

Public and Stakeholder Consultation: the Canal Corridor North

I/C-01

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I am a social scientist with specialisms in public consultation and in the sociology of environmental knowledge, and am currently an Honorary Research Fellow at Lancaster University. I have carried out research, review, analysis, evaluation, design, conduct and reporting of public consultation for some 12 years, both as a Senior Research Fellow at Lancaster University and as an independent consultant. In 2001 and 2004 I led a team at Lancaster which carried out national public consultations for the Ministry of Defence, and I have also conducted and reviewed consultations for the Department of Food and Rural Affairs, as well as industry and regulatory bodies. I have acted as an advisor to the UN on public and stakeholder consultation. I am currently a member of two MoD advisory committees, with a remit to advise on public consultation.

I was resident in and around Lancaster for 28 years until 2006, and lived in Alfred Street in the 1970s.

Preamble

The requirement for public consultation in planning is long established, both in legislation and in guidance. In more recent years, public consultation has been increasingly stressed in most arenas of government. Indeed, in many areas of policy and practice, the emphasis is now on a role for the public which includes genuine empowerment and participation in decision-making, rather than the more passive role of consultee.

Adequate consultation is fundamental to the planning process. It is a necessary and statutory component of planning applications, and planning policy reflects this, and, particularly in relation to sustainable development, stresses the requirement for communities to be involved in the planning process and for their visions to be incorporated if sustainability is to be achieved [CD48]. Community Involvement in Planning [CD92] puts it well:

‘The views of local people have always been an integral part of the planning process and the case for the community’s voice to be heard is clear:

- Involvement leads to outcomes that better reflect the views and aspirations and meet the needs of the wider community in all its diversity.
- Public involvement is valuable as a key element of a vibrant, open and participatory democracy.
- Involvement improves the quality and efficiency of decisions by drawing on local knowledge and minimising unnecessary and costly conflict.
- Involvement educates all participants about the needs of communities, the business sector and how local government works.
- Involvement helps promote social cohesion by making real connections with communities and offering them a tangible stake in decision making.’

[CD92 para 1.4]

When a decision or development is premised on consultation, as has been clearly stated with regard to the Centros planning application, it is necessary to consider whether that consultation was adequate, whether it properly reflects the views of consultees, and whether it has been appropriately reflected in planning submissions and in planning decisions. This proof of evidence undertakes that task.

Introduction

This document examines national and local government policy on consultation, and evaluates the consultation associated with the Canal Corridor North development proposals.

The evaluation was conducted at the request of It’s Our City, a local residents’ group.

In order to conduct the evaluation I first examined the reports of the consultation provided by Centros. I then reviewed the websites of Centros, Halogen¹ and Lancaster City Council. To gain an understanding of respondents' responses to the consultation activities, I read the written consultation responses posted on Lancaster City Council's website. This was complimented by discussions with It's Our City regarding their views of the adequacy of the consultation. Resources do not permit more extensive research, and it is unfortunate that the Centros Reports, which should be a comprehensive and balanced description of the consultation methods and outcomes are, at best, incomplete and partial, and hence do not provide an adequate picture of either consultation or responses to consultation.

I then examined PPS1 [CD48] and associated documents, Lancaster City Council's Consultation Policy and associated guidance [CD 87; CD 88; CD89], as well as the Canal Corridor North Development Brief [CD65] and other relevant material.

This document presents the requirements for consultation as described in policy, as well as identifying generic standards of good practice. It goes on to examine and discuss the three Statements of Community Involvement prepared by Centros Miller, and the written responses to the planning application received by Lancaster City Council as they pertain to consultation. It concludes with an evaluation of the consultation with respect to policy and good practice.

Consultation: Policy and Good Practice

Government Policy on Consultation

Government commitment to consultation, and beyond that, to participation and empowerment, is well established. Policy abounds with references, guidance and so forth; this document only refers to a small subsection of that, to indicate the character of policy and the aspirations of the Government.

The Government has recently published an updated Code of Practice on Consultation [CD91]. This contains seven consultation criteria:

- 1) When to consult: Formal consultation should take place at a stage when there is scope to influence the policy outcome.
- 2) Duration of consultation exercises: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
- 3) Clarity of scope and impact: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

¹ Halogen, the company employed by Centros to carry out consultation and PR on their behalf, no longer mentions the Lancaster project on its website other than displaying a picture of plans on its home page, and provides no further information. Oddly, Centros are not listed among its clients.

- 4) Accessibility of consultation exercises: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
- 5) The burden of consultation: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
- 6) Responsiveness of consultation exercises: Consultation responses should be analysed carefully and clear feedback should be provided following the consultation.
- 7) Capacity to consult: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

The Code of Practice is directed towards public sector organizations; the Department of Communities and Local Government is a signatory. This Code demonstrates major themes, and is a useful statement of the practical standards of consultation.

Government policy goes beyond consultation, to advocate genuine participation in governance. The White Paper Communities in Control: real people, real power (2008) for example, states in the Foreword by Gordon Brown that the intent is

“enhancing the power of communities and helping people up and down the country to set and meet their own priorities. In this way we strengthen local democracy by increasing participation.....paving the way for a new style of active politics that not only gives people a greater say but ensures that their voices are heard and that their views will make a difference.....

And it is an agenda for empowerment that reaches right across the board..... giving local communities the power to drive real improvements in everything from the way their neighbourhoods are policed to the way that community assets are used. I believe it will help to build the vibrant local democracies on which our society and our public services depend.”

This is the aspiration, and the intent of forthcoming legislation. Its relevance here is to set the context for the consideration of the consultation and participation associated with the Canal Corridor Development.

Planning Policy: Consultation and Participation

Planning policy on consultation and participation is primarily contained in Planning Policy Statement 1: Delivering Sustainable Development [CD48]. This draws on and refers to Community Involvement in Planning: The Government's Objectives [CD92].

PPS1 states that:

“Plans should be drawn up with community involvement and present a shared vision and strategy of how the area should develop to achieve more sustainable patterns of development.” [CD48 para 7]

and

“The planning process already offers local communities real opportunities to influence how they want their areas to develop. More effective community involvement is a key element of the Government’s planning reforms. This is best achieved where there is early engagement of all the stakeholders in the process of plan making and bringing forward development proposals. This helps to identify issues and problems at an early stage and allows dialogue and discussion of the options to take place before proposals are too far advanced.” [CD48 para 11]

and

“Community involvement is an essential element in delivering sustainable development and creating sustainable and safe communities. In developing the vision for their areas, planning authorities should ensure that communities are able to contribute to ideas about how that vision can be achieved, have the opportunity to participate in the process of drawing up the vision, strategy and specific plan policies, and to be involved in development proposals.” [CD48, Key Principle 13 vi, p 13, see also paragraphs 40 – 44 below]

and

“Planning shapes the places where people work and live. The planning system operates in the public interest to ensure the development and use of land results in better places for people to live, the delivery of development where communities need it, as well as the protection and enhancement of the natural and historic environment and the countryside. The outcomes from planning affect everyone, and everyone must therefore have the opportunity to play a role in delivering effective and inclusive planning. Community involvement is vitally important to planning and the achievement of sustainable development.” [CD48 para 40]

and

“One of the principles of sustainable development is to involve the community in developing the vision for its area. Communities should be asked to offer ideas about what that vision should be, and how it can be achieved. Where there are external constraints that may impact on the vision and future development of the area (for example, those that may arise from planning policies set at the regional or national level) these should be made clear from the outset. Local communities should be given the opportunity to participate fully in the process for drawing up specific plans or policies and to be consulted on proposals for development. Local authorities, through their community strategies and local development documents, and town and parish councils, through

parish plans, should play a key role in developing full and active community involvement in their areas.” [CD48 para 41]

and

“Planning authorities should build a clear understanding of the make-up, interests and needs of the communities in their areas. Communities will be made up of many different interest groups, for example, relating to a particular place, issues (such as access for the disabled, local environmental quality, or support for small businesses), values or religion. Some of these will be well established and represented. But some groups may be less well equipped to engage with the planning system. An inclusive approach should be taken to ensure that different groups have the opportunity to participate and are not disadvantaged in the process. Identifying and understanding the needs of groups who find it difficult to engage with the planning system is critical to achieving sustainable development objectives.” [CD48 para 42]

and

“Community involvement in planning should not be a reactive, tick-box, process. It should enable the local community to say what sort of place they want to live in at a stage when this can make a difference. Effective community involvement requires an approach which:

- tells communities about emerging policies and proposals in good time;
- enables communities to put forward ideas and suggestions and participate in developing proposals and options. It is not sufficient to invite them to simply comment once these have been worked-up;
- consults on formal proposals;
- ensures that consultation takes place in locations that are widely accessible;
- provides and seeks feedback.” [CD48 para 43]

and

“The Planning and Compulsory Purchase Act 2004 requires regional planning bodies and local planning authorities to prepare a Statement of Community Involvement, in which they set out their policy on involving their community in preparing regional spatial strategies, local development documents and on consulting on planning applications. Guidance on Statements of Community Involvement, together with details of the Government’s overall approach to community involvement, is set out in more detail in “Community Involvement in Planning: The Government’s Objectives” “ [CD48 para 44]

Community Involvement in Planning [CD92] states that:

“Planning shapes the places where people live and work. So it is right that people should be enabled and empowered to take an active part in the process. Strengthening

community involvement is a key part of the Government’s planning reforms.” [front cover]

and

“An accessible and transparent planning system, which provides continuing opportunities for local people to participate, is essential to deliver our objective of creating inclusive, accessible, safe and sustainable communities. [CD92 Introduction]

and

1.3 Community involvement in planning should not be a reactive, tick-box, process. It should enable the local community to say what sort of place they want to live in at a stage when this can make a difference.

