent about the legal and other constraints imposed by regulations and already agreed policy;
- be realistic about the opportunities for change in any consultation;
- give feedback to comments made in consultation;
- be clear and helpful in guiding people through the planning process;
- be transparent in the way planning decisions are carried out;
- be inclusive in consultation so that a good range of views of those who live and work in the Borough are obtained;
- use consultation methods that are appropriate to the stage of the planning process, the issues being considered and the community involved; and
- seek views at the earliest possible stages and throughout the plan making process.

Para 155 of the NPPF sets out the basic requirements. Consultation also needs to be regularly reviewed to be responsive to changes in technology. There is a continuing need to review, and, wherever possible, seek to improve how the Council consults and involves the community, subject to the availability of resources and other relevant considerations.

We understand that local authorities continue to receive less funding from central government and that it may become necessary to take tough choices about funding local services. Opportunities to find cheaper and more effective ways to engage with those who live, work and play in the borough must therefore be considered. We also hope that whilst the Council may be encouraged to engage fully beyond the statutory minimum this must be cost effective as possible.

We would request an immediate review of the current 2010 SCI which also needs to take into account the experience of people and organisations who have been and have not been consulted and engaged with, the experience of the Council itself in having an out of date SCI; changes to legislation and national policy as set out above and the need to involve the community in effective and efficient ways which have not been evident in the Local Plan process to date.

Part 2 Failure to engage with the Inskip community

In this section we address the failure to engage with the Inskip community during a critical period of plan making that between 2015 and Autumn 2017 when local residents became fully aware for the first time of the impact of the Local Plan proposals on their village.

We first turn to the content of the 2015 Issues and Options consultation because that is itself further cause for concern and may help to explain the very limited engagement with the Inskip community. So far as can be seen there are three references to Inskip in the whole document which we shall now discuss

Reference 1 Para 2.35 refers to average distances travelled for work purposes by residents of different communities. It is noted that the average distance for Inskip residents is 19.3 km thereby making it one of the longest distances for commuting to work in the Local Plan area. While no specific conclusions are drawn in the text, anyone with knowledge or understanding of national planning policy would have drawn the conclusion that such travel to work distances were more unsustainable than other areas due to the rural location of Inskip and the lack of local jobs. No such point was made. Nor does it seem that such travel to work issues have played any part in later decision making as to the selection of sites, but that whole process has been frankly opaque.

Reference 2 There is reference to Inskip in Option 3 Dispersal as one of the typologies of the spatial distribution of development. The section notes only two points: that Inskip is relatively unconstrained by flood risk and also that some services would be able to accommodate a greater level of development. These points are not explained, developed or justified in terms which local communities could understand. Firstly, with regard to flood risk, there are risks for Inskip which the community later responded to during the 2017 Local Plan consultation. With regard to availability of services, the reference is even vaguer in not specifying which services may have had some spare capacity and which other settlements are being compared and contrasted with Inskip, for example in terms of both location and settlement hierarchy.

Reference 3 Map 10.73 is the list of Potential Development Sites. Four large sites in Inskip are identified as having potential for mixed use. Again, there is a lack of explanation and the implications of those sites being identified at that stage of the Local Plan process. In particular, the justification for those sites need to be made clearer and any relevant supporting documents clearly referenced so interested local residents could obtain further information should they wish to do.

In terms of other documents in the pre-2017 consultation, there are further concerns. The July 2016 Issues and Options- General response to matters report was published as a response to the 2015 consultation. This 13 page report contains no mention of Inskip. The Borough Council state as a generality that the consultation was clearly communicated and publicised and that the number of responses indicated the consultation had been successful. So a consultation response rate of less than 2% in one of the settlements most affected by the Local Plan proposals is considered to meet NPPF guidance for a wide section of the community being pro-actively engaged and a collective vision and a set of agreed priorities. Rather this demonstrates that the Wyre Local Plan process has been designed to suit the convenience and priorities of the Borough Council, local landowners and the development industry with little or no regard for local communities.

In August 2016, Wyre Council published a further document entitled Wyre Local Plan Questions and Answers. Again, the document seems to have been prepared to suit

the convenience of the Council. At that stage of Local Plan progress (Regulation 18) it is stated that there were “ongoing informal consultation and engagement seeking to identify key issues to be addressed and consider all reasonable alternatives for dealing with these issues” This vague statement confirms that the Council was progressing site selection for the Local Plan in unknown and secret meetings without any effort to explain to its communities what activities and more importantly what decisions were being made. Critical decisions concerning site allocations were clearly being made in the period 2016-17 without any attempt at transparency or openness.

Conclusion

Matter 1.1 Is there any evidence that the Council has not met the minimum requirements for consultation and that consultation and publicity has otherwise been inadequate?

Statement 1.1 Yes.

Matter 1.2 Has engagement with Parish Councils and Local Communities been acceptable?

Statement 1.2 No

Matter 1.3 Was engagement with Inskip With Sowerby Parish Council in advance of formal consultation appropriate?

Statement 1.3 No

The engagement process with Inskip Parish Council included confidentiality requirements set by Wyre Council all stages from March 2014. In turn, all subsequent meetings between Wyre Council and the Parish Council effectively deprived the local community of any engagement with the Local Plan process. This runs completely contrary to Government advice as set out in the NPPF including para 155