



Rt Hon Robert Jenrick, MP, Secretary of State for Housing, Communities & Local Government

Ministry of Housing Communities & Local Government

Fry Buildings

2 Marsham Street

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26th October 2020

Dear Secretary of State,

An Open Letter from Cratus: ‘Planning for the Future’ White Paper

In response to the ‘*Planning for the Future*’ White Paper, I am writing on behalf of Cratus Communications to openly convey a selection of our thoughts around the importance of local engagement and the potential for unintended consequences to arise from Government’s strategy as currently proposed.

Cratus’ work concerns engagement activities that are fundamental to the success of development projects and so to future planning reform; in particular, planning and development communications and the role of communities and local government in that field. Cratus has a deep understanding of the inter-connected nature of these functions. We provide strategic advice, counsel and mentoring direct to local government. We also support developers and investors to navigate the planning system and engage with communities and stakeholders in the most effective way possible. We don’t stop at plan-making and planning application stage but continue to provide direct support to create and build communities after permission has been granted.

‘Joining the dots’ and unlocking discussions between the public, private and third sector is the essence of our work and underpins our guiding principle, “*Our World is Local*”. We want consultation to be enshrined in a way that is *deliverable* because it *matters* - to communities, to the timely delivery of quality development and to the creation of enduring places.

The following is not the entirety or full depth of our thinking on each element of *Planning for the Future*, but highlights some of themes that are especially relevant to discussions that we are facilitating across the sector.

Engaging with the consultation

There are good reasons why it is genuinely important that those outside the planning and development industries engage with the consultation process. Not least, there seem to be clear benefits around enabling the provision of transparent and accessible data that would support strategic cross-boundary growth and indeed support local government service delivery and future public-private partnerships more generally. As you have separately indicated in conversation with Steve Quartermain CBE, reform should not be about efficiency savings, but about creating a better public service. We agree with this sentiment.

It seems somewhat contradictory, therefore, that a paper that expressly seeks input from a broad range of people, seeks feedback in a narrow and non-inclusive way that doesn't look to raise the profile of the strategy beyond planning and housing, and that is difficult for the general public to engage with. This feels like a significant missed opportunity in this case, albeit one that may well inadvertently provide a platform to justify supporting better public engagement and the use of digital tools. A White Paper that is demonstrably about the reform of engagement perhaps would have benefitted from a more considered approach regarding its own consultation strategy, as well as a more inclusive Task Force that has representation from the key sectors that are most affected by the change - including a planning expert and community-based and local government representatives.

In support

Like you, we recognise that for some people the planning system can at times feel unpredictable, difficult to engage with and understand. There is scope for substantial change albeit we perhaps differ in our view of what is holding back delivery and therefore what change could and should look like. There is a sense that planning is still viewed by some as 'the enemy' and this doesn't bode well for successful future delivery. As you have separately indicated, the role of the planner *matters* if we are to create places that we can be proud of in the future.

We agree that a change in the pace of delivery in local plan-making that also engages local people is a laudable principle. We also support the principle of making planning information easier to find and understand and making it appear in the places that discussions are happening like digital groups and social networks. This ought to give a broader spectrum of our neighbourhoods and communities an earlier voice in the future of their area as plans are made, and make it easier to access and understand information. However, this doesn't automatically equate to consultation being "best in class" or more "meaningful". Delivery is key and on the one hand it has to be locally appropriate and on the other hand, deliverable across local authority areas. In considering cross-boundary delivery, the absence of detail on how the Duty to Co-operate will be replaced, is a concern.

Meaningful engagement

Given the multiple alternative planning mechanisms being proposed in the Paper, along with a layer of design consultation, it is not at all clear what will be consulted upon in the future, how or when, or indeed much sense of the feasibility. We are hearing concerns from the sector and local government around the methods and time required to comprehensively deliver genuinely meaningful public consultation, the need to demonstrate the reasonable prospect of infrastructure delivery and the introduction of a new nationally-determined binding housing requirement. This makes the 30-months for new Local Plans to be put in place appear unreachable from a practical perspective.