1.7 For planning to be seen as positive, all sections of the community must believe that the process is legitimate, operates in a timely manner, and that the outcomes are in the public interest. The process should be simple to follow, and delivered in a fair, transparent and efficient manner. Community involvement is a key part in achieving this.

1.12 To be legitimate, that process must allow communities to feel that they have had a real influence. The processes for community involvement, enshrined in the Statement of Community Involvement (described in chapter 3), are designed to help achieve that and provide real opportunities for communities to shape the critical decisions about their future.

2.2 There are many models of community involvement. At its most simple level, a community involvement process should ensure that people:

- Have access to information.
- Can put forward their own ideas and feel confident that there is a process for considering ideas.
- Can take an active part in developing proposals and options.
- Can comment on formal proposals.
- Get feedback and be informed about progress and outcomes.

Access to Information

2.3 Without information communities cannot make informed choices or understand the context. The planning process must provide information in a timely manner, in accessible ways and in ways which communities can understand to encourage participation.

Participation

2.4 It is not enough to focus on providing information and consultation on proposals that have already been developed to the point where it is difficult to take other views on board.

2.5 Active participation in the development of options and proposals should be at the heart of the process. The community must be able to put forward and debate options and help mould proposals before they are settled. People need to feel that their participation can make a difference.

Understanding Communities

2.10Effective involvement cannot happen without a good understanding of the make up, needs and interests of all those different groups and their capacity to engage. An inclusive approach is needed to ensure that different groups have the opportunity to participate and are not disadvantaged in the process. Identifying and understanding the needs of groups who find it difficult to engage with the planning system is essential.

Operational Principles for Community Involvement

2.11

– **Community involvement that is appropriate to the level of planning.** Different arrangements for and levels of community involvement will be appropriate depending on the nature of the planning process involved and the authority's circumstances. Planning authorities should ensure that arrangements are built on a clear understanding of the needs of the community, and put in place arrangements which are fit for purpose.

– **Front loading of involvement.** Community involvement policies should provide opportunities for participation in identifying issues and debating options from the earliest stages. Community involvement should happen at a point at which people recognise that they have the potential to make a difference and, crucially, to experience a sense of ownership of local policy decisions.

– **The methods used to encourage involvement and participation should be relevant to their experience.** Consideration should be given to how people are most likely to get involved and what facilities are available to them and to working with agencies such as Planning Aid that can help communities. There is no 'one size fits all' solution if a genuine dialogue is to be established and maintained.

– **Clearly articulated opportunities for continuing involvement.** The process should allow local communities to see how ideas have developed at the various stages, with effective feedback. There should be clear formal stages when involvement should take place, based on the statutory requirements. These stages must occur as part of a continuous programme, not a series of disjointed, one off steps. A 'tick box' mentality, which regards community involvement as simply a process step to be ticked off, is not acceptable.

– **Transparency and accessibility.** The processes should be clear, so that people know when they will be able to participate, and the ground rules for doing so. Involvement in the planning system should extend beyond those who are familiar with the system, to difficult to reach groups.

– **Planning for involvement.** Community involvement should be planned in from the start of the process for plan preparation or consideration of significant development proposals, to enable timely involvement. Consideration should be given to how processes for community involvement in planning can best fit with other community involvement processes, particularly in respect of Community Strategies. Project plans should avoid unnecessarily long drawn out processes.

3.4 The statutory requirements provide a framework of minimum standards. It is important that planning authorities do not just take a compliance approach, but look at the broader picture to see how community involvement processes can help develop better plans and achieve higher quality development, which is supported by the local community. Minimum standards are a floor, not a ceiling.

3.18 Pre application discussions are particularly important for major applications.

3.18 ...We would expect the SCI to encourage developers to undertake pre-application discussions and early community consultation on significant applications, but the SCI cannot prescribe that this is done.

A local authority could not refuse to accept a valid application because it disagrees with the way in which a developer has consulted the community, but failure by the developer to consult could lead to objections being made which could be material to the determination. The aim of the process should be to encourage discussion before a formal application is made and therefore to avoid unnecessary objections being made at a later stage.

3.25 Effective community involvement will require planners to adopt different roles and develop new skills: facilitating, listening, consensus building, problem solving.

3.30 We have put in place a robust framework for community involvement. We are developing tools to help. But effective community involvement will happen only if all parties want the process to work. A compliance, tick box approach, which regards community involvement as a process which has to be got through, will lead to disenchantment and disengagement.

3.31..... Developers have a key role to play in engaging with the process, helping local communities understand what is proposed, listening to concerns and engaging in dialogue to seek to resolve these. Representative groups and community groups also need to engage constructively, to get the best out of the process. All sides need to work in ways which seek to achieve consensus and ‘win-win’ outcomes, listening to and respecting the views of others; and which, while making use of the opportunities available, recognises also that there are corresponding responsibilities to make the process work effectively for the benefit of the whole community, not just a favoured few.”

These references make clear that community involvement planning is to be taken seriously, underlies planning policy, and requires substantial action by local authorities and developers.

Lancaster City Council on Consultation

The Lancaster City Council Statement of Community Involvement [CD89] states that:

“We encourage developers of major schemes to consult the local community before they apply for planning permission.” [p 12 a]

and that

“When we consider planning applications, we consult neighbours, parish councils and specialist. [sic] All comments are placed on public record. All decisions are explained in terms of relevant planning policies and matters raised by consultees either in a committee report or a file note.” [p 12 b]

It goes on to refer to the Lancaster City Council Consultation Strategy [CD87] for guidance on what constitutes appropriate consultation.

Lancaster City Council’s policy on consultation is presented in its document ‘Consultation Strategy: A Framework for Effective Consultation’ [CD87]. This states that:

“As a listening council, Lancaster City Council is committed to extending its consultation far beyond statutory requirements. We want to ensure that residents of the Lancaster District, our service users and all other interested parties have the opportunity to be involved in the planning, prioritising and monitoring of our services – that they indeed are at the heart of all council decision making processes and activities.” [CD87 p 3]

It sets standards:

- “To involve the widest spectrum of the community and stakeholders in our consultations.
- To explain why we are consulting people and how we are going to take account of their views.
- To ensure that as part of the consultation process all involved understand the competing priorities and constraints under which Council services are delivered and that respondents do not have false expectations of what their participation will lead to.
- To organise consultation in ways that are convenient and accessible to the people whose views we are seeking.
- To ensure information provided is honestly interpreted.

- To report back to the public what they've told us during the consultation and what we've done as a result of it.
- To act on the findings to improve services, programmes, policies and the quality of life for residents." [CD 87 p 3-4]

and identifies aims:

- a) "The Council is open and responsive to the views of all stakeholders
- b) Local residents are involved in identifying local needs
- c) There is increased public participation in the decision making process
- d) The concept of involved and responsible citizenship is enhanced throughout the District
- e) Residents are aware that the Council actively seeks and values their input
- f) Business and community partnerships flourish
- g) Clear resident priorities are established" [CD87 p 4]

and commitments, which include:

- "Ensuring that consultation activity is accessible to all by using a variety of consultation methods in order that as many people as possible have the opportunity to become involved and give us their views, particularly hard to reach groups.
- Contribute to a healthy local democracy by putting in place a range of consultation opportunities...
- Making the purpose of any consultation clear in a statement describing why it is being carried out and how the results will be used...
- Ensuring the appropriate methods of consultation are used and are well managed.
- Ensuring consultations are well planned and timely. Consultees will be given adequate time to prepare their responses.
- Acknowledging the full range of views expressed during the consultation.
- Feeding back the results of the consultation and how they have been used...
- Evaluate the effectiveness of major public consultations so as lessons learned can inform future consultations. *[sic]* [CD87 p4-5].

The remainder of the Consultation Strategy is relevant and will be utilised in the analysis below.

The Consultation Strategy [CD87] concludes:

“The Strategy reflects from within the Authority a corporate impetus to use consultation as a key feature of the decision making process.”

This is a clear policy statement that consultation should be taken seriously within decision making, and that consultation, as defined in the preceding pages, is required to be of good standard.

In terms of Local Plan development, the Canal Corridor North Development Brief [CD65] states that public consultation is an essential element of the development of plans for the regeneration of the Canal Corridor North:

- Section 2.4: “the regeneration of the area must be carried out in close consultation with local people and address their needs and aspirations”
- Section 2.7: “extensive public involvement in the development of the proposals”
- Section 4.14: “The Council intends to progress the development of the area in such a way which maximises the involvement of local people and which reflects local concerns as much as possible. This could mean involving local residents in the nature and detailed design of the proposed improvements and hopefully engendering a sense of ownership in the outcome”.

Section 4.14 of the Canal Corridor North Development Brief states unequivocally that:

“The Council will continue to consult widely as the proposals are developed and involve many different bodies in the process”.

The Core Strategy [CD62] states

Para 6.11 The Core Strategy must safeguard and enhance environmental capital, protect finite resources, manage threats such as climate change and flooding, prevent erosion of environmental quality through low grade development and sprawl, poor land management and pollution. Real improvements in environmental quality require a focus on minimising any adverse development effects and securing gains for the environment. There are gains to be made in;

- Working with local communities to address genuine local needs;
- Improving the public realm and creating more liveable, places;
- Clearing dereliction;
- Conserving and enhancing the built heritage;
- Reducing energy consumption;
- Facilitating renewable energy generation;
- Diversifying land use, creating more and better habitats for wildlife and enhance landscapes.

Policy E1: ENVIRONMENTAL CAPITAL

Purpose: To improve the District's Environment

The Council will safeguard and enhance the District's Environmental Capital by applying national and regional planning policies and:

- Taking full account of the needs and wishes of communities and, in particular, vulnerable and disadvantaged groups such as the elderly, young people and people with disabilities;
- Using all practicable means to make places more pleasant and liveable with safer, cleaner, more legible and more attractive streets and spaces;
- Resisting development which would have a detrimental effect on environmental quality and public amenity;
- Ensuring that development in the city of Lancaster and other historic areas conserves and enhances their sense of place;

This proof contends that Lancaster City Council have failed to implement the policies cited above in relation to this planning application.