We note that there are just two stages where significant public engagement is proposed: Stage 1 where the local authority “calls for” suggestions for areas under the three categories (Growth / Renewal /Protected) and Stage 3 where the local planning authority simultaneously submits their Plan for Examination and publicises the plan for the public to comment on. In short, a local authority needs to very rapidly be in a position to *fully enable* engagement and interested parties need to be ready to input at Stage 1 or they may lose the chance to have any substantive input at all.

Best in class engagement is not just a matter of communities needing to be kept informed and updated – above all they need to continue to be involved and this is especially important given there can be substantial time-lags between plan-making and delivery. The logic behind removing consultation at the pre-planning/application stage seems rather at odds with the ambition expressed in the Paper regarding plan-making. There is reference to “streamline[ing]” of the opportunity for consultation on the grounds that consultation at application stage adds delay to the process and is focused on a small minority of voices. Of course, consultation done well is not like this, and some of the engagement principles that are proposed for the plan-making stage in terms of making information easier to access and engage with could perhaps be applied to the pre-application/application stage. In other words, frontloading the planning system ought not automatically mean that later stage consultation falls away.

Locally elected Councillors

Councillors are a missing link in the proposed community engagement shift. The absence of recognition of those who support the communities that are at the very heart of *Planning for the Future* has, as you will be aware, caused at best consternation and at worst a genuine fear of a loss of local democracy in favour of new procedures that could *unnecessarily* result in Government intervention. These fears are very real from a practical perspective, ranging from concern around the Standard Method, the absence of any clearly stated joined-up thinking between housing delivery and jobs growth and infrastructure (and the difference in rural and urban areas, in the north and south), to the potential removal of the right to be heard. These are just some examples.

If the proposals proceed in the vein currently presented the positive benefits could be undermined by unintended consequences including, but not limited to: developers and investors having little option but to lobby at local plan stage, including via quantitative evidence that cannot be tested quickly enough using skills and resources within the local authority; separate lobbying to secure evidence of a significant change in circumstances where this might necessitate a local plan review sooner than every 5 years (or the opposite, depending on what interests are at play); behavioural shifts around the timing of local plan reviews relative to local elections; lobbying around site-specific technical issues; a disconnect between those lobbying for design inclusion through locally-produced guides and codes, including at a micro-level, and local authorities seeking the quickest option available by getting plans approved under national guidance; short and medium term issues in housing delivery arising from unduly restrictive codes and pattern books in some locations. This represents just a selection of the concerns that we have heard from the sector.

Local authority resourcing & structure

As our public and private sector planning friends will no doubt separately convey, there are parts of the existing planning system that could be improved, but resourcing local authority planning departments appropriately (and associated key technical specialisms and bodies) is a significant and perhaps more pressing part of that jigsaw. Appropriate resourcing is more than a question of local government finances, and more than a question of skills development. It requires the holistic consideration of the empowerment of the next generation of officers, and clarity around the roles that they are required to fulfil.

The Paper proposes substantial complexities in terms of immediate changes that could be required to working arrangements and skills. When combined with the uncertainty over the various planning tools being considered, the layers of design guidance including the need to establish what is "provably popular", and the suggested expansion of neighbourhood plans (to name a few considerations), the chances of local and combined authorities being freed from the supposed shackles of "burdensome assessments and negotiations" is unlikely to suddenly result in an abundance of local government time to focus on the development projects that really matter. When combined with other wider reforms – and notably the now delayed Recovery and Devolution White Paper - the roadmap for local government becomes more complex. We believe that these two areas of reform should not be considered in isolation.

In conclusion, there is great potential to involve communities in all stages of the planning process, through policy-making, planning applications, construction and post-completion. Making the process of engagement more transparent and accessible to a wider audience is a key part of this process, and indeed one that to our mind ought to be a requirement and no longer an option. We would urge Government to consider further how this can be embedded in the system in a simplified manner that is achievable in a realistic timescale, with a sensible transition period.

Cratus

Our world is local

Yours faithfully,



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