The Centros Consultation

Good practice dictates that consultation activity should be fully and clearly reported, that the findings should be analysed and conclusions drawn, and that it should be clear where and how consultation findings are influencing the development of plans and of decisions made.

Centros submitted two reports on consultations with their revised planning application. The first reports on the consultation associated with their masterplanning process [CD29] and the second reports on consultation from June 2007 to April 2008 [CD24]. A third report [CD90], describing consultation in the period between that covered in these two reports, was apparently not submitted with the application.

Unfortunately, the three reports [CD29, CD90 and CD24] provided by Centros Miller as the totality of their consultation reporting are grossly inadequate:

- Reports are not accurate; participants have refuted comments made
- Reports are contradictory and unclear
- Participants state that some negative comments have not been reported.
- Participants state that where critical comments have been reported they have been selected to appear unduly negative. Fuller arguments and key criticisms have been omitted from reports.
- Presentation of data, whilst apparently complete, is not complete; some submissions are entirely unreported.
- The reports contain very substantial quantities of reproductions of comments made and publicity material used by Centros; this is not balanced by appropriate analysis.
- The reports are poorly structured and difficult to follow.
- There is no reference to other consultation relevant to the area, most notably the Real Planning report [CD94]
- Attempts are made to marginalize and discredit objectors.
- The analysis is partial, incomplete and biased; it does not reflect the data presented and does not identify all major themes.
- No conclusions are drawn

No provision was made to agree notes of meetings, and some of these are disputed: certainly, It's Our City's notes of meetings are both more comprehensive and more literate than those presented by Centros.

These inaccuracies, omissions and bias completely undermine the integrity of these documents as valid components of the planning application.

Detailed critique

Statement of Community Involvement: Public Consultation on the Masterplanning Process (Centros Miller) (undated, covering the period Dec 2005 – June 2006, produced in August 2006) [CD29]

This report describes the first phase of consultation carried out by Centros Miller.

It suffers from a confusing layout, which does not report the stages of the consultation sequentially, or in any other apparent order. There is no overall analysis, and the summary of themes is incomplete and misleading.

This reports states that the aims of consultation in Stage 1 ‘was to obtain a good measure of public opinion about the development needs of Lancaster city centre, understand people’s concerns and aspirations and suggestions. The feedback received was then used by the Centros Miller development team in the preparation of the initial concept for the masterplan.’ (p 2). In Stage 2, the masterplan would be “unveiled” and responses sought. In Stage 3, a refined masterplan was to be presented, and further comments sought.

This is a reasonable outline for this type of consultation process. However, it was not carried out effectively, or even in line with these stated intentions, although no explanation of the anomalies is given.

Stage 1: December 2005-January 2006

Stage 1	
Meetings with stakeholder groups	December 2005
Residents’ survey	January-June 2006
Shoppers’ survey	19 th -21 st January 2006
Unveiling masterplan	15 th February 2006
Website	ongoing

Crucially, Stage 1 and Stage 2 became blurred, and the first thing many people knew about the proposals was after the masterplan was presented and they were in a position of having to respond to existing proposals, rather than being involved in early scoping. But mistrust was also generated in this first stage: Centros Miller clearly already had ideas about what development on the site would comprise, and the first meetings were informed by the idea that this would be a dominantly retail development (see also Early Consultation, below), with their own reports of these meeting showing Centros Miller clearly already being committed to not only the outline nature of the development, but some of the details, such as the Stonewell Bridge.

The report states that

“As it is particularly difficult to engage the public at this initial [stage 1] “listening” stage of a development project (when there are no plans for the public to see and respond to), two public opinion surveys were commissioned”. (p 5)

This statement is nonsense: it is NOT particularly difficult to engage the public at the early, scoping stage, as evidenced by the success of the Real Planning consultation [CD94] and by extensive literature. A repeated complaint made by local people is that they were NOT consulted at this early stage, when they clearly wanted to input their ideas. This is a substantial failure in methodology: national planning policy and Lancaster City Council consultation policy stress the need for early consultation to identify aspirations and so forth, and that Centros Miller failed to do in an open style (one cannot choose to input into a survey, but must be invited) is a serious failing.

As in the consecutive stages, the groups with whom meetings were held were few in number and did not include key groups (see also Inclusiveness, p. 38 below).

The reports of these meetings give no indication that participants were being asked what they wanted to see happening on the site; on the contrary, if there was a theme to discussion, it was questions about the potential impacts of retail based development. As a means of eliciting views on what on preferences for the site these meetings were inappropriately managed and a failure.

The shoppers’ survey is problematic: the options given for development of the site were essentially limited and framed responses. Further, information gathered on shopping habits will be unreliable; respondents are notorious for answering such questions inaccurately. Confusing the aims of the survey – expressing preferences for site development with shopping habits – further biases the results, and that the survey was undertaken with shoppers/visitors to the city centre biases the sample towards a preference for shopping and shopping related activities. Had the survey been conducted in Williamson’s Park, for example, one could expect a preference for parks to be expressed. These points make the results of this survey sufficiently unreliable to dismiss its findings. Essentially, this survey, conducted in this way, was a waste of time.

On 15th February 2006 Centros issued a press release and conducted meetings which ‘unveiled’ the masterplan. Given that the two surveys had only been conducted in January, with the residents’ survey still open to responses until June, and that meetings with stakeholders had taken place in December, this does not appear to leave enough time for analysis, and clarification if necessary, of the findings of this crucial first stage before production of the masterplan. Indeed, it is hard to see how Centros Miller could have properly considered the responses they received and then developed a masterplan in the time period between 22nd January and 15th February, and impossible to see how the Residents’ Survey could have been used as input to the masterplan (as stated on p 2 of the report), as it had not been completed².

² The report states, in its summary, that preliminary results were presented to councillors in early March.

Stage 2: February 2006

Residents' survey	To June 2006
Meetings with stakeholder groups (2 nd round)	February 2006
Residents' Survey	January – February 2006 (returns accepted until June)
Website	ongoing

The masterplan was presented at these meetings, which, according to the reports, continued to follow a question and answer format rather than attempting to engender discussion and commentary on the plans.

Examination of responses in the first stage demonstrate quite clearly that the masterplan was not developed to reflect the aspirations of the local populace for the site. A strong and repeated preference for an area which would be dominantly a cultural and leisure area cannot be identified anywhere in the masterplan presented by Centros Miller.

Stage 3: May 2006

Residents' survey	To June 2006
4 Public Meetings	May 2006
Website	ongoing

During this stage, the first open public meetings were held. These took the form of presentations regarding the proposal, following by questions and answers. Again, there seems to have been little discussion and little sense of Centros Miller wanting to find out people's views: participants have criticized these meetings (in responses to the planning application) as being 'top-down' and generating the sense that people were being told what would happen, not being asked what they thought of it. Again, Centros Miller appear to have confused information provision with consultation.

Summary of Feedback

This summary is inadequate and misleading. It does not accurately reflect the feedback presented in the previous pages.

It gives no sense of the high levels of concern expressed about the proposal, but reports all feedback with a positive slant. It's Our City, for example, are acknowledged as having fears and concerns but nonetheless 'made clear their desire for the site to be developed' (p54); what is not reported, but was clearly stated by It's Our City, was that they support the idea that the site should be developed, but are entirely unsupportive of this proposal for development. This inaccuracy, amongst others, casts doubt over the veracity of reporting of other stakeholder groups.

The residents' survey is reported as 'showing that the residents living near to the site also supported the concept of a mixed-use development with leisure/cultural uses, open space, shopping, housing and parking being the most popular uses' (p 55) whilst failing to note that support for a leisure/cultural quarter, at 72.8%, and open space at 57.1% was significantly higher than support for shopping (36.5%), housing (33.6%) and parking (30.9%).

It's Our City state that residents' survey responses from residents of Alfred Street are not included in the report; It's Our City were told by Halogen that they would be reported separately but no such report has been forthcoming. Further issues about the timing of presentation of the results to the Council, in February, without public release of results until June, did nothing to help build the relationships between involved parties.

There is also a serious omission in the feedback summarized in these pages. There is no mention of the importance of heritage, and the value to many of the respondents of existing buildings on the site. Despite receiving feedback identifying this as a significant issue, Centros Miller neither identify it, nor offer any responses to it. The only issue they appear to recognize in relation to this is the importance of the skyline and some of the existing views of the city.

Feedback obtained by email, post or telephone is not recorded in this report. This is a further serious omission. Centros Miller certainly were sent a number of communications commenting on the plans, but there is no reporting of these available.

Discussion

Centros Miller have clearly failed to report consultation accurately and completely, or to interpret the responses they received adequately. It is clear from the summaries of various meetings that Centros Miller did not come to these with an open mind, aiming to find out what people thought, but with a set of preconceptions regarding the type of development that would take place, and probably with some initial plans. It is also very clear that Centros Miller only acknowledged a relatively narrow range of concerns. This is apparent in the questions asked in the two surveys, where in both cases options do not include means to indicate the importance of the existing buildings and associated heritage concerns. It is further manifested in the total failure to recognize the importance of this issue.

It is this preconceived way of thinking about development in the Canal Corridor, and inability and/or unwillingness to incorporate or even acknowledge alternative perspectives that has alienated many of the local residents, as evidenced in responses to the planning application. This directly contravenes the intentions of PPG1 [CP48] and Lancaster City Council Consultation Policy [CP87] and associated LA21 Policy: rather than community building and empowerment, this consultation has generated alienation and frustration.

Summary

The report of the first six months of consultation suffers from serious inadequacies;

- It is poorly structured.
- It is selective in its reporting.
- It presents a summary which is biased and misleading.
- It demonstrates a failure to acknowledge issues of key importance to respondents.
- It omits reporting of email, telephone and postal responses.
- It demonstrates inconsistencies in statements made by Centros Miller, most notably concerning the extent to which their paper was blank.

The consultation described therein is also seriously inadequate: a small number of local groups were invited to attend meetings, but otherwise there was no real opportunity for community involvement until the public meetings in May, at the end of the Masterplanning process and well after there was any real opportunity to influence the development of the plans.

Statement of Community Involvement: Public Consultation on the Development Proposals (Centros Miller) (October 2006-April 2007)

The report is of poor quality, is poorly laid out, fails to be comprehensive, fails to analyse findings or present conclusions, misrepresents findings, is inaccurate and is significantly biased. The critique below illustrates this; it does not include itemization of all the individual failures within the report.

The Introduction states that in the first phase of consultation (above)

“Centros Miller development team started with a blank sheet by listening to the views, concerns and aspirations of local people and key local interest groups. A draft masterplan evolved from this...” (p 3).

This is not true as discussed above and confirmed below.

The report continues by citing groups ‘identified and targeted for engagement’, yet even of these, some were omitted or communication failed: Morecambe residents complain they were not consulted, local businesses, residents and owners of properties on the site complain they were not consulted or that initial communication were not sustained and letters left unanswered (see CD73). Other relevant groups were completely overlooked. Various stakeholder groups were invited to meetings with Centros Miller. However, significant groups were ignored. These include young people’s organizations, family groups, old people, the long term sick, the disabled, and ethnic groups.

Information provision

Information was provided, according to the report, via presentations to stakeholder groups, via the Centros Miller website, through press releases and other media contact, and through two press inserts.

Sample slides are not clearly reproduced, and participants at stakeholder meetings complained that they both could not see all the detail on slides, that there was too much information being presented in too short a space of time and material should have been circulated in advance to enable discussion, and that some material was unclear.

Users complained that the Centros Miller website was incomplete, was not kept up to date, and did not contain any means to publicly comment.

None of the four press releases reproduced invites comment on the plans. Whilst one describes the Centros Miller consultation activities (including some events which did not take place), this is not followed by an invitation to comment but a website address where further information on the proposal can be acquired.

The press inserts are not reproduced clearly in the report, but headings such as ‘What’s in store for the Canal Corridor’ reinforce other complaints that Centros Miller were not directing their activity towards consulting people and eliciting their comments, but on telling people what they intended to do – in this case, as an apparent *fait accompli*. The relatively small box on the 3rd and 4th pages of the two inserts headed ‘Have Your Say’ invites people to send in ‘their views’: it does not say why, or what will be done with their views, it does not say that there is ongoing consultation taking place, it does not even say that Centros Miller want to hear from people. It is uninviting, and does not comply with good practice; as a means of consultation these inserts do the bare minimum whilst devoting the majority of their space to positive representations of the proposal.

Clear, accessible and balanced information is obviously an absolute requirement of adequate consultation, as recognized in the Lancaster City Council Consultation Strategy [CD87] as elsewhere.

The information provided by Centros Miller is indisputably biased. Their need to present a positive picture in order to attempt to create a positive response to their proposals is in fundamental opposition to the need of consultation for clear, balanced and unbiased information.

I have found no information on the Centros Miller website or within reports which suggests any cost, detriment, or other negative aspects to the proposal. For example, there is no suggestion or analysis of the consequences of the possibility that shops might remain empty, perhaps in relation to an economic depression. Very real risks such as these need to be addressed if any genuine discussion is to take place. Consultees have noted the bias to the positive and the refusal to discuss ‘difficult’ questions in their responses to the planning application.

The information presented by Centros Miller does not, and cannot, form the basis of a credible consultation.

Feedback

The report gives four routes for feedback: voicemail, email, letter and face to face at public and stakeholder meetings. The first three are unproblematic, although could have been more widely publicized. The public and stakeholder meetings, as the only opportunities for discussion and elucidation, were crucial.

Meetings and Workshops

The report lists three 'interest group workshops', in October and November 06 and January 07. These were attended by representatives of It's Our City, Lancaster Chamber of Commerce, Lancaster Civic Society, Lancaster Canal Trust, Lancashire Police, Lancaster and Morecambe Vision, and Lancaster City Council.

Three further meetings in January 07 were held with Lancaster Chamber of Commerce, It's Our City, and Lancaster Civic Society respectively.

The small number, and limited scope, of stakeholder groups invited to these meetings is cause for concern. To develop proposals that take account of local interests, all local interests must be included, and it is good practice to enable interaction and discussion between different groups to aid the development of plans which are inclusive rather than exclusive. To be effective, consultation must include the relevant parties. This was clearly not the case in this consultation.

Four open, public meetings were also held in January 07. As well as members of the public, these appear to be the only opportunities for stakeholders not included in the 'interest group workshops' to participate.

The reporting of these meetings shows that, again, they were mainly concerned with information provision, having a format of a presentation followed by a question and answer session. No attempt appears to have been made to encourage comments on, for example, what was liked and disliked about the proposals, or to suggest improvements. This is not adequate, and was experienced by consultees as inadequate as is clear from the responses to the planning application.

Public Feedback

Copies of feedback from the public obtained via email, telephone and post are presented in the report. It is not stated in the report whether these are all the responses received; people have stated to It's Our City that their responses were not included.

Opinion Poll

The opinion poll is conducted professionally; the problems lie in the interpretation. Centros Miller present the opinion poll findings as indisputably showing a majority of respondents as supporting the development. However, the information provided, as noted above, is not impartial or balanced, but presents the development in an exclusively positive light. Additionally, there is always a question mark over responses to the question 'are you aware of x', as a positive answer gives no indication of what it is that

people are actually aware of – is it the advent of a Debenhams, a plaza with shops and cafes, the demolition of Stonewell, the increase in traffic? Further, the questions asked – whether people supported this development, and what aspects of it they liked or disliked – imply a choice between this development and the existing condition of the site, rather than the choice between this development and possible alternatives. The absence of any information on alternatives, or even suggestion that there might be alternatives, reinforces this implied choice between ‘this or nothing’. The Real Planning Exercise [CP94] by contrast, asked the open question of what people wanted to see in terms of development on this site, and the response was very different, indicating a strong preference for cultural/leisure development with a mix of small shops, workshop space, and housing.

These two points – the partiality of the information that had been provided, and the lack of any alternatives – skew the responses. Whilst there is clearly a great deal of support for development in the area, to claim this level of support for this particular development is extremely dubious.

Strangely, Centros Miller describe the opinion poll as comprising an evaluation of the consultation, whereas it is actually a poll eliciting responses on the proposal and on shopping patterns.

The data does support the interpretation that opposition to the development is strongest amongst those who live nearest to it. It is plausible to hypothesise that awareness is greatest in these areas, (although the study does not analyse the data in this respect), as the development impacts most strongly on those in closest proximity. If this is the case, then fuller awareness of the project gives rise to greater opposition.

Significantly, this report makes no mention of two earlier surveys conducted by Centros Miller during their Masterplanning process. These surveys (the Canal Corridor North Local Residents Survey and the Lancaster City Centre Shoppers and Visitors Survey, reported in the earlier reports) gave substantially different results to the telephone opinion poll with regard to their preferences for the site, with leisure and cultural uses scoring substantially higher than shopping/retail.

Analysis and Conclusions

This report does not include any analysis of the descriptive material it presents, other than a brief section on ‘common themes’ which is sketchy in the extreme and is loaded with sweeping statements such as ‘many people were reassured that the proposed pedestrian bridge link would integrate the development well with the existing city centre’ and ‘the logic of the interceptor car park was recognized by many’ which are entirely unsupported by the material presented. There is no mention of many other themes which have become familiar to me as I peruse this material – for example, concerns about the Musician’s co-op, about heritage, and so forth.

The singling out of It’s Our City and the Green Party as ‘antagonistic’ and the claim that these were the exception is both unsupported and untrue. It’s Our City is a residents group whilst the Green Party sit in all three seats representing Bulk Ward so can hardly

be considered as unrepresentative of the local electorate. The report does not mention local businesses and retailers who had made their opposition clear nor does it identify the strong concern with heritage aspects which was apparent.

The report interprets the evidence as providing support for a mixed use development on the site. This, however, is a serious misinterpretation: the data supports a range of potential use, but respondents (particularly in the polls) were not asked if they supported a mixed usage, but which of a range of possibilities they supported. The survey and poll evidence, as presented, can better be interpreted as demonstrating preferences for particular uses; if this interpretation is used a clear preference for cultural/leisure use can be identified. The partiality and inaccuracy of the Centros interpretation is misleading and generates mistrust.

The entirety of the evidence that I have perused leads to the conclusion that, in fact, a mixed usage is supported, with the dominant usage being cultural/leisure, rather than the retail led scheme being proposed by Centros.

In sum, this brief analysis is both inadequate and misleading. It is biased in the extreme and in places untrue.

Responses

The next section of the reports lists the amendments to the plans which have taken place in response to comments.

However, it does not indicate whether these amendments are acceptable to consultees.

More importantly, there is no indication of those comments which have not been acted on. Examination of the material suggests that these are considerably more extensive in both number and range than those which have elicited some change; examples which spring to mind are the challenges to the retail dominance of the scheme, demolition of buildings, restructuring of local traffic flows, and environmental issues.

Conclusion

This report, as with the first report, suffers from serious inadequacies in both what is represented, and in the consultation it represents. It purports to demonstrate community involvement in the development of plans for the site; what it in fact demonstrates is Centros commitment to the overall shape and various elements of the plan – including, for example, the demolition of Stonewell and the construction of a pedestrian bridge - which were not up for discussion.

Statement of Community Involvement: Public Consultation the Development Proposals (Centros Miller) (Final Issue: May 2007-June 2008) [CD24]

This report comprises Centros Miller's submission on consultation and community involvement in relation to the planning application; it states that it is a supporting document for the application.

It notes the existence of the previous two reports [CD29 and CD90], and states, wrongly, that these are available to download from the castle-view website³. The report states that the activities reported therein are related to the July 2008 planning application, following revisions to the scheme responding to feedback from a public exhibition and statutory consultation undertaken by Lancaster City Council in relation to the withdrawn April 2007 planning application.

As previously, these revisions, as presented [CD24 Appendix C] fail to respond to many of the issues raised, especially those included in submissions to Lancaster City Council in the statutory consultation in 2007. In fact, although these responses are stated as having influenced the revised plans, the responses are not otherwise referred to and there is no indication how these, or other, responses have actually influenced any changes.

Again, there is no indication in the revisions of any acknowledgement of the importance of heritage aspects of the site, particularly in relation to retention of existing buildings.

The revised plan was then 'revealed to the public' in April 2008, and further 'consultation' undertaken, comprising the production of a briefing document, an advertorial wrap, and a meeting with local interest groups.

Target group

The report states that

"as part of the consultation it was important to engage a wide demographic of people across the city" [CD24 p 3]

and goes on to list the audiences and groups 'identified and targeted'.

As noted previously, the list of groups is entirely inadequate; young people, old people, disabled people and ethnic groups are not identified, for example, so a 'wide demographic' was certainly not represented. Centros may have believed that this variety was subsumed under the heading of 'general public' but the only public 'consultation activity' undertaken in this period comprised the public exhibition, which made no provision to attract particular, otherwise un- or under-represented groups and was in any case PR rather than genuine consultation. The provision of advertising materials promoting the development cannot be considered as consultation and in any case was restricted to those who are literate and who read the local paper.

³ The second report [CD90] is not available as at 11 May 2009.

Public Exhibition

The public exhibition was held in June 2007, after the submission of the April 2007 planning application, and prior to its withdrawal. It is impossible, therefore, to see how this can have been conceived of as public consultation which would influence the plans, as the planning application had already been submitted.

It is apparent, rather, that this was primarily a PR exercise, designed to engender support for the development, rather than consult on it. Plans presented were consistently positive; no problems were identified or presented, and problems (such as traffic) raised with the Centros development team were replied to with affirmations that all would be well and all problems solved by the plan. As discussed above [p21] consultation requires balanced and fair information which describes costs and risks as well as benefits; information for consultation provided by Centros does not fulfil this requirement.

Feedback cards were provided by Centros at the exhibition, and the bulk of this report is made up of reproductions of these. Presumably these reproductions are complete, although they show a question 1 but no further questions.

Centros report 53% of feedback on 299 cards received as showing support, with 11% objecting. Given the overwhelmingly positive presentation of the plans, this bare majority support is low, and suggests the underlying figure is lower. That, of course, assumes that Centros' analysis of the cards is accurate, which given their shortcomings elsewhere, is questionable. Their claim that 'a clear majority of the 3,530 people who visited the exhibition expressed their support for the scheme' [CD24 p 7] is misleading to the point of outright dishonesty: only 299 people expressed a view.

The report goes on to select a list of positive comments to report. A selective list such as this is meaningless unless it is viewed in the context of the complete analysis of the data (e.g. 13% are cited as positive regarding shopping, but how many are positive or negative about other uses for the site?).

Eight specific issues are identified, and at last we see concern regarding the demolition of existing buildings being reported. However, this is solely in the context of Stonewell.

Common Themes: Summer 2007

The report states that 'analysis of all the feedback points raised by members of the public' [CD24 p 9] produces a number of themes. It is unclear whether this refers to analysis of the cards, or to other material. In either case, the eight issues on the previous page are reduced to four, again with heritage not identified.

Revised Proposals

Centros report extensive media publicity on the revised plans presented in April 2008, and notes that email, postal and telephone conduits are available. The invitation to comment on the Citizen wrap presented CD24 Appendix 4, however, is in small print at

the end of the document, and first states that information is available before discreet 'send us your comments'. This advertising is not consultation. The Briefing Document contains no invitation to comment, and is not consultation.

One meeting with local interest groups is reported. Again this primarily took the form of information provision, with no apparent attempt made to elicit views or commentary.

The report comments that some groups were very positive and 'were keen to stress their view that the opposition groups did not speak for most of the people in Lancaster.' This rather blatant attempt to discredit opposition is unpalatable and precisely the sort of statement which alienates people and confirms the view that Centros's 'consultation' is actually a PR exercise. It should not need saying that it is also untrue: there are no robust figures which support a majority view either way, although the evidence does suggest a strong preference for a cultural/leisure focused development, rather than a retail led development.

The report goes on to describe the main concerns of opposition groups as including economic viability and increased traffic. Whilst this may represent the major issues raised at this meeting, this is a reflection of the poor design of the meeting rather than anything else. It does not reflect the concerns relating to the plans accurately.

Common Themes

The final section of the report is a brief presentation of common themes of concern, which have now fallen to three, with the loss of a desire for more open space as a theme. This, of course, is nonsensical and is solely a reflection of a single meeting where open space was not interpreted as being a 'common theme', although it was raised.

A final attempt to marginalize It's Our City is made by stating that there was 'general support for the revised scheme....strong opposition from the local residents' groups'. Any opposition from members of the public, such as those attending the public exhibition or who submitted letters in response to the planning application, are ignored.

Conclusion

This report, comprising the main statement on public consultation submitted with the planning application, represents Centros Miller's argument for the adequacy of the consultation conducted. As such, it fails absolutely both in terms of the consultation undertaken and the reporting thereof. The consultation does not comply with the requirements of PPS1 [CD48], the Lancaster City Council Consultation Strategy [CD87], or of good, or even adequate, practice.

The public consultation comprised a series of PR activities (the public exhibition, the advertorial wrap and the briefing materials) designed to elicit positive responses, rather than genuinely to engage and involve. The single interest group meeting failed to involve many relevant groups, and again comprised positive information provision rather than being designed to elicit comments and responses.

Other relevant consultation – particularly the responses to the April 2007 planning application and unresolved issues from earlier consultation – are not presented or analysed, despite being informed of its results [CD77]. Vast tranches of highly relevant material are ignored.

Further, Centros failed to maintain contact with interest groups, and failed to update its website sufficiently during this period. Contact, and updating the website, appears to have ceased almost completely since the 2008 applications were submitted. The requirement to build and maintain community involvement is entirely unfulfilled.

The claim is made throughout this and other documents that the plans have been revised in response to consultation; indeed, the Briefing Document and Advertorial Wrap are headed ‘refined in response to consultation’. Whilst some adjustments have clearly been made, and some of these can be related to some reported consultation responses, there is no proper analysis or description of the issues, concerns and comments made in consultation, and therefore no possibility of being able to present both those issues where adjustments have been made, and those where they have not. Centros make no response whatsoever to many of the concerns and issues raised; in many cases they do not even identify them as issues.

As with previous reports of consultation, Centros entirely overlook the importance of heritage and the existing buildings on the site to many respondents, with exception of a reference to the Stonewell buildings. There are other, very substantial omissions, such as the acknowledgement of the preference for a cultural/leisure use of the site overall, and of course of the substantial critique made of their consultation activities. Time does not, unfortunately, allow me to reanalyze the data available and identify all the issues that are omitted in this and other reports.

The report is misleading, both in its representation of responses and its claims for how it has used responses.

Abandonment of consultation

Centros Miller state they intend to continue consultation yet no consultation activity has taken place since the stakeholder meeting in April 2007. The Centros Miller website consultation pages have not been updated; CD24, for example, is not listed. A property owner on the site has complained that his letters remain unanswered [CD73].

A promised newsletter keeping people informed of developments never materialized, see <http://www.castle-view.info/newsletters.html> .

Centros have thus already failed in their stated intention to continue consultation as the plans continued to be developed and implemented. They have broken off relationships and failed to maintain any community involvement.

The Lancaster City Council Consultation

Written responses to Planning Application 08/00866/OUT et al

The written responses were examined to gain a view of responses as they pertained to the consultation associated with this planning application, using the Lancaster City Council planning website; at the current time (11 May 2009) these responses are not available in the core library.

It is unfortunate that the Lancaster City Council website is not more amenable to manipulation: it is not infrequently not working, or not working consistently, it is unclear why some responses are allocated as consultation responses or public comments, and what the differentiation is, some names are misspelt, and, most importantly, signatures are not always obscured.

Consultation responses to the April 2007, withdrawn, planning application are unfortunately not available on the Lancaster City Council website, and therefore cannot be considered fully herein. That is problematic, as Centros claim that their plans submitted in 2008 take account of these responses and it is not possible to assess the validity of that particular claim. Neither is it possible to analyse those responses in relation to consultation. However, CD30 gives a summary of objections, which includes many which were not incorporated in revisions of the plan, and notes that there were objections to the consultation at that stage.

Comment

I was impressed by the cogency of many of the responses, and, although this analysis concerns comments relating to consultation, it is notable that many responses included concerns for and visions of sustainable futures which differ markedly from the vision provided by Centros and which are substantially more in line with commitments articulated by central, regional and local government.

What is also striking is the number of respondents who clearly believe they have the interests of Lancaster as a whole at heart. Comments are concerned with the 'bigger issues'; there are relatively few comments which solely reflect individual interests. These responses indicate a community with a shared belief in the value of the individuality of Lancaster, aspirations for genuine sustainable development, and a strong sense that their views are not being heard.

Analysis

The Lancaster City Council website lists 278 public comments and 44 consultation responses totalling 322 responses in relation to this planning application. However, some items are duplicated, and two were identified as consultants' reports, whilst other responses have more than one signatory, so these numbers, particularly in relation to public comments, are approximate.

CD30 cites 278 objections from members of the public/local businesses/local groups, and 1 letter of support. As stated, there are 278 public comments listed, but some are duplicates so the numbers in the Report to the Planning Committee of 13 & 14 October, 2008 [CD30] are wrong.

Of the responses analysed, 207 (c. 64%) explicitly identified inadequacies in the consultation, most stating explicitly that the consultation was inadequate, and many referring to CD48 para 41 and CD65 sections 2.4, 2.7 and 4.14. 3 responses (c. 1%) included positive comments regarding the consultation. The vast majority of comments on consultation were from members of the public, with some businesses and special interest groups also making critical comments.

Of the 210 responses referring to consultation⁴, 99% are negative.

This extremely high level of dissatisfaction alone is sufficient to conclude that the consultation was inadequate⁵.

It is clear that many of the responses were guided by the material provided by It's Our City, and therefore that these responses, in whole or in part, support the objections made by It's Our City. That some responses selected which elements of the It's Our City case to present suggests a degree of deliberation and conscious agreement rather than simply 'signing up with the opposition'. That consultation was selected for criticism by so many respondents indicates a genuine strength of feeling.

The majority of critical comments on consultation refer to policy cited by It's Our City. A substantial proportion of these went beyond quoting the relevant references, and actively engaged with the text of documents cited. Comments included:

"The consultation did not conform to PPS 1 Delivering Sustainable Development, para 41. The local community did not have an opportunity to say what sort of place they want to live in at a stage when this can make a difference, nor did the community have a chance to learn about emerging policies and proposals in good time. It was not good enough to simply invite comments on the worked up proposals. The City Council's own 'Development Brief' for the Canal Corridor Section w2..4,2.7 and 4.14 was not complied with. The regeneration of the area has not been carried out in close consultation with local people to address their needs and aspirations (sec 2.4). There has not been extensive public involvement in the development of the proposals (Sec 2.7). The Council has not progressed the development of the area in such a way which maximises the involvement of local people and which reflects local concerns as much as possible. Local

⁴ Responses which began with some formulation of 'Thank you for inviting us to respond' are excluded from this analysis, as this is considered to be primarily a conventional form of words rather than a considered response.

⁵ It is not a necessary corollary of an unpopular proposal that the consultation will be criticized. For example, in a consultation involving various localities considering proposals to locate radioactive waste from nuclear powered submarines in their area – an extremely unpopular suggestion – carried out by our team at Lancaster University, the consultation itself elicited many positive comments, and few criticisms.

residents have not been involved in the nature and detailed design of the proposed development so it is most unlikely that a sense of ownership in the outcome will be engendered.”

“We feel very strongly that the City Council has not come anywhere close to meeting these consultation objectives”

A set of common themes is apparent within the critical comments. One concerns the fact that, despite Centros Miller stating that they would start with a ‘blank sheet of paper’, they actually start with a set of plans committed to large scale retail development with associated increases in car numbers and movements, which involved demolishing a number of existing buildings.

“Any contact between Centros and the local residents and people working with the area covered by the proposals, seems to have been the wrong way round. It would have been much easier and quicker to talk to the community before embarking on designs, in order to incorporate the needs of the local residents and others who will use the area. There would then have been some choice and, hopefully, some completely different visions for the Canal Corridor area.” (Response to planning application)

“Centros’s plan is not consultation-led, but retail led.”

When specifically detailed, this inadequacy comprised:

Frequently mentioned

- Failure to comply with consultation as detailed in government policy
- Failure to present alternatives
- Failure to respond to consultation and amend proposed plans in line with comments received
- Failure to consult on amended plans
- Telling people what Centros intended to do, rather than asking people what they would like to see done

Less frequently mentioned

- Failure to keep website up to date
- Failure to provide information requested
- Bias in survey questions
- Failure to publish consultation findings, especially those that did not support proposals
- Lack of independence of those carrying out the consultation
- Failure to consider other consultation relevant to the Canalside Corridor, most notably the Real Planning Exercise.

In sum, responses submitted in response to this second set of planning applications very strongly consider consultation to have been inadequate, and that they have not been properly consulted, with particular reference to PPS1 [CP48], the Canal Corridor

Development Brief [CD65], and the Lancaster City Council Consultation Strategy [CD87].

The adequacy of Lancaster City Council consultation and decision making

Lancaster City Council conducted a consultation in response to the planning application, comprising posting 10 site notices, media coverage, and letters to 968 properties.

Whilst Lancaster City Council consultation on the planning application was, in its own words, widespread, it was hardly extensive. They state that:

‘Lancaster City Council is committed to extending its consultation far beyond statutory requirements’ [CS p 3]

Whilst Community Involvement in Planning says:

‘The statutory requirements provide a framework of minimum standards. It is important that planning authorities do not just take a compliance approach...Minimum standards are a floor, not a ceiling.’ [CD92 para 3.4]

In relation to early and influential consultation as a requirement [CD48 paras 7, 11, 13 vi), 41, 43; CD92 paras 1.3, 2.4, 2.5, 2.11, 3.31, CD87 section iv; CD65 sections 2.4, 2.7 and 4.14], Lancaster City Council state that ‘strategic and spatial ambitions for the site are discussed, consulted upon and subsequently adopted’ in the process of producing the Lancaster District Local Plan and supplementary documents, especially, SPG8’ [CD30, p 136]. Yet the planning application bears only a very limited resemblance to the key objectives cited in SPG8 [CD30 p 4]; that limited resemblance implies the need for further consultation to amend to objectives of SPG8.

These objectives include ‘extensive public involvement in the development of the proposals’ [CD30 p 4]. This proof demonstrates that this has not taken place, in contravention of SPG8.

Neither have Lancaster City Council fulfilled their obligations under their Statement of Community Involvement (SCI) [CD89], particularly taking account of their associated commitments in their Consultation Strategy (CS) [CD87].

Lancaster City Council states

“When we consider planning applications, we consult neighbours, parish councils and specialist [sic]. All comments are placed on public record. All decisions are explained in terms of relevant planning policies and matters raised by consultees either in a committee report or a file note.” [SCI (CD89), p 12]

This policy is contravened: decisions are not satisfactorily explained in terms of ‘matters raised by consultees’. The Planning Committee Report [CD30] fails to mention any objections regarding traffic in the discussion of this issue, for example, other than acknowledging criticism of the model used for traffic forecasting. Similarly, no concerns are discussed in relation to air quality. The report notes and lists responses from statutory consultees and other stakeholder groups, and summarises responses from members of the public; it does not explain its decisions or relate its arguments to these responses other than in isolated instances. Indeed, when considering the criticisms made of the consultation itself, it does not even mention the lack of alternative plans for consideration, which was a consideration for very many of the respondents.

Given the importance and scale of the development, the controversy surrounding it, the poor quality and unreliability of the Centros consultation and its reporting, its own commitments in its Statement of Community Involvement [CD89], Consultation Strategy [CD87], Canal Corridor Development Brief [CD65], Core Strategy [CD62 Policy E1], and the requirements of PPS1 [CD48] as cited above, it is reasonable to expect Lancaster City Council to have undertaken further consultation of its own accord. The failure to do so contradicts this policy.

As demonstrated above, the Centros consultation was inadequate, unreliable, and its reporting was misleading. Especially given the high volume of complaints about consultation in response to the earlier, withdrawn application, and indeed from the earliest stages of the Centros consultation as well as in relation to the current planning application, reliance on the Centros consultation in the determination of this planning application is a failure of duty.

Omissions – other relevant consultation

Neither the Centros SCIs [CD24, CD29, CD90] nor the Planning Committee Report [CD30] refer to any of the other consultation which has taken place in relation to development of the Canal Corridor North. The Planning Committee therefore did not have this information available to it. This constitutes poor practice: relevant, recent consultation should be integrated with further consultation.

These omissions comprise:

Real Planning for Lancaster

In November 2003, a local group formed to conduct consultation with local people regarding development of the Canal Corridor North. Their report [CD94] is quite clear: the preference is for a cultural/leisure/green space/small business and shops. Large scale retail development is unpopular, the historic nature of Lancaster is highly valued, and the volume of traffic is disliked.

This study is clearly very relevant to the subsequent development of proposals for the area, yet neither Centros Miller nor the Planning Committee make mention of having considered it.

It's Our City⁶

The It's Our City residents group became active in February 2006. Their activities in the period February 2006 to May 2009 included several leafleting campaigns throughout the city, a series of public meetings across the city, a public debate between local political party leaders prior to the May 2007 elections, a petition against the Centros plans, an information stall in the city centre, and significant local and regional press coverage. They also run a website detailing their objections to the development. Their activities have been directed towards raising awareness of the Centros proposals, and providing information both about concerns regarding these plans, and regarding how to oppose the Centros scheme. They provided detailed information both in 2007 and 2008 regarding how to object to the Centros planning applications. Centros make no mention of the activities undertaken by It's Our City, only of It's Our City participation in activities organized by Centros, although the Lancaster City Council reporting of the responses to the April 2007 planning application does mention the petition.

Virtual Lancaster⁷ and other local media

Centros do briefly mention Virtual Lancaster but fail to give any indication that there was significant coverage of both the process and the detail of the proposals by Virtual Lancaster. Centros do not report in any detail the other media coverage in the Lancaster Guardian, Morecambe Visitor, Citizen (now defunct), Bay Radio or BBC Lancashire. More importantly, they do not report on the comments made by the public via these media, for instance on internet comments pages or letters to the local press. These sources would generally be considered important in relation to understanding local issues, and the apparent failure to consider them is a serious error.

Lancaster City Council Canal Corridor consultation

A consultation exercise in July 2001 is referred to in SPG 8 [CD65]. No reference is made to this in the Centros documents, yet it should have been the starting point for further consultation.

Responses to the April 2007 planning application

Responses to the first set of planning applications are summarized in the Planning Committee Report [CD30] but are not available in full via the internet. Centros make no reference to these comments, and public and residents' comments were not used by Centros to amend the proposal for resubmission.

These ignored inputs from local people give a very different picture of the vision for the Canal Corridor North and substantially contradict the Centros claims of local support.

Local Elections

In May 2007, local elections were held which included Bulk Ward, which includes part of the development site. The Centros plans were a key issue during these elections, with

⁶ www.itsourcity.org.uk

⁷ <http://www.virtual-lancaster.net/>

Green Party members campaigning (broadly speaking) against the plans, and both the sitting and prospective Labour candidates being public supporters. This was made clear at a public debate on the Canal Corridor North development held on 17th April 2007 in the Gregson Community Centre which gave a platform to the then Labour Leader of the Council, as well as the leaders of the other main political parties in Lancaster and an It's Our City representative.

The three Green Party candidates took the three seats in Bulk Ward, and the Labour Leader of the Council, a sitting councillor in this ward, lost his seat. Prior to this election, there had been two Labour councillors and one Green councillor in Bulk Ward.

This is a strong indicator of the majority views of the populace within this ward; other issues were of course influential, (including the reputation of the Lancaster Green Party for genuinely listening to and acting on the concerns and aspirations of their constituency), but the development of the Canal Corridor North was a major concern at the time of the elections.

Evaluation of the Canal Corridor North Consultation

Responsibility for Adequate Consultation

The Canal Corridor North Development is a major proposal directly affecting a large proportion of Lancaster residents. It is therefore reasonable to expect that Lancaster City Council should, in line with its own policy as cited in the Consultation Strategy [CD87] and SPG8 [CD65] consult its residents as to their views on the development.

However, Lancaster City Council carried out no consultation whatsoever with its constituency prior to the submission of the planning applications and the statutory requirement to consult on these. Instead, it relied on the developer, Centros Miller, to consult with local residents and other stakeholders and present its findings. As such, it devolved responsibility for ensuring effective consultation onto the developers.

The Lancaster City Council SCI states that “we [Lancaster City Council] encourage developers of major schemes to consult the local community before they apply for planning permission” [CD 89 p 12]. It acknowledges that it is an essential part of the Lancaster District Community Strategy and the District Consultation Strategy, and cites the Community Strategy’s Vision as underlying Community Involvement, identifying

“Participation – allowing everyone the opportunity to take part in making decisions” [CD 89 para 2.5])

as one of its most important parts. The SCI goes on to identify that ‘taking part’ is to be achieved by, amongst other things:

“early public consultation, debate and involvement in decision-making, responding to local communities’ ideas,...sharing information and making it more accessible;” [CD89 para 2.8]

Given this commitment to these standards of public consultation, along with the commitments cited in other documents above, it is reasonable to argue that the standards Lancaster City Council expect when encouraging developers to undertake public consultation are compatible with their own standards. It is demonstrated in this document that these standards were not in fact met.

It does not seem reasonable that Lancaster City Council (and thereby the residents of the Lancaster District) should accept lower standards of consultation from others than they expect from themselves in relation to decisions for which they are responsible.

Independence of consultation contractors: consultation or PR?

The ‘Castle View’ consultation was conducted by a consultancy, Halogen. Their website provides a description of what they see themselves as doing:

“Halogen provides strategic communications services to property development and investment companies, architects and other property organisations. Whether you want to talk to the property industry, to occupiers, to investors, to government or to the public, Halogen can help you get your message across.....We offer much more than just PR, advertising or marketing. We think holistically and develop total communications strategies. Our bespoke campaigns then deliver effective, successful results by utilising precisely the communications tools needed to achieve our clients’ objectives.”⁸

The phrases ‘Halogen can help you get your message across’ and ‘achieve our clients’ objectives are key. This is not a company driven by the ethos of public consultation good practice as described above, but a PR company practiced in providing good publicity for its clients. It is not a company committed to understanding and representing the views of the public, but to achieving its clients’ objectives. It is stating that public consultation is a means to achieving a pre-determined goal set by corporate interests, not to empowering citizens.

This casts strong doubts, from the outset, as to whether the consultation could be a genuine exercise.

It is indisputable that the company carrying out the consultation on behalf of Centros did not meet good practice principles of being an ‘independent third party’. Instead, they were employed by developers to promote the interests of those developers.

Halogen, and similarly Centros, continue to display this confusion between consultation and PR throughout the ‘consultation’ processes. One such area of confusion is apparent in the way in which Halogen and Centros appear to see information provision as equivalent to consultation, rather than a part of consultation, as demonstrated in the analysis above.

Consultation is, de facto, asking others for their views; PPS1 [CD46], CIP [CD92] and Lancaster City Council’s own policy [CD87] make clear that the requirement for community involvement is not satisfied by providing information. Quite clearly, providing information, telling others what is intended, and providing publicity are not consultation, though they are allied activities. Simply put, PR is not consultation, and respondents can tell the difference.

Centros, and on their behalf, Halogen, appear to have fundamentally confused consultation with the attempt to persuade a local populace to support their proposals through their information provision, which in itself is PR rather than unbiased information. This is a fundamental conflict of interests which totally undermines the possibility of their undertaking fair and transparent consultation.

Sustainability

This limited understanding of consultation is apparent in Centros’ understanding of sustainability. In their Sustainability Statement [CD23] they say the ‘general sustainability principle’ adopted is that:

⁸ <http://www.halogenuk.com/>

‘A comprehensive programme of public consultation has been undertaken and will continue, **to inform** the local community and key stakeholders of the proposed scheme and **allow them to comment on the design**’ [p 4] (*emphasis added*)

This may be compared to PPS1 [CD48], para 7, para 11, key principle 13, para 41, para 43, CIP [CD92] paras 2.2, 2.4, 2.5, 2.11 et al, and others above.

Sustainability includes, as a fundamental component, community involvement and participation [CD48].

It is clear from the quotation above that Centros’ understanding of sustainability as it relates to community involvement is miserably incomplete, and that their Sustainability Statement [CD23] fails to comply with the policy referred to above.

Inclusiveness and accessibility

The consultation failed to be adequately inclusive. Many significant stakeholder groups were overlooked, as were some local businesses and residents living within the development area. Some major commercial stakeholders were also overlooked. No substantial attempt was made to engage with ‘hard to reach’ groups, or, indeed, with the general public.

Most of the Centros consultation, and all of the Lancaster City Council consultation associated with the planning application, was not accessible to those with low levels of literacy, i.e. around 20% of the adult population.

This directly contravenes PPS1:

“An inclusive approach should be taken to ensure that different groups have the opportunity to participate and are not disadvantaged in the process. Identifying and understanding the needs of groups who find it difficult to engage with the planning system is critical to achieving sustainable development objectives.” [CD48 para 42]

That consultation should include all relevant parties, and, beyond this, take action to include groups who usually do not participate, is enshrined in consultation policy [CD 92 paras 1.3, 2.10, 2.11, 3.31, CD87 pp 3-5 and sections ii and iii, and others above]. Consultation policy, along with disabilities legislation, requires consultation to be accessible to those with disabilities.

The Centros and Lancaster City Council consultation activities failed to be inclusive of all relevant parties, and made no attempt to include ‘hard to reach’ groups, as demonstrated above.

Further, some Centros activities failed to provide access for the disabled, as mentioned earlier. In addition, the Centros consultation website, castle-view.com, does not appear to comply with the relevant disabilities legislation as it is not visible in larger print.

The Centros consultation and the Lancaster City Council consultation thus fail to comply with the relevant policy, and fail to comply with disabilities legislation.

Early and Influential Consultation

The need to consult early, is recognized as a necessity for community involvement in planning [CD48 paras 7, 11, 13 vi), 41, 43; CIP paras 1.3, 2.4, 2.5, 2.11, 3.31, CS section iv; CD65 sections 2.4, 2.7 and 4.14] in order that community aspirations and visions properly influence the development of plans. Failure to do so is clearly in breach of these policies.

There are two ways in which Centros failed to implement this. Firstly, their early consultation consisted of meetings with a small selection of local interest groups and (arguably) the residents' survey and the shopping survey. As argued above in relation to CD29, this is wholly inadequate of itself, and the timescale did not permit for proper early consultation and subsequent analysis and consideration and then production of plans. This clearly breaches the policies above.

Secondly, it is clear that Centros were already committed to a large scale retail development with a department store before consulting the public and other stakeholders, as demonstrated above in relation to CD29, and confirmed by the following two, conflicting, quotations:

'Centros's associate director, David Lewis, said: "..... At this stage we have no preconceptions about how the site might be developed and our consultation will start with the questions 'what does Lancaster need?' and 'what would you like to see developed on the site?'" (Centros Miller Press Release 22nd November 2005) [I/C-03]

"The design of the scheme has evolved since the first pre-application meetings in late-2005. However the applicant's development proposals were always going to include a Department Store to anchor the retail provision, and therefore whilst there was a 'blank piece of paper in terms of design', there were established components of the scheme which were fundamental to the planning application. [CD30 p 136].

It is quite clear from this that Centros initiated their consultation with commitments to elements of the scheme, but lied about this in their press release and during the first stage of consultation. This not only contravenes the policies listed above, but is a substantial breach of good faith.

Inaccuracies and misrepresentation

The Centros Reports are littered with inaccuracies. Many of these are identified in analysis of the reports; a further (minor) example comes from the Centros Planning Statement [CD15] which states, in relation to the Statement of Community Involvement (singular) that 'this document sets out details of the extensive consultation work undertaken in relation to the proposals since 2005 up until submission of this application.' [CD15 para 2.23]. It does not; there are two SCIs (CD24 and CD29) submitted with the 2008 planning application; the third (CD90) covering the period between the other reports was not included.

As demonstrated above, Centros repeatedly misconstrue and misrepresent consultation responses and findings. For example, they repeatedly affirm that their consultation responses support a mixed use for the site, when this question was never asked, and responses more clearly show a preference for cultural and leisure uses.

These inaccuracies and misrepresentations fundamentally undermine the integrity of both the reporting and the consultation activities; the Centros consultation, effectively, is not worth the paper it is written on, and should not have been accepted by Lancaster City Council as valid component of the planning application.

Consultation, trust, integrity and empowerment

The Centros PR machine, the deception regarding Centros's initial commitments, and behaviour at meetings, combined to undermine the development of trust and partnership from the inception of their consultation activities. Community involvement and empowerment, rather than being enhanced, were detrimentally affected.

Centros have apparently abandoned Lancaster residents and other stakeholders since 2007, thereby undermining the opportunity to attempt to rebuild relationships.

There is good evidence that substantial numbers of local people are keen to participate actively in the development of plans for the Canal Corridor. However, rather than include and empower this community, the Centros Miller consultation has served to alienate and frustrate.

This conflicts with sustainability, and with the policy above.

Responsiveness

Consultation policy states that decisions should demonstrate how comments have been taken into account [CD87, CD89 12b CD65 4.14]. As identified in analysis of the Centros SCIs, although Centros emphasise the changes that have been made as a result of consultation, they do not identify changes requested but not made, thus failing to show how comments have been taken into account.

Further, as detailed above, Lancaster City Council fail, in the Planning Committee Report [CD30], to properly respond to comments made and demonstrate how these are taken into account.

It is accepted that not all preferences and comments can be accommodated within a plan if some of these are contradictory. However, good practice dictates that where, for examples, changes requested cannot be made, this is identified and the reasoning explained. Centros, however, have substantially ignored comments that were not in line with their thinking.

From the material available to it, most substantially the Real Planning report [CD94] and including the consultation leading to the SPG8 [CD65], it is clear that Lancaster City Council was in a position to actualise the consultation in a way more in tune with the national and local government policies as cited above and elsewhere. Quite clearly, there is evidence on the table that the aspirations of the people of Lancaster for development on this site are for sympathetic building, maintenance of most existing buildings if at all possible, development of cultural activities, green space, housing, and small businesses. Large scale retail development, especially of the 'clone town' style, was not welcomed, and local people disliked the volume of traffic and degree of congestion.

By the end of Centros Miller's Masterplanning process, there was ample evidence that, given a blank sheet of paper, the local people wanted to pursue a multi-use site which was predominantly given over to cultural and leisure uses, with additional shopping provision being small scale and local, which retained existing architecture, was sympathetically designed, and did not create traffic congestion. But Centros Miller were not starting with a blank sheet of paper, but with a commitment to large scale retail development. Whilst they were prepared to make some minor adjustments in the detail of these plans in response to local input, they were not prepared to consider any alternative to a large scale retail led development.

Evaluation

The Lancaster City Council Consultation Strategy [CS] states that "The effectiveness of major public consultation will be evaluated and the results shared ... Evaluation will consider not only the number of responses received but also the quality, cost and timeliness of the consultation and the overall usefulness of the results in helping to inform decisions." [CS p9]

No evaluation of either the Centros consultation or the Lancaster City Council consultation has been conducted, in direct contravention of this policy.

Heritage omission

Centros Millers' two reports fail totally to identify the importance of heritage and the existing buildings on the site to consultees. Although this comes up repeatedly at stakeholder and public meetings, this is ignored in their summaries of key themes, issues and so forth. The amendments listed in their third SCI [CD24] (p82) do not mention this aspect.

The responses to the planning application frequently mention the importance of heritage in Lancaster, and specifically the importance of some of the older buildings on the site; major stakeholders are sufficiently exercised on this issue to participate in the Inquiry.

Yet Centros Millers' consultation fails to identify this very substantial issue as significant. This, alone, is sufficient indictment: any consultation which fails to identify a major issue of concern is clearly inadequate.

Richard Wise, Chief Executive of Centros, is quoted in the local media as saying:

“Having been lobbied by English Heritage and local minority objector group “It’s Our City”, the Government has effectively valued a handful of mediocre unlisted buildings above the delivery of a major regeneration scheme” (The Bay news report, 18 March 2009) [I/C-02]

This rubs salt in the wound: it fails utterly to recognise or acknowledge the real and legitimate concerns of both a statutory body and a local residents’ group. For Centros, at this stage, not to understand the importance of the heritage dimensions of the site, and not to acknowledge stakeholders’ views, demonstrates that they have been, and are, incapable of fulfilling consultation policy.

Precedent

I am not a lawyer, but am aware of two cases where failures of consultation led to court cases which may be relevant.

The Corner House case [I/C-04] was, in part, concerned with the failure of government to consult properly; in this case, particularly regarding the failure to consult all interested parties. In this case, the government settled and undertook to conduct full public consultation.

The Greenpeace case [I/C-05] was concerned with bias in government consultation, particularly relating to the information provided, and the court ruled in Greenpeace’s favour.

Further note

I have emailed Centros Miller twice with comments on the development plans, and also submitted an email objection in response to the planning application. I can find no reference in any of the reporting to these emails, or to some of the issues raised.

Failure to acknowledge or report responses, or to include them on what purport to be lists of all responses, fatally undermines the consultation. This, alone, leads to me to consider that the consultation is inadequate and cannot be considered to have met the requirements of policy. This conclusion is supported by the arguments above.

It's Our City response on consultation

It's Our City have produced a comprehensive critique of the activities carried out by Centros Miller under the heading of 'consultation', noting the absence of any consultation other than the minimum required in relation to the submission of a planning application being undertaken by Lancaster City Council [CD68].

It is not intended to reproduce these criticisms herein, but to state that I have examined the available documentary material and this concurs with the criticisms made by It's Our City.

Further, examples provided in the It's Our City critique, particularly those of failures to report negative comments, failures to report activities, failures to provide information, and failures to engage in dialogue, provide substantial evidence of the inadequacy of the consultation undertaken.

This proof should therefore be read in conjunction with the It's Our City submission [CD68].

Conclusion

I have examined the available material pertaining to the consultations relating to the Canal Corridor Development, and the written objections submitted in response to the 2008 planning application.

Centros' reporting, analysis, interpretation of data and representation of comments is of poor quality, misleading and inaccurate.

Centros' consultation was fundamentally inadequate:

- It generated alienation and mistrust
- It missed heritage as key issue
- Information was biased
- It was not inclusive and accessible
- It failed to consult before plans were developed
- It misrepresented Centros' initial commitments
- It failed to respond sufficiently to respondents' comments
- It failed to be accessible
- It was dishonest in its stated intentions and parameters

The Lancaster City Council public consultation was inadequate, given the scale and significance of the development and its own commitments.

Consultation in relation to this planning proposals does not comply with

- PPS1 [CD48]
- Lancaster City Council consultation strategy and associated guidance [CD87 and CD88]
- Lancaster City Council Statement of Community Involvement [CD89]

- Lancaster City Council Canal Corridor Development Brief [CD65]
- Lancaster City Council Core Strategy [CD62]
- Any general standard of good practice

Other, more generic, policy is also not complied with.

The planning decision is thus inappropriate as it:

- Relied substantially on Centros consultation, which was fundamentally inadequate and did not meet Lancaster City Council's standards for consultation
- Relied on inadequate reporting of Lancaster City Council consultation
- Failed to take account of other relevant consultation
- Failed to recognize this inadequacy
- Therefore failed to sufficiently take account of consultees' views.

This failure to consult adequately provides grounds to refuse the planning application.

References

Ref No	Document
CD15	Centros Miller Planning Statement
CD23	Centros Miller Sustainability Statement
CD24	Centros Miller Statement of Community Involvement
CD29	Centros Miller Public Consultation on the Masterplanning Process (2005-2006)
CD30	Planning Committee Report - 08/00866/OUT – 13 th and 14 th October 2008
CD48	PPS1 Delivering Sustainable Development
CD62	LCC District Core Strategy
CD65	LCC Canal Corridor - North Development Brief: Lancaster District Local Plan Supplementary Planning Guidance Note 8 (May 2008)
CD68	Consultation Response – Its Our City
CD72	<i>Other Statutory Consultation Responses*</i>
CD73	<i>Neighbour/Public Consultation Responses*</i>
CD77	07/00672/OUT – LCC letter (Consultation Summary) to Montagu Evans, 6 July 2007
CD 87	LCC Consultation Strategy: A Framework for Effective Consultation (Corporate Strategy Service, March 2006)
CD88	LCC Consultation Toolkit (Corporate Strategy Service, March 2006)
CD89	LCC Statement of Community Involvement (Adopted 14 June 2006)
CD90	Centros Miller: Statement of Community Involvement: Public Consultation on the Development Proposals (undated)
CD91	BERR, 2008: Code of Practice on Consultation (Better Regulation Executive,

	Department for Business, Enterprise and Regulatory Reform) 2008 http://www.berr.gov.uk/files/file47158.pdf
CD92	Office of the Deputy Prime Minister (2004) Community Involvement in Planning: The Government's Objectives (ODPM)
CD93	LGA/NPF Community Involvement in Town and Country Planning: Good Practice Note 1
CD94	Real Planning for Lancaster: Canal Corridor North Results of a Public Consultation (November, 2003)
I/C-02	Bay Radio reporting, 18 March 2009
I/C-03	Centros Miller Press Release 22 November 2005
I/C-04	The Cornerhouse Case
I/C-05	The Greenpeace Case
* these documents were not available in the Core Document Library when this document was being written (up to 12 th May 2009) and therefore the responses as available on the Lancaster City Council planning application site were used herein.	